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**AN APPRAISAL OF THE DOMINANT CAUSES OF BOUNDARY CONFLICT  
BETWEEN NIGERIA AND CAMEROUN: THE BAKASSI PENINSULA  
PERSPECTIVE.**

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**ABSTRACT:** *This paper appraised the dominant causes of boundary conflict between Nigeria and Cameroun with reference to the Bakassi peninsula perspective. The realist theory was used as a framework of analysis. Data were derived from secondary sources and content analysis based on logical deduction and analysis of documents was adopted. The study found out that the dominant causes of the conflict include geographical and constitutional positions; colonial-legal sources, demographic, politico-strategic and economic issues. It further reveals that the Court resolutions on the conflict in favour of the Republic of Cameroun was informed by the colonial-legal sources, as such, it provoked reactions from various segments of the Nigerian public including Bakassi indigenous population, their paramount ruler, the Cross River State Youths Assembly and Nigerian Senate. But with the mediation of UN/Secretary General between the two countries' presidents, Bakassi territory was officially handed over to the Camerounian Government. Hence, Cameroun-Nigeria Mixed Commission (CNMC) was established to finalized border demarcation between the two countries. Therefore, the study recommended among others that to further strengthening Nigeria-Cameroun relations: Both countries governments should desist from neglecting border areas, but encourage infrastructural developments, effectively occupying of border areas to avoid future incursions; Both countries governments should strictly abide by all diplomatic notes and agreements they have or will exchange between each other now and in future; Be committed to Organization of African Unity (OAU) declaration, which stipulates that independent African countries were bound to respect inherited colonial borders; that as both countries have recognized unprofitable nature of armed conflict and ceased fire, CNMC should be a permanent structure where problems arising from the management of the disputed areas be debated and resolved. However, the paper concluded that both countries should take advantage of conflict resolution to explore possible areas of cross-border collaboration and described peaceful conflict resolution by both countries, a model for all nationals fighting over conflicting interest(s).*

**KEYWORDS:** Nigeria-Cameroun relations, Conflict resolution, Reactions, Bakassi, Economic interest.

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## INTRODUCTION

The conflict between Nigeria and Cameroun over Bakassi peninsula, which the International Court of Justice (ICJ) adjudicated, has eventually ceased, particularly the deployment of military forces by both countries. There is no doubt that the conflict over the ownership of the Peninsula, an international boundary between Nigeria and her neighbour, Cameroun, created a worrisome and confrontational demonstration of military vigor which almost escalated to war. Hence, the conflict, while it lasted, attracted the attention of the international community as its escalation would have threatened the lives and properties of Nigerians and Camerounians as well as the global peace and security. Beseng (2009:5) describes the situation that:

*as the political wrangling over the right ownership of the Bakassi peninsula continued, military tension was building up along opposite borders of peninsula. From May 1981 to November 2007, there were different instances of severe military confrontations between Cameroun and Nigeria in and around the peninsula. After one of such confrontations in February 1994 that resulted in severe casualties and loss of life on both sides...the Camerounian government got tired and took legal action 29<sup>th</sup> March, 1994 by filing a law suit against Nigeria in International Court of Justice (ICJ), seeking a sanction for the expulsion of Nigerian force, which they said were occupying the territory and to restrain Nigeria from laying claim to sovereignty over the peninsula.*

The International Court of Justice, on 10<sup>th</sup> October, 2002 ruled, after considering both parties claims, that the sovereignty over the disputed Bakassi peninsula rest under the jurisdiction of Cameroun and called for the immediate withdrawal of both countries' military presence in and at both side of the peninsula. The Judgment did not automatically end the conflict. Rather, it triggered several protests and reactions from the various segments of the Nigerian public. Mbagi and Njo (2009:8) confirmed that:

*on a monthly basis since the ICJ judgment was pronounced, rocket propelled grenades, bullets, ambushes, reactions and counter reactions remain the only resort in an atmosphere of mistrust created by both country's common desire to benefit from the wealth accruing from natural resources in the area.*

As tense and severe as the confrontations, protests, reactions and counter reactions that emanated before and after the ICJ judgment were, it is interesting to know that the tension created by the hostilities that kept reoccurring between the two countries did not degenerate into real war, thanks to the diplomatic/strategic efforts by the United Nations (UN), particularly its erstwhile Secretary General, Kofi Anta Annan who convinced both countries' Presidents - Olusegun Obasanjo and Paul Biya to dialogue. The outcome of the dialogue was the establishment, during a meeting held in Paris on the 15<sup>th</sup> September, 2002, of the Cameroun-Nigeria Mixed Commission (CNMC) as a mechanism for the implementation of the ICJ judgment to facilitate a smooth handover (Beseng, 2009:6). Nsom and Sumelong (2009:1) affirmed accordingly, that despite pockets of resistance by unidentified militant groups, the international community, and the initial rejection of the judgment by the Nigerian Senate, complete handover of the Bakassi peninsula to the Camerounian Government on 14<sup>th</sup> August 2008 held peacefully. The handover was indeed a moment of celebration for the Camerounians because the country legally took ownership of the resource-rich peninsula. On

the contrary, it was a moment of dissatisfaction and agony for Nigerians, particularly the indigenes of Bakassi who claimed to have ancestral ties to the ceded area. However, it does appear that the causes of the conflict between Nigeria and Cameroun over the sovereignty of Bakassi peninsula are multi-dimensional in nature, transcending socio-economic and political considerations. Against this background, this paper examines the dominant causes of boundary conflict between Nigeria and Cameroun, with particular reference to the Bakassi peninsula.

### **Statement of Problem**

Bakassi peninsula is one of the boundary conflicts that attracted a lot of attention in African continent and International community. Many had thought that the Nigerian Government and its Camerounian counterpart would not accept to settle frontier problem due to the alleged values of the disputed area. Is it that those factors that cause the dispute are not worthwhile to galvanise the Nigerian government into refusing to handover and opt for war against Cameroun, since before the Court decision, the military, police and administration of both countries were battle ready on both sides of the Bakassi zone? What made the Nigerian public react against the decision of ICJ? It is important therefore to examine the causes of this conflict as well as what compelled the Nigerian Government to give up on the fight over Bakassi peninsula to embrace peace despite the alleged economic and strategic value of the peninsula. What many countries in the world would not have let go, Nigeria did. It is on this note that this paper set out to appraise the dominant causes of the boundary conflict between Nigeria and Cameroun particularly the Bakassi peninsula, how it was resolved, the various reactions, as well as the role of the mediator in the management and implementation of matters arising from the Court decision.

### **Objectives of The Study**

The general objective of the study is to appraise the dominant causes of the boundary conflict between Nigeria and Cameroun, particularly that of Bakassi peninsula. Nevertheless, the study has the following specific objectives:

- i. To find out the dominant causes of the Bakassi peninsula conflict;
- ii. To explain how the International Court of Justice (ICJ) resolved the conflict;
- iii. To explore the reactions from various segments of the Nigerian public;
- iv. To examine the important role of the international mediator in the management and the implementation of the Court decisions on the matter;

### **Research Questions**

To achieve the above objectives, this study provides answers to the following questions:

- i. What are the dominant causes of the Bakassi peninsula conflict?
- ii. How did the International Court of Justice (ICJ) resolve the conflict?
- iii. What are the reactions from various segments of the Nigerian public?

- iv. What important roles did the mediator play in the management and implementation of the Court decision?

### Conceptual Clarifications

Conflict is as old as the history of mankind and therefore normal, natural and unavoidable, yet it can generate negative and very destructive impacts, as well as awareness, economic growth and development (Ivorgba 2005). Conflict has been described as the deliberate attempt to oppose or resist the will of another or others. Conflict results when people are competing for scarce material and non-material products (Shinwari, 2012:1). It is a condition in which one identifiable group of human beings (whether tribal, ethnic, linguistic, cultural, religious, socioeconomic, political, or others) is engaged in conscious opposition to one or more other identifiable human groups because these groups are pursuing what are or appear to be incompatible goals. Conflict may be violent or non-violent, dominant or recessive, controllable or uncontrollable, resolvable or unsolvable under various sets of circumstances (Dougherty & Pfaltzgraff, 1990:187). For Lewis A. Coser, it is a “struggle over values and claims to scarce, status, power, and resources in which the aims of the opponents are to neutralize, injure, or eliminate their rivals” (in *ibid*:187). International conflicts might occur between governments striving to monopolize the exploitation of resources in disputed territories. It could arise when a nation-state intervenes in the domestic disputes of another state. Occasionally, a conflict may ensue where the nationals of one state are attacked, dehumanized, killed or maimed by the agents of another state. Conflicts between countries are often presented as occurring between their governments and such situations are either conducted or perceived as inter-governmental struggles, while the bone of contention is usually territory or some other economic resources (Asobie, 2003). McLean and McMillian (2003:107) defined conflict resolution as the methods and process of negotiation, adjudication, and institution building which promote the peaceful ending of social conflict and war. In this study, resolution means dispute settlement between Nigeria and Cameroun over their common boundary (Bakassi peninsula). Relations connote social, political, or personal connections or dealings between or among individuals, groups and nations (McLeod & Makins, 1989:977). Adesola (2004:3) defined international relations as interaction between two or more states. Ekpebu (1999:2) broadly defined international relations as all interaction between and among all nations, their nationals and organizations, international whether official or private. It covers all spectrums of international life: war and peace, cultural and educational exchanges, economic and financial dealings and a multitude of other activities undertaken across national frontiers, be it sponsored by governments, private organizations, individuals, all form important subjects in international relations.

### Theoretical Framework

One of the most widely accepted approaches to explaining and understanding conflict in international relations is realism or the realist theory. Realism prioritizes national interest and security, rather than ideals, social reconstructions, or ethics. Realists believe that nations act only out of self-interest and that their major goal is to advance their own positions of power. Realists believe that political struggle among humans is probably inevitable because people have an inherent dark side. According to Thomas Hobbes (1588-1679), one of the proponents of realism, human beings possess an inherent urge to dominate, an *animus dominandi*. Hobbes argued in *Leviathan* published in 1651 that “if any two men desire the same thing, which nevertheless they cannot both enjoy, they become enemies and...endeavour to destroy or subdue one another.” Taking the same point of view, one leading realist scholar, Hans

Morgenthau, wrote that an “ubiquity of evil in human actions” inevitably turns revolutions into dictatorships and love of country into imperialism” (Zakaria, 1993 in Rourke, 2003:18). Realists thinkers argued that leaders of nations use their power to advance the interests of their own nations with little regard for morality or friendship. In order to survive, realists believe that leaders must build their power base and avoid feelings of friendship or morality that might make them vulnerable to more ruthless adversaries. They also believe that conflict and war are inevitable. Accordingly, Waltz (1979:105) state that realists such as Greico contend that the structure of the international system and the relative nature of power compels political leaders to view the world in relative terms. According to realists, states worry that today’s friend may be tomorrow’s enemy in war, and fear that achievements of joint gains that advantage a friend in the present might produce a more dangerous potential foe in the future. As a result states must give serious attention to the gains of partners (Greico, 1988a:118). Logically, there should be no individual variation in beliefs because the anarchical structure of the international system drives behavior and this structure is constant across time and space.

Based on the scholarly views of Machiavelli, realists contend that state officials are neither constrained by ethical standards nor by known law of self-deprivation or self-abnegation as the idealists suggest, rather they often maximize the gains of their countries. The underlying issue at stake in the relations among states is the maximization of national power in order to increase national capability. To the realists, the central focus of international relations is the pursuit of power (Akinbobola, 1996:6). Morgenthau (1967:3), like other realist, argued that “...those that are not happy with the state of power distribution will seek to augment their situation by seeking for change in the status quo so as to force change to maximize their power base.” Morgenthau believed that states get involved in power struggles to preserve the status quo, to achieve an expansionist interest or to gain honour or prestige. He added that despite the existence of the League of Nations, the World War II broke out because of the failure of nation states to compromise in the pursuit of their national interests. They believe that sovereign states still pursue their national interests through any means available to them.

The propositions arising from the realist theory is suitable in explaining the simultaneous claims of ownership of Bakassi peninsula by the Nigerian and Camerounian governments. The security-strategic value of the Peninsula was discovered by the Nigerian government during the Nigerian civil war in 1966, when Cameroun government provisionally authorized the Nigerian federal government to use portions of the Peninsula to block vital supplies to the Biafran army. This partly explains the Nigerian Government’s claims over Bakassi peninsula, and the boldness of Nigeria’s Federal Directorate of Surveys, backed by legal arguments formulated by the Federal Ministry of Justice, to challenge the validity of the boundary agreements between Nigeria and Cameroun, especially the 1913 Anglo-German Treaty and the Ahidjo-Gowon Agreement of 1975 (Ikome, 2004:22). The economic value of the Peninsula made the Nigerian government ignore morality and friendship and forcefully set up her military and police administrations in Bakassi to protect her national interest. In general, the fact that both states then viewed their common border as a strong military division and as a defence line for promoting their exclusive national interests gives credit to the believe by the realists that sovereign states still pursue their national interests through any means available to them.



## **METHOD AND DISCUSSIONS**

The method of data collection adopted in this study was content analysis based on the logical deduction and analysis of documents. Data were derived from secondary sources such as books, official documents journal articles and other relevant articles on international relations, contending theories of international relations, Africa and the international political system, conflict over natural resources in Bakassi, conflict, globalization and new resources wars, Inviolability of Africa's colonial boundaries conflict prevention, ICJ judgment, the handing over of Bakassi, among others. Authors were acknowledged accordingly. Any research work that depends on secondary data should consider the use of content analysis to systematically extract relevant ideas to illuminate the subject matter. Thus, this study, through the use of content analysis, extracted relevant ideas/information from secondary sources to provide answers to the research questions. This method was adopted due to the nature of the research questions and it was adequate.

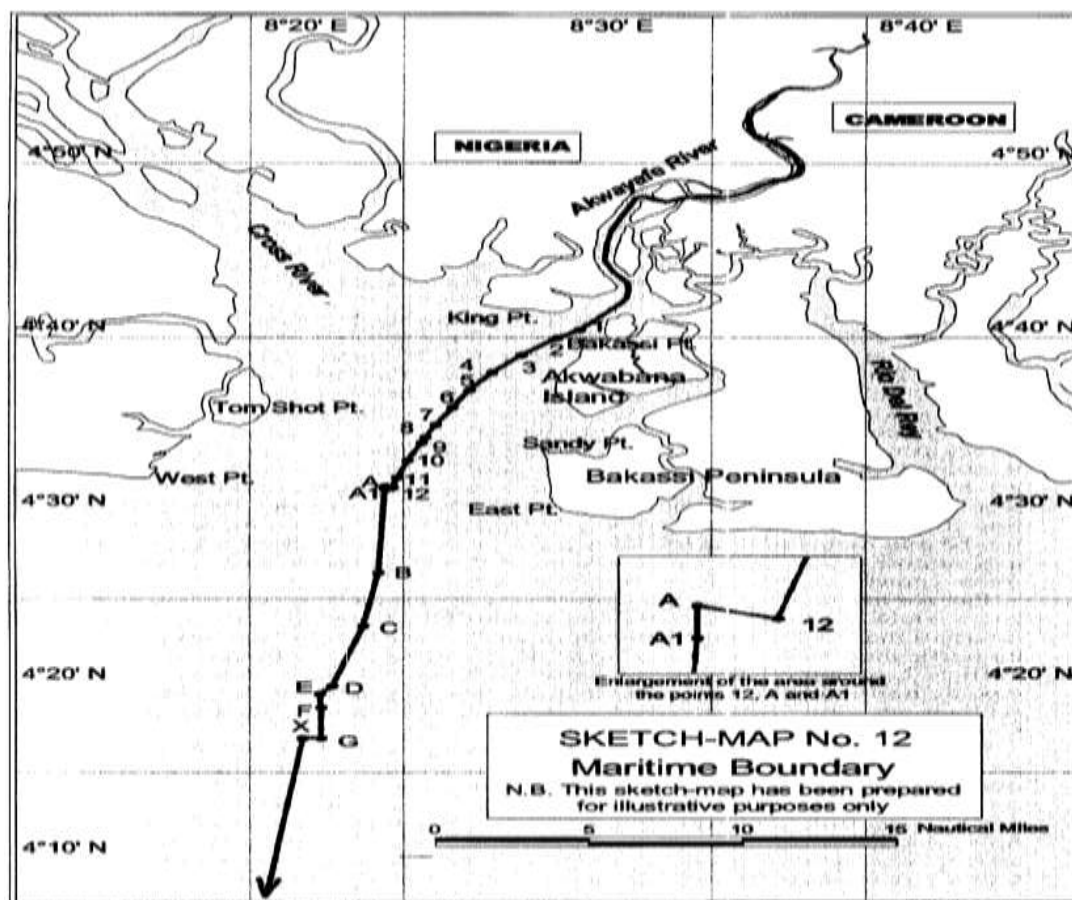
## **DOMINANT CAUSES OF CONFLICT BETWEEN NIGERIA AND CAMEROUN OVER BAKASSI PENINSULA.**

Diagnosing the causes of conflict is important in the search for solutions. Aristotle the founding father of Political Science put it thus: 'To know the causes which destroy constitutions is also to know the causes which ensure their preservation.' In other words, analysis of what causes conflict or violence is the first step for any policymaker who would want to avoid them. The presumption here is that such analysis would be good and sound and helpful in the choice (if not also in the initial design) of the most appropriate remedial measures for dealing with a given conflict. To summarize the essence of the analogy borrowed from the medical field to the body politic: (i) a doctor cannot treat an illness without proper diagnosis; (ii) the diagnosis must be correct and sound if the therapy prescribed is to prove efficacious; and (iii) the therapy prescribed must suit the diagnosis made (Adekanye, 2007:171). Hence, this paper followed similar approach in the appraisal of the dominant causes of boundary conflict between Nigeria and Cameroun over Bakassi peninsula.

### **The Geographical and Constitutional Positions**

Geographically, Bakassi peninsula is about 826.07 square kilometers, bordering Akpabuyo Council of Cross River State, and Mbo Council in Akwa Ibom State, Nigerian international boundary with Cameroun. As figure 1 indicates, the peninsula is situated between latitudes 4.26 and 4.5 degrees North of the Equator, and longitudes 8.30 and 9.08 degrees East of Green which Meridian (Ajayi, 2002:11).

Figure 1: A map showing Bakassi area between Nigeria and Cameroun.



Source: ICJ Judgment, Report 2002 pg 449.

Bakassi peninsula consists of over thirty three (33) villages. Although subject of contention, the population of the peninsula is put at between 150,000 and 300,000 people. The swampy peninsula and associated small islands are strategically located at the controlling access to the Nigerian port of Calabar. The surrounding waters are rich in fish and submarine oil deposits. The traditional inhabitants are mainly Efik fishermen with ties to Nigeria. Bakassi is situated at the eastern end of the Gulf of Guinea, where the warm east-flowing Guinea Current (called Aya Efiat in Efik) meets the cold north-flowing Benguela Current (called Aya Ubenekang in Efik). These two great ocean currents interact creating huge foamy breakers which constantly advance towards the shore, and building submarine shoals rich in fish, shrimps, and an amazing variety of other creatures. This makes the Bakassi area a very fertile area for fishing. Most of the populations make their living through fishing (Anene, 1970:56). According to Ajayi (2002:12), Bakassi peninsula suffers from coaster marine erosion, ground-water occurrence, lost of biodiversity, oil spill and pollution due to inadequate environmental management initiative. Notwithstanding these environmental challenges, Bakassi peninsula, no doubt, constitutes national power given its strategic location and economic potentials. This account for the claims, counter claims as well as military confrontation over the ownership and control of the peninsula in 1970s, 1980s and 1990s by the Nigerian and Camerounian governments.

The Nigerian constitution is unambiguous with regard to the status of Bakassi. The 1999 Constitution of the Federal Republic of Nigeria recognises Bakassi Local Government Area as one of the local government areas in Nigeria. Akinjide, pointing out that Section 12(1) of the 1999 Constitution of the Federal Republic of Nigeria, argues that: “the Bakassi Local Government Area is one of the 18 local government areas of Cross River State. And you will see that in the First Schedule Part I of the 1999 Constitution of Nigeria. That if you also look at Section 3(1) of the Constitution, it states that there shall be 36 states in Nigeria. And Section 3(6) also provides that there shall be 768 local government areas. One of these local government areas is the Bakassi. So, Bakassi Local Government Area is entrenched in the constitution of the Federal Republic of Nigeria” (cited in *Punch Newspaper* of Thursday, 14<sup>th</sup> August 2008). This very position of the constitution was one of the major arguments advanced before the ICJ to have compelled the Nigeria government to deploy her military, police and administration in the area. Even after the ruling of the Court in which the Nigerian government was asked to handover the territory to Cameroun, Nigerians still stand on the fact that Bakassi was part of the Federal Republic of Nigeria and many commentators, particularly Bakassi Nigerians put forward this constitutional argument.

### Colonial-legal Sources

*The dispute over the Bakassi peninsula is not only the product of redefinition of boundary by the colonial powers but more so a product of resource allocation and clash of tradition and modernity in which the pre-colonial history of the ancient kingdom of Calabar haunted the postcolonial reality of contemporary Nigeria and Cameroun (Tarlebbee & Baroni, 2010: 201).*

Another compelling reason for the fight over the ownership of Bakassi was that the area, before the scramble for Africa, was part of the ancient kingdom of Calabar. The people in the main settlements in the Bakassi Peninsula owed allegiance to the Obong of Calabar, but The Obong of Calabar placed Calabar, the Efike and Ibibio (in the Peninsula) under the status of a British protectorate via a Treaty on 10<sup>th</sup> September 1884. The chiefs of Efike and Ibibio were co-signatories to the Treaty.

*Article I of the treaty read thus: “Her Majesty the Queen of Great Britain and Ireland, & c, in compliance with the request of the Kings, Chiefs, and people of Old Calabar, hereby undertakes to extend to them, and to the territory under their authority and jurisdiction, her gracious favour and protection.” Article II says: “The Kings and Chiefs of Old Calabar agree and promise to refrain from entering into any correspondence, Agreement, or Treaty with any foreign nation or Power, except with the knowledge and sanction of Her Britannic Majesty’s Government” (as cited in Rendu, 2002:47).*

Based on the above Treaty, the Nigerian government had argued that the Kings and Chief of Old Calabar did not give Her Majesty the Queen of Great Britain, the power to transferred the territory, but to protect it, so the Nigerian government failed to succumb or accept that certain critical legal instruments subsequently changed the status of the Bakassi peninsula and its inhabitants as highlighted by Aghemelo and Ibhasebhor (2006:180):

- The agreement between the United Kingdom and Germany signed in London on 11<sup>th</sup> March 1913 entitled ‘(i) the settlement of the frontier between Nigeria and Cameroun, from Yola to the sea, and (ii) the regulation of navigation on the Cross River’.



- The Anglo-German Protocol signed in Obokun on 12<sup>th</sup> April 1913, demarcating the Anglo-German boundary between Nigeria and “Kamerun” from Yola to the Cross River.
- The exchange of letters between the British and German governments on 6<sup>th</sup> July 1914.
- The endorsement, in April 1961, by both the United Nations General Assembly and the International Court of Justice, of the results of the plebiscites conducted in Northern and Southern Camerouns in 1959 and on 11<sup>th</sup> February 1961, respectively.
- The Diplomatic Note, accompanied by a map, dispatched to the government of Cameroun by Nigeria in 1962, accepting the results of the plebiscites.

Also, if one examines what happened in the advent of independence and the status of Bakassi, it becomes glaring that the Nigerian government disregarded further instruments that conferred Ownership of the Bakassi on the Republic of Cameroun and this necessitated the deployment of security personnel in the Bakassi area. On 1<sup>st</sup> January 1960 and on 1<sup>st</sup> October 1960, the French Cameroun and Nigeria became independent, respectively. Instruments creating the new countries and exchange of notes between France and Cameroun rehashed all its colonial boundaries as defined by previous colonial agreements. A plebiscite was held to ‘clarified wishes of the people living in Northern and Southern Camerouns under British rule’. The population of Northern Camerouns still under British rule had earlier in 1959 ‘decided to achieve independence by joining the independent Federation of Nigeria’. The population of Southern Camerouns ‘decided to achieve independence by joining the independent Republic of Cameroun’ on 11<sup>th</sup> February 1961. There were 21 polling stations on the Bakassi Peninsula itself and about 73% of the people living there voted to ‘achieve independence by joining the independent Republic of Cameroun’ (Omoigui, 2006:8).

Moreover, by Diplomatic Note No. 570 of 27<sup>th</sup> March 1962, the government of Tafawa Balewa of Nigeria exchanged diplomatic notes with Cameroun acknowledging the fact that Bakassi was indeed Camerounian territory. In July 1966, Lt.-Col. Gowon came to power in Nigeria. Like the Balewa government, he too committed his government to respect all prior international agreements made by the Balewa and Ironsi governments (Aghemelo & Ibhasebhor, 2006:180).

In May 1967, in response to the mandate granted to Lt.-Col. Ojukwu by the self-imposed Eastern Consultative Assembly to secede, Lt.-Col. Gowon created 12 new States in Nigeria including the South-Eastern State headed by an Ibibio Officer, the creation of the South-Eastern State from the former Eastern Region rekindled interest in rejoining Nigeria among Efike and Ibibio residents of the Bakassi Peninsula – many of whom had actually voted in 1961 not to pursue integration with Nigeria. In July 1967, the Nigerian Civil War broke out and lasted until January 1970 (Aghemelo & Ibhasebhor, 2006:180).

In April 1971, there was a summit between General Gowon of Nigeria and Alhaji Ahmadou Ahidjo of Cameroun in Yaoundé. It was at this meeting that Gowon and Ahidjo agreed to define the navigable channel of the Akpa-Yafe River up to Point 12. During the summit, Ahidjo asked his Survey Expert to stop arguing and asked Gowon to draw the line where he wanted it, and Gowon turned to his own Technical Expert for guidance. The expert marked a point on the map and Gowon drew the line towards that point. Unfortunately, the line Gowon drew – on direct advice from the Director of Federal Surveys was not the true navigable channel of the Akpa-Yafe River as established by the colonial masters. Two months later, in

June 1971, the Joint Boundary Commission met in Lagos, led by Chief Coker for Nigeria and Mr. Ngo for Cameroun. They extended the already faulty Gowon-Ahidjo 'compromise line' outwards to the sea in what became known as the Coker-Ngo line. A few weeks later, following the signing of the Coker-Ngo line, Gowon discovered what had transpired. In May 1972, the Joint Boundary Commission met. Again, in August 1972 a summit was held at Garoua, where General Gowon tried repeatedly without success to get Ahidjo to agree to the reversal and renegotiation of the Gowon-Ahidjo/Coker-Ngo line. An oil rig was erected offshore by the Ahidjo government in 1974, and later in June 1975 in a highly reluctant compromise to accommodate the rig, Gowon conceded a tiny part of Nigerian maritime territory to Cameroun (Omoigui, 2006:27-28).

Thus, the rest of what transpired in 1981, 1994, 1996 and since then is well known - including General Abacha's moves to formally create an administrative setup there and all the military clashes. Consequently, on 10<sup>th</sup> October, 2002 the ICJ reiterated almost a century of colonial agreements which had repeatedly placed Bakassi peninsula inside Kamerun/Cameroon/Cameroun. Many commentators still do not realise that the Peninsula had been ceded by a series of actions and inactions dating as far back as 1913, reconfirmed when Nigeria became independent in 1960, finalised with the 1961 plebiscite and affirmed with the 1964 OAU declaration, which stipulated that independent African countries were bound to respect their colonial borders (Omoigui, 2006:16).

### Demographic Issues

According to Che (2007:15), the demographic composition of the border areas between Cameroun and Nigeria, especially the oil-rich Bakassi peninsula, has been one of the dominant causes of the border dispute. In this regard, Nigerian policy-makers have stated that the high concentration of Nigerians of Efik-Oron stock on the Bakassi peninsula constitutes a special circumstance that warrants a renegotiation of its ownership. Drawing inspiration from the British claims over the Falklands against those of Argentina, Nigeria has sought to legitimize their claims over Bakassi on two grounds, namely: *evidence of exclusive habitation, and evidence of continuous habitation by Nigerian nationals*. However, given Nigeria's exploding population, Camerounian authorities have viewed the Nigerian argument as a dangerous basis for the progressive 'nigerianisation' of Nigeria's neighbouring states. For example, the ever growing migrant Nigerian population in Cameroun was estimated at a little over 3 million in the early 1990s. Moreover, Ikome (2004:20) added that there are areas, even in the heart of Camerounian cities, where people of Nigerian descent were the majority. It therefore follows that if Nigeria were to use the concentration of her nationals to lay claim to border areas, then eventually the same argument could be invoked to claim villages and towns of the neighbouring states. This has been perceived as an attempt to extend Nigeria's boundaries to all neighbouring territories where there is a high concentration of Nigerian nationals and it is viewed as a form of 'black imperialism', reminiscent of Hitler's attempt to unite all the Germans into a single nation, which resulted in World War II. Hence, there is no doubt that a country's population constitutes part of his national power and Cameroun is disadvantage in population compare with Nigeria. Cameroun authorities had renegotiate its ownership to change the situation given credence to what Morgenthau (1967:3) had said "...those that are not happy with the state of power distribution will seek to augment their situation by seeking for change in the status quo so as to force change to maximize their power base."

### Politico-strategic Issues

According to Ate (1983:110-126), the strategic importance of the peninsula for the territorial integrity and security of the Nigerian Federation was revealed during the Nigerian civil war. Some accounts hold that the split of the federation was forestalled when, in 1966, the Ahidjo regime provisionally authorized the Nigerian federal government to use portions of the Bakassi peninsula to block vital supplies to the Biafran secessionist army. Therefore, the discovery, during the civil war, that Nigeria's security and territorial integrity depended on Cameroun's goodwill pushed the Nigerian government into deciding to renegotiate its maritime boundary with Cameroun. However, given that nations are said to have permanent interests and not permanent friends, it is unthinkable that Nigeria would want to pin its national security and territorial integrity on Cameroun's goodwill, as was the case during the civil war. Against a backdrop of continually shifting interests and circumstances in the region, Nigeria could not indefinitely expect the same support from Cameroun. For example, analysts have argued that the support which the Camerounian government gave to the Nigerian government in 1966 derived from Ahidjo's desire to stemmed similar destabilizing revolutionary forces in Cameroun (Ikome, 2004:21).

The above view is in line with the contention of the realists that the structure of the international system and the relative nature of power compel political leaders to view the world in relative terms. Thus, despite the Camerounian government's solidarity to the Nigerian government during the Nigerian Civil War, Cameroun country has always ranked high in Nigeria's threat perceptions. This has been sharpened by Cameroun's close ties with France, which Nigeria has traditionally perceived as an enemy, and a rival in Africa's political space. Understandably, Nigeria's strategic calculations in respect of its relationship with Cameroun take into account the superior economic, technological, and military capabilities of France and its allies. As far as Nigeria is concerned, it would be suicidal to surrender control of its commercial and defence lifelines – the Calabar channel and Bakassi Peninsula – to a traditionally hostile neighbour (Ate, 1983:110-126). Oscar Ede has underlined the centrality of Cameroun in Nigeria's threat perceptions by provocatively asserting that:

*Although Cameroun is considered a moderate French sphere country and although she has no defence pact with France, she is a neighbour to which Nigeria needs have a well defined policy. For if war were to break out between Nigeria and any of its neighbours, the chances are that, this neighbour will be Cameroun (as cited in Ikome, 2004:21).*

Against this backdrop, Nigerian foreign policy-makers realized that the country's national interests could only be secured through the effective control of the Cross River estuary and the Calabar channel, including the Bakassi peninsula. They intimated that such control could be achieved unilaterally, or via close collaboration with Cameroun. In the 1990s Nigeria's political strategy to attain this goal consisted of a review of the entire border question with Cameroun, with a particular emphasis on denouncing both colonial and post-colonial boundary agreements that appeared to legitimize Cameroun's claims over the peninsula. In early 1993, Nigeria pursued its ultimate political option by occupying the disputed areas, notably the Bakassi peninsula. This was preceded by the alteration of boundary maps by Nigeria's Federal Directorate of Surveys, backed by legal arguments formulated by the Federal Ministry of Justice challenging the validity of boundary agreements between

Cameroun and Nigeria, especially the 1913 Anglo-German Treaty and the Ahidjo-Gowon Agreement of 1975 (Ikome, 2004:22).

Nigeria's military occupation of the disputed areas took another dimension in the aftermath of the aborted presidential elections of 12<sup>th</sup> June 1993. The resultant domestic crisis heightened the threat perceptions of the Abacha military junta, and given that border issues are often those that can be used most readily by a nation's enemies, Nigerian policy-makers felt obliged to secure their borders at all costs. Hence, Nigeria government resolved to control Bakassi, particularly at a time when the international community was increasingly isolating the Abacha regime because of its poor democratic and human rights records. The Abuja authorities saw Bakassi as a potential beachhead which Nigeria's enemies could use at the slightest provocation. However, given that a state's attitudes towards security can make its neighbours feel insecure, the Yaounde government viewed Nigeria's strategic and security calculations in respect of their common maritime border with alarm. This was particularly so as Cameroun has always perceived her giant neighbour as a sub-imperial state, with expansionist designs. Given Nigeria's far larger population, and military and economic superiority, Cameroun suspected that Nigeria's designs over Bakassi could be the first stage in a gradual grabbing of more Camerounian territory, particularly former British Southern Cameroun (Ate, 1983:126).

In this context, it is noteworthy that the long-standing historical, cultural, and linguistic ties between the English-speaking regions of Cameroun and Eastern Nigeria deepened Cameroun's threat perception of her western neighbour. Rightly or wrongly, Cameroun believed that its English-speaking population could indeed be sympathetic towards Nigeria's border claims. This perception was enhanced by increased agitation by English-speaking Camerounians, beginning in 1990, for a return to the immediate post-independence federal arrangement that allowed them greater autonomy from the central government. Sadly, though, the Cameroun government had misconstrued the calls for federalism as a first step towards an attempted secession by the Anglophone region. And influenced by their traditional distrust of their Nigerian neighbours, they had suspected then that Abuja could use the Bakassi Peninsula to facilitate the breakaway of its erstwhile English-speaking brothers from the United Cameroun Republic. For all these reasons, the Cameroun government found it difficult to negotiate its ownership of the peninsula with Nigeria. It felt that doing this would facilitate an alliance between Abuja and what it perceives as a secessionist movement among Anglophone Camerounians (Ngwane, 1994:9). In general, then, both states had viewed their common border as a strong military division and as a defence line for promoting their exclusive national interests. Therefore, although borders are said to create both risks and opportunities, this one created conflict rather than co-operation. Hence, political and strategic calculations over the Bakassi area were tailored to address threat perceptions rather than promoting fruitful cross-border intercourse.

### **Economic resources endowment: crux of the matter**

Looking at the development of this conflict back to the days of the Anglo-German Treaty of 1913, it becomes evident that something concrete took place that ignited the use of military force. According to Che (2007:14-15), both countries were more or less not very interested in the predicament of the Bakassi indigenes. Nigeria under British rule ceded the territory to Germany and immediately after independence; no claims of sovereignty were laid on it by the Nigerian government. Cameroun on the other hand, largely saw Bakassi as its own, but failed to do anything to develop it. Worse still, Nigerians were tolerated to inhabit and create their

institutions there without any serious form of control by the Camerounian government except in terms of more or less arbitrary tax collection. It was not until it became clear after the discovery of large deposits of crude oil in adjoining offshore waters around the Rio del Rey area in the late 70s and early 80s that both countries realized that the Bakassi peninsula may indeed be a treasure of immeasurable economic value. Besides oil, the Bakassi Peninsula and its surrounding waters is located where two great ocean currents meet making conditions very favorable for a large variety of fish and other forms of maritime wild-life to grow and reproduce. Ikome (2004:23) agreed that Nigeria's Institute of Oceanography and Marine Research (IOMR) revealed that the continental shelf in the South Eastern sector (the area in dispute) is the broadest along the entire Nigerian coastline, and very rich in both fish and mineral resources, including oil. As early as 1975, the IOMR estimated that the area was yielding close to 100,000 metric tonnes of fish yearly. Moreover, both states, together with their multi-national exploration partners, have made huge investments near the disputed area. Nigerian policy-makers have argued that the Bakassi Peninsula and the Calabar channel are keys to the economic survival of the port of Calabar and its Export Processing Zone (EPZ). More importantly, Nigeria's oil resources which provide about 90 per cent of its foreign exchange earnings occur predominantly in a zone from 10 to 41 nautical miles off the coast of Calabar. Within this zone are six oil tanker terminals, and three oil refineries. Although, oil accounts for only 35 per cent of Cameroun's foreign exchange earnings, it also has oil installations adjacent to the disputed area – it is effectively exploiting the same oil field as Nigeria, from the opposite side. Also, the supplies of crude to its only oil refinery come almost exclusively from the area in dispute. Therefore, giving up the Bakassi Peninsula and its adjacent areas to Nigeria would result in the closure of its only oil refinery. These important economic resources deepened the mutual distrust and suspicion between the two countries.

So the oil reserves in Bakassi and the sales of fishing rights are definitely among the dominant reasons that motivated both countries to fight over its sovereignty especially in the case of Cameroun, where revenue from the exploitation of oil has been on the decrease over the last decade despite increases in the price of oil products in the world market. However, it is glaring that the primary cause of the conflict between Cameroun and Nigeria was the discovery of natural crude oil in the region because long before the discovery of oil in Bakassi, Camerounians and Nigerians in the region lived in harmony although few squabbles were registered here and there. The reason both countries did not pay attention to Bakassi is in part, because it was a remote area inhabited by people considered to be non-consequential. When oil and other natural resource and minerals were discovered in the peninsula, attention from both countries and also from their colonial connections was ignited thus creating tension, argument and in some cases death. This is sad and really hypocritical because if oil was never discovered in this region, both regimes would have cared less about the region with its poor, remote, marshy and non-consequential inhabitants (Che, 2007:15). According to Tarlebba and Baroni (2010:204), this newly developed interest in the peninsula after was discovered was viewed with suspicion by the indigenes since they suspected that such interest could only be superficial and geared towards personal gain and nothing else. The Nigerian and the Camerounian governments at the time could say that conflict started as a result of the scramble for oil, but for the indigenes of Bakassi, conflict was as a result of a much more complex reality although the discovery of oil was one of them.



## HOW INTERNATIONAL COURT OF JUSTICE (ICJ) RESOLVED THE CONFLICT.

On the 10<sup>th</sup> of October, 2002, the Court intervened and delivered its Judgment in the case concerning the Land and Maritime Boundary dispute between Cameroun and Nigeria (Cameroun v. Nigeria: Equatorial Guinea intervening (Anekwe, 2002:1). In its Judgment, which was final and binding on the Parties, the Court determines the course of the boundary, from North to South, between Cameroun and Nigeria. In the Lake Chad area, the Court:

*decides that the boundary is delimited by the Thomson-Marchand Declaration of 1929-1930, as incorporated in the Henderson-Fleuriau Exchange of Notes of 1931 (between Great Britain and France), it finds that the boundary starts in the lake from the Cameroun-Nigeria Chad tri-point whose co-ordinates it defines) and follows a straight line to the mouth of the River Ebeji as it was in 1931 (whose co-ordinates it also defines) and thence runs in a straight line to between Lake Chad and the Bakassi Peninsula, the Court decides that the boundary is delineated by the following instruments: (i) From the point where the River Ebeji bifurcates, as far as Tamayar Peak, by the Thomson-Marchand Declaration of 1929-1930, as incorporated in the Henderson-Fleuriau Exchange of Notes of 1931; (ii) From Tamnyar Peak to pillar 64 referred to in Article XII of the Anglo-German Agreement of 12<sup>th</sup> April 1913, by the British Order in Council of 2<sup>th</sup> August 1946; (iii) From pillar 64 to the Bakassi Peninsula, by the Anglo-German Agreements of 11<sup>th</sup> March and 12<sup>th</sup> April 1913" (ICJ Report, 2002:155).*

*In Bakassi, the Court decides that the boundary is delimited by the Anglo-German Agreement of 11<sup>th</sup> March 1913 and that sovereignty over the Bakassi Peninsula lies with Cameroun. It decides that in this area the boundary follows the mouth of the River Akpakorum (Akwayofe), dividing the Mangrove Islands near Ikang as far as a straight line joining Bakassi Point and King Point (ICJ Report, 2002:156). As regards the maritime boundary, the Court, having established that it has jurisdiction to address this aspect of the case - which Nigeria had disputed - fixes the course of the boundary between the two States' maritime areas (Anekwe, 2002:3). In paragraphs 314, 315 and 316 of its Judgment, the Court requested Nigeria to expeditiously and without condition withdraw its administration and its military and police forces from that area of Lake Chad which falls within Cameroun's sovereignty and from the Bakassi Peninsula. The Court further decided that Cameroun:*

*is under an obligation military or police forces which may be present in areas along the land boundary from Lake Chad to the Bakassi Peninsula which pursuant to the Judgment fall within the sovereignty of Nigeria. Nigeria has the same obligation in regard to any administration or military or police forces which may be present in areas along the land boundary from Lake Chad to the Bakassi Peninsula which pursuant to the present Judgment fall within the sovereignty of Cameroun. The Court takes note of Cameroun's undertaking, given at the hearings, to continue to afford protection to Nigerians living in the Bakassi peninsula and in the Lake Chad area..."(ICJ Report, 2002:152-153).*

The ICJ's judgment raises a number of important issues. One, two competing perspectives of sovereignty were revealed – one historical (Nigeria's) and one Western in origin (Cameroun's). The fact that the ICJ relied on 'Cameroun's conventional titles' indicates that they gave precedence to contemporary Western constructions of the notions of boundaries and sovereignty to the detriment of the historical consolidation argument put forward by the Nigerian government. The argument of the Nigerian government turned on practice as opposed to theory, a perspective that privileged the Bakassi indigenous population. However, in the reasoning of its Judgment, the Court further noted that the implementation of the Judgment would afford the Parties a beneficial opportunity to co-operate in the interests of the populations concerned, in order notably to enable them to continue to have access to educational and health services comparable to those they currently enjoy. Such co-operation, the Court added, would be especially helpful, with a view to maintaining security, during the withdrawal of the Nigerian administration and military and police forces (Anekwe, 2002:3-4).

## REACTIONS FROM VARIOUS SEGMENTS OF THE NIGERIAN PUBLIC.

### Reaction of the Bakassi Indigenous Population

The contemporary indigenes' claim to the Bakassi as an act of self-determination was a continuation of the historical consolidation argument. Several young people reacted and argued for:

*the declaration of the Republic of Bakassi. That they have the right to decide where Bakassi indigenes want to be and the right to self-determination, that they are Nigerians in their ancestral home, how can they be imposed with a strange culture and government? That it should be recorded that the Nigerian government have betrayed them and they will fight for their survival and self-determination. They further asked, 'how can government Nigeria (sic) let even Archibong town go, the nearest Bakassi village to Calabar which is just less than 40 minutes' drive? But from this Archibong town to Ekondo Titi, the nearest Cameroun village is a 15-hour journey through the swamps and jungle (Sama & Ross, 2006:111).*

The estimated 150,000–300,000 inhabitants of the peninsula condemned the decision of the Nigerian government to cede what they considered their ancestral land. Hence, they considered the judgment to be ill-fated, godless, unjust, humiliating and demoralizing to the Nigerian indigenes in the peninsula as well as a great tragedy of unimaginable magnitude and dimension. A group called the Bakassi Self Determination Movement (BSDM) declared its independence from both Nigeria and Cameroun on 25<sup>th</sup> November, 2006. The group's leader, Tony Ene, stated:

*We insist on our natural right to determine our future. If Nigeria does not want us, we choose to go, to be alone and not with Cameroun.' At an independence ceremony called by the Bakassi Self Determination Movement (BSDM) prior to the official handing-over ceremony, residents waved the territory's new blue-and-white-striped flag at Ekpote Abia, which was part of the land handed over by Nigeria to Cameroun in August 2006. During the*

*ceremony, Tony Ene proclaimed 'The people have declared their own republic!' Ene claims to speak for all the peninsula's resident (as cited in Sama & Ross, 2006:115-116).*

The various Anglophone Cameroun separatist movements expressed support for the Bakassi peoples, claiming them as a part of Southern Cameroun. That if Southern Cameroun was able to get "the independence it seeks and become a republic encompassing the peninsula, the people of Bakassi will no longer have problems with the Republic of Cameroun and the neglect of the Nigerian government will stop" (Akpan, 2006:2). The Bakassi indigenes and the Southern Cameroun secessionists regarded the judgment and the Green Tree Agreement as irrelevant. More importantly, the indigenes of Bakassi (both those who consider themselves to be Nigerian and those who consider themselves to be Camerounian) were not willing to strain their relationships with one another and are more concerned with maintaining peace than with rivalry and conflict. A delicate balance has been achieved in terms of lifestyles and division of labour among the indigenes. Those who claim Camerounian citizenship are accustomed to traveling inland to sell the fish and other products provided by their Nigerian neighbours. For this reason, they have documents that verify their Camerounian citizenship and are accustomed to dealing with Camerounian laws. The Nigerian indigenes, on the other hand, do not necessarily have residence permits and other legal documents permitting them to reside and engage in business in what is now legally Camerounian territory. The Nigerians fear potential harsh treatment by agents of the Camerounian government while Camerounians fear the destruction of their way of life. In this way, all the indigenes of the region were unsure about their future under Cameroun.

### **Reaction of the Bakassi Paramount Ruler**

Ighodaro (2008:1-2) reveals, in the *Vanguard*, Saturday 9<sup>th</sup> August, 2008, the reaction of the Bakassi paramount ruler, Chief Etim Okon Edet who expressed the bitterness of the people of Bakassi Peninsular towards losing their fatherland to Cameroun. According to Ighodaro, on 20<sup>th</sup> June, 2008, when the Senate Joint Committee on Foreign Affairs, Judiciary/Human Rights, States/Local Government Matters led by Prof. Jubril Aminu visited some Bakassi returnees and other stakeholders in Calabar on account of the Bakassi question, the paramount ruler dismissed the visit of the Senate committee because he consider the visit to inquire about the Bakassi situation as very unnecessary. The paramount ruler gave his reasons thus:

*On 26<sup>th</sup> August, 2004, I wrote two letters to Kofi Annan and copied the Senate. On 13<sup>th</sup> June 2006, a day after I heard about the Green-tree Agreement, I wrote another letter to all Nigerians and the National Assembly.... In all these, the Senate kept mute. Senators even said Obasanjo was right in signing the Treaty. The Senate failed to rise to the occasion when it mattered most. It was only the House of Representatives through Hon. Essien Ayi that rose to the occasion with a motion unanimously passed by the House against the ceding (Ighodaro, 2008:2).*

He, however, noted that since ICJ has given its judgment and the Green-tree Agreement had been signed, it was proper for government to have made adequate preparations for the relocation of Bakassi indigenes. According to him:

*The government, both at the national and state levels, has refused to talk to Bakassi people. We know that there was a judgment in 2002 and we knew since then that the judgment has no appeal and the Nigerian nation and the United Nations knew that sovereignty had been given to Cameroun and eventually Bakassi people will leave. Nobody made any arrangement since then on the issue of resettlement of Bakassi people. Few days to handing over, as has been reported, nobody has talked to the paramount ruler of the place... (Akpan, 2006:2).*

### **Reaction of the Cross River State Youths Assembly**

Sama and Ross (2006:111-112) reveals that the Cross River State Youths Assembly rejected the judgment in its entirety. They issued a statement clearly defining their stand as follows:

- We the Cross River State Youths reject completely the handover of Bakassi Peninsula to the Republic of Cameroun because it lacked the consent and approval of the indigenous Bakassi people who are Nigerians;
- The handing over of the ancestral land of Bakassi people to a foreign country did not follow due process because it lacked the ratification of the National Assembly before the implementation by the presidency;
- The Bakassi people refused to be transferred forcefully to a foreign country in the haste to obey a fraudulent world court judgment;
- Historically, other countries are known to have disobeyed the judgment of the world court including some Western Nations.;
- The ceding of Bakassi Peninsula was done without a referendum of the Bakassi people;
- Nigerians cannot have their ancestral home transferred to a foreign land in obedience to a politicized world court judgment;
- Bakassi remains and will always remain part and parcel of Cross River State of Nigeria and not to be transferred to the Republic of Cameroun because the inhabitants have no ancestral, historical, archaeological and political links or ties. They are Nigerians and will always remain Nigerians;
- We refused to be victims of neo-colonialist manipulations and machinations of the Western World all in obedience to the World Court judgment. We the members of Cross River State Youths Assembly are in solidarity with our brothers and sisters of Bakassi origin and support their unwavering and unshakeable resolve to resist their relocation to Republic of Cameroun.

### **Reaction of the Nigerian Senate**

According to Umar (2009:1-2), Senator Ayo Lawrence, who chaired a committee on the reviewed of the report sent to the Senate by Bakassi inhabitants, presented the report stating the demands of the petitioners from the Senate, which says: a resolute and definite decision of government to protect their territory and ensure that they remained part of Nigeria by ignoring completely the judgment of the World Court. Lawrence said the committee was

confronted with the difficult of proffering an acceptable and suitable solution to the Bakassi inhabitants who have spoken unanimously on their determination not to be ceded to the Republic of Cameroun. The committee reeled out the following *recommendations* among others:

*That while diplomatic solution is being sought, efforts should not only be made to strengthen our military presence in Bakassi, Nigeria combat should be made ready. That funds must be provided to the Ministry of Foreign Affairs to enable it carry out its obligations of evacuating the four million Nigerians residing in Cameroun in the unfortunate event of war. That federal government, through the Cross River State Government, should appeal to all the inhabitants of Bakassi Peninsula to maintain peace and be assured that they will be protected at all times. That Nigeria should try to keep alive the Nigeria-Cameroun Mixed Commission as avenues of interaction (Umar, 2009:4).*

The call for the making of the nation's defence force combat ready, was not viewed in good light by some contributors. For instance:

*Senator Abubakar Abdullahi described the situation as: "very difficult and called on government to continue to explore the path of dialogue." Senator Zwingina said "the idea smacks of war preparation which should be discouraged by the Senate in view of its wide ranging consequences for the nation. Nigeria, he argued, should not be seen to be spoiling for war with Cameroun over the disputed Peninsula, but should rather continue on the diplomatic path..." In his contribution, On the defence aspect, the Lagos Senator contended that: "as democrats, Nigerian leaders should learn to respect legal processes. Even if the government is rejecting the ICJ judgment, legal processes should be followed to save our esteemed position in world politics." Senator Silas Jamfa on his part said: "it would be wrong for Nigeria to totally reject the ICJ ruling because even the diplomacy option we are pursuing, we must lobby the powers that be who were alleged to have influenced the decision as well as all other members of the United Nations in our search for reprieve on the matter." Senator Lawali Shuaibu from Zamfara State supported: "that diplomacy should be employed on the judgment above any other thing" (Umar, 2009:4-5).*

Although, Nigerian government took a hard stand on the judgment not to handover Bakassi Peninsula as results of pressures from the Bakassi indigenous population and other stakeholders, but with the intervention of the United Nations and its Secretary General, in person of Kofi Anna, Nigerian government withdrew its military, police and administration from the Bakassi Peninsula putting aside disruptive activities, handed over the area to Cameroun as well as compromised to finalize the demarcation of the disputed area under the Cameroun-Nigeria Mixed Commission (NCMC), knowing fully that going to war would increase the casualties.



## **ROLE OF THE INTERNATIONAL MEDIATOR IN THE MANAGEMENT AND IMPLEMENTATION OF THE ICJ'S DECISIONS.**

Given the complex nature of the border conflict, it was clear that a decision from the Court alone was not enough to bring a sustainable agreement between both parties. So while anticipating the final decision of the Court, the then UN Secretary General, Kofi Annan invited Presidents Biya of Cameroun and Obasanjo of Nigeria to a meeting in Paris on 5<sup>th</sup> September, 2002. It was at this meeting, he was able to convince both presidents to commit themselves to respect and implement whatever decision the Court arrived at. He was able to obtain an agreement from them, "to establish a mechanism to give effect to the decision." (Christofides, 2005: 211). At this time, it is important to note that while both countries were more or less ready to accept the Court's decision, none of them came up with any concrete proposals of their own for the implementation of the ruling. Mr. Annan also showed proof of great understanding and foresight by making sure that France, the United States and Britain - all nations trusted by both countries - backed this initiative. Though many will disagree, credit also goes to both Presidents for recognizing the fact that the border dispute was to be seen within the greater context of the overall relationship between both states. At this critical point, Kofi Annan appealed to both countries to respect and implement the Court's judgment and reaffirmed the readiness of the UN to assist both countries. In his relentless effort to achieve lasting peace between both countries, he once again invited both presidents to a seminal meeting in Geneva on 15<sup>th</sup> November, 2002, where both leaders agreed to request the Secretary-General to set-up a Cameroon-Nigeria Mixed Commission made up of representatives of both countries and UN experts chaired by a special representative of the Secretary-General.

In retrospect, the use of Mix Commissions as one of the mechanisms to settle border dispute is not new. For instance, in the long standing border dispute between Honduras and Nicaragua (1894-1961), the *Inter-American Peace Committee Mixed Commission* was central in executing the practical solutions of the ICJ judgment (Nordquist, 2001). But, within the African scene and in relation to boundary disputes, the *Cameroun-Nigeria Mix Commission* is being considered as a novel approach to preventive diplomacy. Of even more significance, is the timing of its creation, its mandate and membership composition (United Nations Office for West Africa-UNOWA, 30<sup>th</sup> March, 2007). The function of the Mixed Commission was to work out ways of implementing the ruling of the Court and moving the process forward. Annan's proposal of his special representative for West Africa, Mr. Ahmedou Ould-Abdallah from Mauritania to chair the Mixed Commission was considered acceptable by both sides. In that atmosphere of brotherhood, the two countries accepted to identify a number of confidence-building measures. The mandate of the Mixed Commission included: (i) Demarcation of the land boundary; (ii) Withdrawal of civil administration, military and police forces and the transfer of authority; (iii) Eventual demilitarization of the Bakassi Peninsula; (iv) Protection of the rights of the affected population; (v) Promotion of joint economic ventures; and (vi) The reactivation of the Lake Chad Commission (UNOWA, 2007).

The first meeting of the Mixed Commission was held in Cameroon's capital city Yaoundé on 1st December, 2002. To carry out the various aspects of its work, two sub-commissions and five working groups were created. To assure a smooth functioning of the Mixed Commission, the UN established a support team of experts with its base in the Senegalese capital, Dakar. This team provides technical and logistical assistance to the Commission as well as

substantial support to the sub-commissions and working groups. The Commission meets once every two months alternating between Yaoundé and Abuja. The Commission already started its work of field visits by deploying its Personnel Observer Group made up of members from both countries to the land boundary for a period of one year. The Observer Group had the task of presenting a report one month after handover. In addition to the Mixed Commission, the UN deployed a team of civilian observers to the region to monitor and assess the transfer of authority according to the Court's ruling and to see whether the rights of the affected populations were guaranteed or not. However, the fact that Cameroun remained calm in the face of this was clear proof of the confidence it had in the work of the Mixed Commission, its newly found friendship with Nigeria and that the situation on the ground had essentially changed in military, diplomatic and political terms. Mr. Ould-Abdallah's endless energy and enthusiasm in maintaining contact with the two parties through shuttle diplomacy between the two capitals was of enormous importance in avoiding the breakdown of the entire process (UNOWA, 2007).

## RECOMMENDATIONS

The study recommends ways in which the relationship between Nigeria-Cameroun could further be strengthened: These include: (i) Neglect of border areas by the governments of both countries contributed to the problem of border incursion. Nigeria and Cameroun new border policy should therefore, continue to provide for the construction of schools, hospitals, roads, agricultural posts, telecommunications network, pipe-borne water and so on in the area. It is perhaps only by carrying out infrastructural developments and effectively occupying border areas that future incursions can be checked and sustainable peace will be guaranteed between the two countries; (ii) both Nigeria and Cameroun governments should strictly abide by all diplomatic notes and agreements they have or will exchange between each other now and in future, be it on border issues or other matters. (iii) both Nigeria and Cameroun governments should be conversant with and committed to organizations declaration, and ensure that the Organization of African Unity (OAU) declaration, which stipulated that independent African countries are bound to respect their inherited colonial borders, as commitment will help prevent future invasion and violation; (iv) National governments of both countries must learn to take prompt actions on the issues of resettlement of displaced, as negligence could cause affected population to take negative actions that will truncate the peace process; (v) Any segment of the public that would be sympathizing, reacting or commenting when the ongoing boundary demarcation is finalize between the two countries and officially announce, should be careful and mindful of words/action capable of reawakening conflict situation as it may likely attract sanction and/or damage the countries international image as well as hinder mutual relations. (vi) Nigeria and Cameroun governments should ensure that the rights of the Bakassi displaced are protected as slated in the Green Tree Agreement to avoid any problem that could emanate from violation of their rights and threaten peace process; (vii) As both countries have recognized the unproductive character of armed conflict and ceased fire, there is need for a genuine desire and spirit from both sides of the Bakassi Peninsula to maintaining and sustaining the present status quo. However, for the status quo to be maintained the Nigeria-Cameroun Mixed Commission should be a permanent structure where concerns and problems arising from the management of the disputed areas should be debated and resolved.

## CONCLUSION

This paper has appraised the dominant causes of the boundary conflict between Nigeria-Cameroun over Bakassi peninsula, how the conflict was resolved by ICJ, reactions from the Nigeria public that almost escalate the problem into war as well as the role of international mediator in the management and implementation of the Court decision in the matter. Hence, as both countries has ceased from confrontational demonstration of military power over the peninsula, they should fully take advantage of conflict resolution to positively explore areas of possible cross-border collaborations in the area of joint resource explorations and other common cross-border businesses that could benefits their citizens including the displaced Bakassi indigenous populations. Better still, for the peaceful relationship between Nigeria and Cameroun to further be strengthened, the above recommended should not be undermined, but taken seriously. Generally, Nigeria and Cameroun peaceful conflict resolution should be seen as a model for all nations that are still in military battle over conflicting national interest to drop their guns, negotiate, resolve for the sake of lives and properties at risk and to give room for development as well as progress in the affected zone. The words of Nzeakah cited in Anekwe (2002:8) is noteworthy here: war serves no one any good, for not only are both the victor and vanquished practically equally bruised, exhausted and bloodied; with war, it may be futile to expect that what is imposed or snatched will cease to be a source of acrimony in the future...war by the two countries might have been disastrous.

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