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WAS NIGERIA'S OFFERING OF ASYLUM STATUS TO PRESIDENT CHARLES TAYLOR OF LIBERIA A DIPLOMATIC BLUNDER? A FOREIGN POLICY CASE REVIEW

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ABSTRACT

This paper critically examines the appropriateness or otherwise of the granting of asylum status to former Liberian President, Charles Taylor by the Nigerian government on August 11, 2003. The paper argues that the granting of asylum status to Taylor was consistent with Nigeria's Afrocentric foreign policy and traditional "big brother" role in Africa. The objective of the asylum was to end the 14-year-old-conflict and return peace and stability to Liberia. However, after the asylum was granted to Mr. Taylor, Nigeria came under serious international pressure from the United States (US) and its Western allies to release Taylor for trial at the Special Court for Sierra Leone (SCSL). Using a desktop review, the findings showed that the asylum was an outcome of a multilateral agreement in which the United Nations (UN), African Union, Economic Community of West African States (ECOWAS), the US, and the United Kingdom (UK)

played active roles. The paper also establishes that granting asylum to Taylor was within Nigeria's international obligation under Article 12(3) of the African Charter on Human and Peoples' Rights of 1981, for which Taylor qualified at the time of the asylum. Similarly, the Declaration of Territorial Asylum, 1967 gives asylum granting state the powers to evaluate the grounds for granting such asylum. Thus, Nigeria's asylum accorded to Taylor was the country's prerogative and consistent with international law even though he was indicted for war crimes and crimes against humanity by the SCSL. Therefore, Nigeria's action in granting asylum to Mr Taylor neither violated any treaty to which Nigeria was a signatory at the time of granting the asylum nor amounted to a diplomatic blunder. Rather, Nigeria's willingness to grant asylum to Taylor which subsequently led to the successful resolution of the Liberian crisis was widely commended in global diplomatic circles. Apart from applying indigenous diplomacy in conflict resolution, Nigeria's rating as an effective regional power increased. To sustain the country's pedigree of diplomatic excellence in resolving the Liberian crisis, Nigeria should rally ECOWAS countries to deepen economic integration, achieve self-reliance and make the sub-region less vulnerable to manipulation by Western powers.

Keywords: Charles Taylor, foreign policy, asylum, Liberia, civil war, Nigeria.

INTRODUCTION

Nigeria's independence from Britain in 1960 not only signified the country's formal recognition as a sovereign political entity under international law, but also a practical opportunity for the indigenous people to actualize their legitimate aspirations of self-determination and self-governance as stipulated in Article 73(2) of the UN Charter of 1945. This development came with two different but mutually reinforcing responsibilities. That is the building of nationhood on the one hand, and the pursuit of a foreign policy to ensure the survival of the new state and project its core values on the other hand. In line with this objective and in clear appreciation of the immediate post-independence environment, Sir Abubakar Tafawa Balewa, the then Prime Minister of Nigeria, declared Africa as the centerpiece of Nigerian foreign policy (Jemirade, 2020a).

More specifically, Nigeria's foreign policy objective and strategy were largely built around a set of principles such as African unity

and independence; capability to exercise hegemonic influence in the region; peaceful settlement of disputes; non-alignment and non-intentional interference in the internal affairs of other nations; and regional economic cooperation and development. In practice, Nigeria had participated actively in birthing regional and sub-regional multilateral organizations such as the Organisation of African Unity (OAU) - now known as the African Union (AU), and ECOWAS, to provide continent-wide as well as sub-regional structures and frameworks for actualizing its foreign policy goals.

It should be noted that several decades after its independence, successive governments in Nigeria have kept faith with the Afrocentric-based foreign policy thrust whose contents have been based mostly on an altruistic "big brother" posture with limited strategic and economic considerations. Most Nigeria-African policies came with huge economic commitments and high political and diplomatic costs. Nigeria, for example, provided support for the People's Movement for the Liberation of Angola (MPLA) against the United States; supporting the National Union for the Total Independence of Angola (UNITA) in 1975 (Garba, 1987; Jemirade, 2020a). Nigeria donated US$20 million to the Zimbabwean liberation movement against the apartheid government of Rhodesia in 1977 (Daily Trust, 2018), and contributed financially to the independence of Angola, Zimbabwe and South Africa (Jemirade, 2020b). Furthermore, Nigeria provided US$1.6 million in military assistance to the newly independent Mozambique to help fight the South African-backed Mozambican National Resistance guerilla movement (Garba, 1991; Ola, 2017). At the diplomatic level, Nigeria nationalized Barclays Bank and British Petroleum (BP) for flouting the trade embargo on the apartheid South African regime (Kia et al., 2016; Ola, 2017).

In the early 1990s, Nigeria led the ECOWAS Monitoring Group (ECOMOG) peacekeeping operations to Liberia and Sierra Leone, respectively, and committed huge material and human resources to that course. Nigeria also provided economic and financial aid to several economically less endowed African countries. The numerous sacrifices and selflessness displayed by Nigeria in many of her foreign policy engagements across the African continent have often been received with feelings of resentment, suspicion of hegemonic agenda, criticisms and sometimes open hostilities. While many of Nigeria's role in Africa has been generally extolled at the global level, some

of them have also attracted backlash and opprobrium from a section of the international community especially when such roles conflicted with powerful Western nations such as the US, UK and France.

Of note was the 2003 Nigeria-multi-stakeholder intervention in the Liberian crisis which culminated in Nigeria's granting asylum to former Liberian President Charles Taylor and subsequent restoration of peace and stability in that country. No sooner had Taylor been granted asylum when Nigeria came under heavy international pressure from the US, the European Union (EU), and the International Human Rights Organization (IHRO) to hand over Charles Taylor for prosecution at the SCSL.

There are numerous studies on the role played by Nigeria and ECOWAS in ending the Liberian civil war (Adeboye, 2020; Hamman & Omojuwa, 2013; Olawale, 2015). Several other literatures explored Nigeria's asylum to Charles Taylor (Adebajo 2007; Agwu, 2004; Aremu, 2015). However, not many studies exist on the diplomatic process leading to Nigeria's decision to grant asylum to Taylor. This paper is a careful attempt to analyze the multilateral engagements between Nigeria, ECOWAS, the UN, the US, and the UK amongst others, in reaching agreement on Taylors' asylum in Nigeria and its aftermath. The objective is to understand the motives for Nigeria's decision to grant asylum status to Charles Taylor and the ultimate repercussion it had on Nigeria's diplomatic relations with the US and its Western allies. The paper relied on data obtained from a variety of secondary sources and analyzed using a desktop review.

Theoretical Perspective

This paper utilized the theory of hegemonic stability (THS). This theory which is a hybrid theory that draws on realist, liberal and historical structuralist perspectives owe its origin to the pioneering works of Charles Kindleberger in 1929. Since then, the frontier of the theory has been expanded and widened by other scholars such as Robert Keohane, Robert Gilpin, Robert Cox and Stephen Krasne, among others.

The main assumption of the THS is that a relatively open and stable international system is most likely when there is a single dominant or hegemonic state (Webb & Krasner, 1989). The hegemon must have a

sufficiently large share of resources that it is able to provide leadership and willing to pursue policies necessary to create and maintain a liberal economic order. In other words, the hegemon must be very powerful relative to other states to be able to perform such stabilizing roles (Webb & Krasner, 1989). The hegemonic state must follow policies that other major actors believe are relatively beneficial. Furthermore, the theory posits that a hegemonic power has the incentive to provide the 'public good' (shared values from which everyone who has access to them benefits, even if not everyone contributes to their preservation or creation), as it has the greatest power in perpetuating the existing international system that gives him the dominant status (Webb & Krasner, 1989). Public good or a secure and stable condition can only be provided by a hegemonic state; he has the ability in providing the 'public good' because he is in the strongest position and has ability in terms of military, economy and politics. Security and a stable economy and politics are possible with strong hegemonic power.

THS is relevant in understanding the roles played by Nigeria in the granting of asylum to Charles Taylor. In the West African sub-region, Nigeria is widely perceived as a hegemonic state because of its population size, natural resources, military supremacy and economic capability. These elements of national power contributed immensely to defining and sustaining Nigeria's foreign policy orientation. Since its independence in 1960, Nigeria has pursued a foreign policy which puts Africa at the heart of its agenda that manifestly propelled the country to the centre stage of African affairs generally and in West African security matters in particular (Alli, 2012). For example, throughout the lifespan of the ECOWAS intervention in the Liberian civil war, Nigeria was always the dominant state and contributed 75 percent of all troops (12,000 out of 16,000) and 90 percent of all finances (Adebajo 2002). Nigeria spent about one million US dollars daily on the ECOMOG operation (George, 2012). According to Kuna (2005, p. 5), Nigeria is the only power, especially in West Africa that can contemplate long-range power projection, and thus about the only country in the region, and one of possibly three on the continent with South Africa and Egypt, capable of sustaining a fairly large military contingent over a long period of time far away from their borders or shores.

The civil war in Liberia even though an intra-state conflict had a profound impact on the West African sub-region in terms of deepening

humanitarian crises-refugees and internally displaced persons, child soldiers, small arms proliferation, killings, destruction of properties, and increased poverty and destitution across borders (Omaamaka & Groupson-Paul, 2015). Nigeria as a regional hegemon had to provide leadership by granting asylum to Taylor to bring an end to the conflict in Liberia and restore peace and stability to the West African sub-region.

Charles Taylor and the Civil Wars in Liberia and Sierra Leone

The Liberian Civil War began in December 1989, when the National Patriotic Front of Liberia (NPFL), led by Charles Taylor invaded Liberia from Côte d'Ivoire to overthrow former President Samuel Doe's regime. However, disagreement within Taylor's NPFL led to the emergence of the Independent National Patriotic Front of Liberia (INPFL), a splinter group led by Prince Yormie Johnson. Johnson's INPFL captured President Samuel Doe and executed him in September 1990. Despite the death of Samuel Doe, the civil war continued and resulted in widespread carnage and humanitarian disaster. The civil war soon attracted international attention and led to ECOWAS-ECOMOG intervention after repeated appeals by the UN for cessation of hostilities had failed.

President Joseph Momoh of Sierra Leone, a frontline African leader in the ECOWAS peace process in Liberia provided ECOMOG with airbases from which attacks were launched against Taylor's forces (Wigglesworth, 2008). Taylor perceived Joseph Momoh's role as well as that of ECOMOG in Liberia as detrimental to his ambition to seize power in Liberia's capital city, Monrovia. Therefore, Taylor tried to weaken ECOMOG operations in Liberia and vowed that Sierra Leone must also "taste the bitterness of war" (Sirleaf, 2014). Although Taylor became the president of Liberia in 1997 through an overwhelming electoral victory, he failed to address critical issues relating to power-sharing, disarmament and demobilization of ex-combatants (Ogunmola, 2014). Similarly, Taylor's administration was rated low on human rights as he reportedly intimidated and harassed the press, civil society organizations and perceived political opponents. His regime became highly unpopular, and rebel groups, namely; the Liberians United for Reconciliation and Democracy (LURD), and the Movement for Democracy in Liberia (MODEL), emerged to challenge his rule.

The Liberian civil war was said to have been reputed for wanton and systematic victimization of the civilian population as all factions at war engaged in rape, torture, cannibalism, mutilation of limbs, arms and ears, burning of villages and looting. More than 200 people were killed while more than one-third of the country's estimated 2.5 million population were exiled to neighbouring countries (Ojo & Agbude, 2015).

In 1991, a civil war began in Sierra Leone when the Revolutionary United Front (RUF), led by Foday Sankoh crossed into Sierra Leone from Liberia with a mission to overthrow the government in Sierra Leone. Taylor provided RUF with logistical support, training, weapons, staging ground for attacks as well as a safe haven for a retreat (Global Witness, 2012). During the civil war in Sierra Leone, rebel forces committed heinous crimes against the civilian population (Human Rights Watch, 1999). RUF became notoriously known for looting, amputation of limbs, sexual violence against women and children, forcible conscription of children as combatants, torture and forced cannibalism (Global Witness, 2012). Over 50,000 people were killed, several others had their arms, legs, ears, noses or lips chopped off, and more than 2.6 million people became refugees in neighbouring countries or internally displaced (Wigglesworth, 2008). On March 7, 2003, Taylor was indicted for war crimes, crimes against humanity and serious violations of international humanitarian law by the SCSL. The alleged war crimes were committed from November 30, 1996, to January 18, 2002, during the course of the civil war in Sierra Leone (Open Society Justice Initiative, 2013).

Geostrategic Context of Nigeria's Asylum to Charles Taylor

Historically, the main objective of ECOWAS as established by the Treaty of Lagos in 1975, was to promote trade, and cooperation as well as self-reliance among member countries. Nevertheless, since its inception, member states have been faced with a plethora of challenges, especially, internal armed conflicts which have constrained the West African sub-regional body from attaining economic prosperity as envisaged by its founding fathers.

In order to de-escalate and effectively manage conflicts in the sub-region, ECOWAS in 1981, supplemented the Non-Aggression Protocol with the Protocol on Mutual Assistance in Defence. Article 2 of the protocol specifies that aggression against one member state

is an aggression against the entire community and set up a framework for the establishment of an Allied Armed Forces of the Community (AAFC), a military force contributed by member states (Jenkins, 2007). This protocol envisioned a collective security arrangement to guide member states in situations of conflict as well as powers to decide on armed intervention (ECOWAS Commission, 2018).

The first independent engagement of ECOWAS as a regional body in peacekeeping missions was in 1989 when ECOMOG intervened in Liberia to quell the civil war started by Charles Taylor in his attempt to overthrow the government of Samuel Doe (Majinge, 2010; Renda, 1999). The establishment of ECOMOG and the subsequent deployment of troops to intervene in the Liberian crisis was spearheaded by Nigeria under the military administration of General Ibrahim Babangida in 1990. Nigeria's leadership of ECOMOG was visible not only in the size of its military contribution but in the quantity of military hardware as well as the financial resources deployed to support the operation of the monitoring group (Ifedayo, 2013).

By the third quarter of 1990, ECOMOG had already established its presence in Liberia through the deployment of a military contingent for peacekeeping. Out of the 6,000 troops deployed, Nigeria contributed 5,000 (83%), and between 1991 and 1993 when the ECOMOG troops rose to 12,000, Nigeria contributed the lion's share of 10,000 troops amounting to about 83 percent of the number in 1995, 1996 and 1997 (Odigbo et al., 2014, p. 98). Furthermore, Ajayi (as cited in Odigbo et al., 2014) noted that when the total military contingent was 8,000, 7,000 and 11,000, respectively, Nigeria correspondingly contributed 6,000 (75%), 6,000 (86%) and 9,000 (82%) troops and by 1999, it had spent about US$8 billion on ECOMOG.

ECOMOG's intervention in Liberia was not without resistance from the rebel forces led by Charles Taylor. Taylor initially rejected ECOMOG's mandate arguing that the intervention contradicted Article 3(2) of the OAU Charter and Article 2(4) of the UN Charter which prohibits interference in the domestic affairs of member states (Taw, 1999). Moreover, Taylor never viewed ECOMOG as a neutral body because of Nigeria's former president Ibrahim Babangida's closeness to Samuel Doe. Between 1989 and 2003, fighting persisted in Liberia despite the presence of ECOWAS and the UN contingent. In 2002, exiled rebel groups such as LURD and MODEL invaded Liberia from neighbouring Guinea and Sierra Leone, attacking Taylor's

forces from the western and eastern flanks of the country. Under severe military pressure and significant rebel military advances in the northwest and southeast of the country, respectively, Taylor agreed to participate in ECOWAS-mediated peace talks in the Ghanaian capital, Accra (Aboagye & Bah, 2004, p. 2). In June 2003, LURD laid siege on Monrovia (the seat of power and capital of Liberia), as MODEL advanced from the east. The security uncertainty, coupled with Taylor's indictment by a UN SCSL in the same month, unleashed enormous pressure on Charles Taylor to surrender power (O'Connell, 2004).

Taylor was attending ECOWAS peace talks in Akosombo, Ghana when the indictment was announced (Hoffman, 2007). At the peace meeting in Ghana, Taylor expressed his intention to relinquish power if it would restore peace to Liberia (African Union, 2003). But unlike in 1990 when ECOWAS intervened in Liberia without first securing the consent of the warring parties, ECOWAS set up a mediatory body under the Chairmanship of a former Nigerian Head of State, General Abdulsalami Abubakar (Akinyemi, 2004, p. 10), assisted by a team of facilitators/technical experts drawn from the AU, EU, UN, ECOWAS Secretariat and the U.S. State Department (African Union 2003, p. 1). These peace efforts culminated in the offer of asylum to Charles Taylor in Nigeria by former Nigeria president Olusegun Obasanjo. Over the next three years, Charles Taylor and his family remained in their asylum home in the Nigerian city of Calabar, Cross River State.

Asylum to Charles Taylor of Liberia: Did Nigeria Commit a Diplomatic Blunder?

On August 11 2003, former President Charles Taylor of Liberia arrived in Nigeria under asylum status. Nigeria's offer of asylum to Charles Taylor came with challenges to the Obasanjo administration. As soon as Taylor departed Liberia on August 11, 2003, Nigeria came under intense domestic and international pressure that Taylor is brought to justice. Several human rights organizations including Amnesty International and Human Rights Watch campaigned vigorously for his extradition. Similarly, in February 2005, the European Parliament passed a resolution calling on the EU to take necessary and immediate action to bring Taylor to trial before the SCSL (Sesay, 2005). The United States House of Representatives also passed a resolution, 421-1, on May 4, 2005, calling for Nigeria to transfer Taylor to the SCSL. The U.S Senate issued a similar call on May 11, 2005, with a

unanimously adopted resolution thereby reinforcing the call to Nigeria to transfer Taylor to the SCSL (Bhoke, 2006). In the same vein, U.S. President George W. Bush also set aside a USD$2 million bounty for the capture of Taylor (Global Policy Forum, 2003).

On the domestic front, although President Obasanjo's asylum to Taylor received the approval of the Nigerian Senate and the Council of State, there were heavy criticisms from the House of Representatives; the Nigeria Union of Journalists (NUJ); civil society organizations (CSOs); and concerned members of the public. The domestic outcry against Taylor's asylum in Nigeria was not far-fetched. During the Liberian Civil War, Taylor's forces deliberately targeted and killed Nigerian military personnel and civilians living in Liberia because Taylor saw the Nigerian-dominated ECOMOG as an obstacle to his ambition to capture and control Monrovia. Taylor also murdered two Nigerian journalists; Kress Imodibie of *The Guardian* and Tayo Awotusin of *The Champion* who were covering the civil war in Liberia (Ojione, 2008). These, among other factors, contributed to the strong public opposition and condemnation of Charles Taylor's asylum in Nigeria. Despite the public outcry, President Obasanjo did not renege on his commitment and determination to getting Taylor out of Liberia and providing him asylum in Nigeria.

Despite the pressure on the Nigerian government particularly by the U.S and its allies to release Taylor for prosecution at the SCSL, Obasanjo's administration was resolute in pursuing ECOWAS' peace process to its logical conclusion and initially refused to yield to the pressure. It is noteworthy that the diplomatic crisis and domestic concerns generated by these issues raised four fundamental questions: (i) What was Nigeria's rationale for granting asylum to Charles Taylor? (ii) Was the decision to offer asylum to Taylor taken alone by the Nigerian government? (iii) Why did Nigeria take the lead in offering asylum to Charles Taylor? (iv) Was the decision in offering Taylor asylum in Nigeria, a diplomatic blunder?

Evidence from existing literature has shown that the objective of President Obasanjo's government for offering asylum to Charles Taylor in Nigeria had to do with the compelling need to return peace to the people of Liberia and indeed the entire West African sub-region (African Union, 2003; Bhoke, 2006; Ifedayo, 2013; Sesay, 2005; Vunyingah, 2011; Washington Post, 2005). Furthermore, Nigeria's active participation in the ECOWAS peace mission in Liberia was

consistent with her historic "big brother" role in Africa as well as her Afrocentric foreign policy thrust. Besides, the prolonged crisis in Liberia and its potential to jeopardize peace and stability in the West African sub-region could work against Nigeria's economic and geostrategic interests. Nigeria, with its extensive land mass, porous borders and huge population could not afford to turn a blind eye to the Liberian crisis. Accordingly, Nigeria committed about N12 billion to ECOMOG operations, expended N8 billion on ECOWAS Mission in Liberia (ECOMIL) and lost up to 2,000 personnel (Yoroms, 2005). Thus, returning peace and stability to Liberia was also necessary for a peaceful and stable West African sub-region; and getting Taylor out of Liberia offered a huge prospect. As Olujinmi (2005, p. 6) rightly noted:

> …while it was not clear that there would be an automatic return to peace following his [Taylor] resignation and departure, it was clear that no kind of peace was possible with him in the country. It was also clear that his exit would increase the prospect of ending the carnage and bringing an end to the prolonged suffering of the Liberian people and their neighbours.

To say the least, bringing the Liberian crisis into which Nigeria had invested enormous human and material resources to an end by offering Taylor asylum was a top foreign policy priority of Obasanjo's government.

To address the question of whether the decision to grant asylum to Taylor was taken unilaterally by Nigeria or not, there are several factors linking to a series of multilateral consultations and diplomacy, subsequently culminating in Taylor's asylum in Nigeria on August 11, 2003. Femi Fani-Kayode, the former Special Assistant on Public Affairs to President Obasanjo noted, for example, that these consultations resulted in an agreement by AU and ECOWAS leaders that Taylor should be persuaded to abdicate power and enjoy asylum in Nigeria (Fani-Kayode, 2010). The ECOWAS peace process in Liberia was carried out in accordance with global best practices which is consistent with Article 33 of the UN Charter which stipulates that:

> The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by

negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

World leaders such as former UN Secretary-General, Kofi Annan, former President of South Africa, Thabo Mbeki, former President of Ghana and ECOWAS Chairman, John Kufuor, AU Chairman, Joachiqim Chissano, former U.S Ambassador to Nigeria, Howard Jetter and former British High Commissioner to Nigeria, Philip Thomas (Seminitarin, 2004 as cited in Aremu, 2007), all played an active part in the Liberian peace process. Similarly, the ECOWAS mediation team which midwife the negotiation of the asylum was chaired by a former Nigerian Head of State, General Abdulsalam Abubakar. The composition of the team also included experts from the AU, EU, UN, ECOWAS Secretariat and the U.S. State Department. The former U.S Secretary of State, Colin Powell gave credence to this process in 2003 when he stated:

> Because of the crisis we were facing last year, Nigeria was willing to take Mr Taylor with the understanding that Nigeria would then not find itself in difficulty from the international community or the tribunal. Furthermore, that he would not be harassed or made to face prosecution in Liberia, Sierra Leone or the International Criminal Court (ICC), and Nigeria too would be free from pressure to extradite him. And everybody accepted that at the time because we needed to end the violence (Akinyemi, 2004, p. 13).

The enormity of support that this initiative received was evident. High-profile personalities were present at the Monrovia International Airport to witness Taylor's exit from Liberia. These personalities included Thabo Mbeki, the then president of South Africa; Joachiqim Chissano, the then President of Mozambique and Chairman of the AU; John Kufuor, President of Ghana and Chairman of ECOWAS, and Mohammed Ibn Chambas, the Secretary-General of ECOWAS (Akinyemi, 2004). Some of these African leaders were in the company of Charles Taylor when he was being received by Nigerian President Obasanjo on behalf of ECOWAS on August 11, 2003 (Global Policy

Forum, 2003). Their presence underscored the strong determination and courage of African leaders to resolve the Liberian crisis. Akinyemi (2004) rhetorically asked why would so many African presidents and prominent leaders turn up at such a dangerous spot (Monrovia Airport) where the U.S marines were patrolling off-shore, and rebel troops effectively controlled some parts of the city while remnants of Charles Taylor's forces were in disarray. The uncommon courage displayed by these African leaders was arguably a clear determination to provide African solutions to African problems.

The presence of eminent African leaders at the critical moments of Taylor's exit from Liberia and his arrival in Nigeria as well as the asylum granted to Taylor by President Obasanjo's administration was both a product of consensus among world leaders and multilateral bodies (Aremu, 2007). At a recent dinner in honour of the former U.S Secretary of State, Collin Powell in Washington DC, former President Obasanjo revealed that Taylor's asylum in Nigeria was a response to an international request to provide a safe haven for him because his exit from Liberia was considered critical for returning peace to Liberia (AllAfrica, 2015). It should be noted that the idea to grant asylum to incumbent African leaders as a peace-enabling instrument has been a precedence. Examples of such precedence can be traced to Idi Amin Dada who was exiled in Libya in 1979; Gaafar Nimeiry of Sudan took asylum in Egypt in 1985; Hissene Habre of Chad was granted asylum in Senegal in 1990; Mengistu Haile Mariam of Ethiopia who took asylum in Zimbabwe in 1991; Siad Barre of Somalia fled to Lagos, Nigeria on asylum status in 1991 and Yahya Jammeh of Gambia was exiled to Equatorial Guinea in 2017.

Why then was Nigeria under intense pressure by the U.S. to hand over Charles Taylor to the SCSL? The answer is simply that Nigeria is an inconsequential nation in the global power equation with relatively weak elements of national powers, she is less likely to realize her foreign policy objectives, especially when they conflict with those of the superpowers like the U.S. (Ngara, 2017). Moreover, as Durotoye (2015) rightly suggested, African leaders who negotiated Taylor's exit from Liberia overlooked the weighty issues of his indictment by the ICC as well as the warrant issued for his arrest. The U.S and other Western countries that wanted Taylor to be prosecuted at all costs used this technical oversight by the relatively inexperienced African leaders in the asylum negotiation as an alibi.

Whilst the Nigerian government was inclined to justify its position based on an earlier multilateral agreement that Western countries would not press for Taylor's prosecution or pressure the Nigerian government for his release, the unresolved legal issue of his indictment could not be completely ignored. The U.S and its allies relied extensively on these legal issues to invoke Nigeria's obligation under Article 146 of the Geneva Convention of 1949 to ask for his extradition. Thus, the initial resistance by President Obasanjo not to surrender Taylor to the SCSL was only a question of time.

On March 25, 2006, Nigeria succumbed to pressure by the US and its allies and officially agreed to surrender Taylor for prosecution following a formal request by the then Liberian President, Ellen Johnson Sir-leaf. Nigeria's submission to diplomatic pressure to surrender Taylor was against the spirit of the peace accord and perhaps, the lowest point of the Liberian peace process. Taylor's eventual release to the ICC created an impression of "betrayal of trust" in some quarters and portrayed Nigeria as untrustworthy. Such perception could undermine Nigeria's diplomatic integrity and also reinforce the perceived weakness of African states in global politics. Nigerian foreign policy objectives between 1999 and 2007 were focused on restoring the nation's image and improving its cooperation with Africa and the rest of the world. Nigeria needed the support of powerful countries like the U.S to achieve its foreign policy objectives as well as its ambition of becoming a permanent member of the UN Security Council. The U.S, with its military preponderance, political influence, the dominance of the global financial system, and control of key international economic institutions such as the World Bank, International Monetary Fund and the World Trade Organization (Thuy, 2012), could stand in Nigeria's way of attaining her foreign policy goals.

It is noteworthy that besides resettling freed slaves in Liberia, the U.S had other historic military, economic and strategic ties with Liberia. This relationship suffered serious setbacks in the 1970s when the Liberian government imposed restrictions on U.S business activities and access to military facilities while establishing relations with the Union of Soviet Socialist Republics (USSR) and the People's Republic of China (Hahn, 2019, p. xii). This diplomatic row led to several covert and overt U.S military operations in Liberia between 1980 and 2003 that toppled three governments from power (Hahn, 2019). Such interventions manifested by U.S disinterest in resolving

the Liberian conflict at its earlier phase even after a considerable plea by the American Friends of Liberia (AFL) to mediate the crisis. Herman Cohen of the U.S State Department, for example, declared in 1993 that the U.S was not going to send its troops to shoot at Liberians nor be shot at by Liberians (Yoroms, 2005). Similarly, during a UN peacekeeping operation in Somalia, in 1993, two US Black Hawk helicopters were shot down in Mogadishu and 18 U.S soldiers were killed. The domestic reactions that trailed this development spurred the U.S government to withdraw its troops from Somalia in May 1994 (Gasbarri, 2017). This experience led to U.S humanitarian intervention fatigue in Africa and eventually, ECOWAS had to shoulder the burden of mediating the Liberian conflict with Nigeria carrying most of the responsibilities. Yoroms (2005) suggested that even though the U.S refused to contribute troops and preferred the safer option of providing logistics, she was complicit in providing military assistance to rebel groups through the Republic of Guinea. Despite the double standard and the brief presence of the U.S in Monrovia, it was more concerned with monitoring and measuring the progress of ECOMIL in order to unduly claim credit for its success.

With regards to the reason why Nigeria took the lead in offering asylum to Taylor, the answer resides in Nigeria's traditional role in African affairs. Since its independence in 1960, Nigeria has taken up the responsibility of bringing African countries together against colonial rule and chartting a common developmental course. This aspiration became the underlying principle that undergirded Nigeria's Afrocentric foreign policy thrust. Evidently, Sir Abubakar Tafawa in 1960 declared that Africa is the centre-piece of Nigeria's foreign policy and enunciated the following, among others, as its central features: promotion of Nigeria's national interest and world peace; maintenance of the principles of non-interference and non-aggression in other countries of the world; promotion of the rapid decolonization of Africa; support for a free and democratic world; and promotion and support of cooperation and integration among African states (Asogwa, 2009, p. 78).

It should be noted that successive Nigerian governments have sustained this foreign policy thrust and accorded special attention to the plight of African countries, and in many cases, at the expense of domestic needs. Nigeria, for example, played active roles during the struggle for the independence of South Africa, Zimbabwe, Angola, Guinea-Bissau

and Namibia, *inter-alia*, under the platform of the OAU or currently, the AU. Nigeria has also intervened and mediated in several conflicts on the continent. This included its participation in peacekeeping in Congo, and mediation in numerous conflicts in Angola, Chad, Congo, Cote D'Ivoire, Gambia, Guinea Bissau, Rwanda, Somalia, Sudan, Tanzania, Zimbabwe and Dafur (Ola, 2017). Based on these abridged records of conflict intervention in Africa, Nigeria's involvement in the peace process in Liberia and the offer of asylum to Charles Taylor was just part of the country's traditional role in Africa and in line with her foreign policy objectives.

Was Nigeria's asylum to Charles Taylor a diplomatic blunder? Nigeria's asylum to Charles Taylor was arguably borne out of the desire by African leaders to demonstrate that Africa was capable of resolving its internal conflicts and Nigeria provided the lead in this regard. As Aremu (2007) rightly noted, Nigeria's role in the peace process puts ECOWAS in the spotlight as a competent regional organization. Similarly, the humanitarian crisis generated by the Liberian civil war in which 250 people were killed; one million people were internally displaced; and 850,000 others were rendered refugees in Cote d'Ivoire, Guinea, Sierra Leone, Ghana, Nigeria and the U.S (Kieh, 2016), necessitated the intervention of a regional power like Nigeria. Historically, Nigeria has played a "big brother" role in African affairs and could not refrain from intervening in the Liberian crisis for peace and stability to return to the country. The conflict in Liberia was also a source of insecurity to the entire West African sub-region and contributed to increasing activities in illicit trafficking and the proliferation of small arms and light weapons (SALW) across borders. The West African sub-region is Nigeria's immediate foreign policy environment. This environment is strategic to Nigeria's economic and industrial growth. Nigeria needed a more peaceful and stable West African sub-region and had to take necessary steps to end the civil war in Liberia (Ebegbulem, 2019). There was also the economic imperative of ending the huge financial cost of maintaining Nigeria's troops in Liberia as domestic pressure was mounted on Obasanjo's administration to withdraw Nigeria's military contingent from Liberia (Hamman & Omojuwa, 2013).

It is important to note that beyond the posturing of altruism displayed in Nigeria's asylum to Taylor lies the subtle pursuit of a hegemonic ambition in Africa. This hegemonic ambition dates

back to independence in 1960 when the successor political elite to the Nigerian state wanted the country to be Africa's leader in global affairs. Accordingly, successive military and civilian administrations have embraced an implicit hegemonic role, girded by a strong military and oil wealth. It should be noted that South Africa's post-1994 influence significantly challenged Nigeria's continental leadership further accentuating the prevailing intellectual debate about whether Nigeria qualifies as a regional hegemon or not. Despite this, there is no doubt that the manifest roles that Nigeria has played in regional and sub-regional affairs have repositioned the country close to a hegemon. Thus, Nigeria's willingness to grant asylum to Charles Taylor is consistent with its design "to reinforce a perceived benign hegemonic disposition" (Ogunnubi, 2016, p. 5). Closely related to this were Nigeria's efforts for admission into the proposed expanded permanent membership of the UN Security Council. It can be inferred that Nigeria's frontline role in the resolution of the Liberian conflict was to lobby her way to occupy Africa's slot in the proposed expanded permanent membership of the UN Security Council.

Even though Nigeria's asylum to Taylor was an outcome of a series of multilateral agreements and diplomatic processes as earlier established, asylum is discretional under international law and there are no specific binding conditions for granting asylum in law (Aremu, 2015). Article 1, paragraph 3, of the Declaration of Territorial Asylum (1967) stipulates that "it shall rest with the state granting asylum to evaluate the grounds for the granting of the asylum. This implies that even if a refugee did not meet the conditions laid down in the Geneva Convention on the Status of Refugee (1951), states wishing to grant asylum may grant political asylum to the asylum seeker. By this provision, it was lawful under international law for Nigeria to grant asylum to Taylor even though he was indicted for war crimes and crimes against humanity under international humanitarian law by the special court. In effect, Nigeria's asylum to Taylor in itself did not contravene the provisions of any international instrument to which she was a signatory at the time of the asylum.

Unlike the International Criminal Tribunal for the former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR) which were created pursuant to the powers of the UN Security Council under Chapter VII, the SCSL was not created as an organ of the UN. It was established as an independent body by an agreement between

the UN and the government of Sierra Leone (Chigozie, 2014). Hence, Nigeria, just like other UN member states were not under an obligation to cooperate with the SCSL. Little wonder that neither the UN Security Council nor the UN General Assembly tried to compel Nigeria to surrender Taylor to the SCSL. Besides, the asylum status granted to Taylor was in line with Nigeria's obligations under Article 12(3) of the African Charter on Human and Peoples' Rights, 1981 which provided that "(e)very individual shall have the right, when persecuted, to seek and obtain asylum in other countries in accordance with laws of those countries and international conventions" (Nmaju, 2007, p. 23). For that reason, it can be argued that Mr Taylor was, as at the time when the asylum was offered, a man persecuted by LURD and MODEL which made incursions into Monrovia to end his rule or eliminate him (Nmaju, 2007).

Although, the U.S and its Western allies tried to invoke Nigeria's obligation under the Geneva Convention of 1949 to secure Taylor's extradition, Nigeria, by its benign gesture of granting asylum to Taylor, did not breach any protocol. Thus, the international pressure on Nigeria by the U.S and its Western allies to release Taylor for trial in the SCSL did not, in itself, mean Nigeria's action with regard to Taylor's asylum was a diplomatic blunder. Moreover, U.S interest in arresting Taylor was connected with the allegation made by the American Intelligence Services of his illicit involvement in diamond trading with members of the Al-Qaeda terrorist group (Boisbouvier, 2021). One can argue that the motivation behind U.S actions was not inspired by a genuine interest in getting justice for the civilians victimized during the civil war in Sierra Leone. In any case, the global support received by President Obasanjo during the asylum negotiation as well as the commendations and encomiums showered on Nigeria and ECOWAS by world leaders following Taylor's asylum in Calabar, Nigeria, were high points of the country's diplomatic achievements. Furthermore, the successful resolution of the Liberian crisis did not only demonstrate Nigeria's leadership in the sub-region and ECOWAS as a competent regional body but also highlighted ECOWAS' ingenious capacity for conflict resolution.

CONCLUSION AND RECOMMENDATIONS

Nigeria's decision to grant asylum to former president Charles Taylor of Liberia was executed to end the long-standing internal armed

conflict in Liberia for over a decade and restoring peace and stability to the country and, by extension, the West African sub-region. Nigeria's involvement in the asylum negotiation, the peacekeeping operations in Liberia, and the sacrifices in terms of human and material resources committed to the peace process were in tandem with her traditional "big brother" role in Africa. These roles were also in line with the thrust of Nigeria's Afro-centric foreign policy enunciated immediately after independence in 1960. Even after over six decades of independence, this foreign policy thrust has remained the core principle of Nigeria's foreign policy and diplomatic engagements.

President Obasanjo's decision to grant asylum to Taylor attracted widespread domestic opprobrium and international pressure from the U.S and its Western allies, demanding Taylor be handed to the SCSL for prosecution despite an earlier multilateral agreement not to pressure Nigeria to surrender Taylor for trial. The leadership shown by Nigeria in granting asylum to Taylor was a stabilizing role typical of a regional hegemon which attracted global applause. Nigeria and, indeed ECOWAS, were both highly celebrated in the diplomatic circles for their role in bringing the Liberian conflict to an end. This undoubtedly raised Nigeria's reputation and pedigree as an effective regional leader and ECOWAS as a competent sub-regional body. On the whole, Nigeria's asylum to Taylor was far from being a diplomatic blunder. It represented a major diplomatic breakthrough and achievement in African indigenous diplomacy in conflict resolution.

It is therefore recommended that the ECOWAS Authority of Heads of States and Government should strengthen and refocus ECOWAS peace enforcement organs to devote more energies toward detecting early warning signs and conflict de-escalation in the African continent. Moreover, the President of Nigeria, the National Assembly and the Ministry of Foreign Affairs should undertake a fundamental reformulation of Nigerian foreign policy to reflect her national interests, particularly as it affects the welfare of citizens. Similarly, the funding of ECOWAS and its activities should be equity-based. Where Nigeria has to bear the burden of its activities or specific foreign policy missions, the country should reach an understanding with member-states to grant her the powers to take the lead in making major decisions in respect of such missions. Finally, Nigeria, and indeed, all ECOWAS countries should deepen their commitment towards economic integration and self-reliance to assert their

independence and make the sub-region less susceptible and vulnerable to manipulations and control by extra-African forces.

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