

UNIVERSITY OF BUEA

**FACULTY OF SOCIAL AND
MANAGEMENT SCIENCES**

**DEPARTMENT OF POLITICAL
SCIENCE AND PUBLIC
ADMINISTRATION**

**IMPLEMENTATION OF THE ICJ VERDICT OVER THE BAKASSI
CONFLICT: AN APPRAISAL OF THE GREENTREE ACCORD 2006-2013**

BY

Fichanfie DJ Nkwain Ngamfon
B.Sc. (Hons.) Political Science

**A Thesis Submitted to the Department of Political Science and Public
Administration, Faculty of Social and Management Sciences of the
University of Buea in Partial Fulfillment of the Requirements
for the Award of the Masters of Science (M.Sc.)
Degree in Political Science**

March, 2014

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DEDICATION

To the NKWAIN and ANGONG Families

and

FICHANFIE Arlette Lea Ekanyoh

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CERTIFICATION

The thesis of **FICHANFIE DJ NKWAIN NGAMFON (SM10C514)** entitled
“**Implementation of the ICJ Verdict over the Bakassi Conflict: An Appraisal of
the Greentree Accord 2006-2013**”, submitted to the Department of Political Science
and Public Administration, Faculty of Social and Management Sciences of the
University of Buea in partial fulfillment of the requirements for the award of the
Masters of Science (M.Sc) Degree in Political Science has been read, examined and
approved by the examination panel of:

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Date: 13 APR 2014



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ABSTRACT

The GTA of 2006 offered a framework for the implementation of the ICJ verdict of October 2002 that ended the long animosity which characterised the Cameroon-Nigeria border. In a bid to render the implementation of the decision of the World Court more feasible and increase the prospects for peace between them, the two contiguous states of Cameroon and Nigeria decided to sign an agreement in 2006 in the presence of then Secretary General of the United Nations, Kofi Annan, and some other witnesses. This agreement set the modalities of implementation of the 2002 verdict. August 2013 spelled the end of the Special Transitional Regime which was set in place after 2008 when Nigeria fully withdrew from the peninsula following the provisions of the Greentree Accord. Making use of content analysis from archival sources, publications on the subject-matter and on-the-field observation, the researcher investigates the level at which both Cameroon and Nigeria respected the terms of the Greentree agreements and the challenges faced in their bid to implement the decision of the World Court. Results from the study show that the conflict over Bakassi was fraught with underlying interests which at first marred the effective implementation of the ICJ ruling. However, despite the difficulties, by the end of the Accord mandate, the implementation has been relatively satisfactory. The study gives a shift from other works to focus on assessing the level of implementation of the verdict by both Cameroon and Nigeria. Admittedly, for the peace attained in the area to be sustained, Cameroon and Nigeria need to put in place several strategies to build back confidence between them. The Cameroonian government would equally need to devise several strategies such as imposing employment conditions on oil companies that are there, introducing active tourism in the area, open agricultural and fishing training institutes under MINEPIA in the area, increase motivation for civil servants, in order to encourage more Cameroonians to move into to the peninsula.

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ABBREVIATIONS/ACRONYMS

AU-African Union

BSDM-Bakassi Self Determination Movement

BIR-Batallion d'Intervention Rapide

CAMTEL-Cameroon Telecommunication

CEMAC-Central African Economic and Monetary Community.

CFA-Communauté Financière Africaine

CNMC-Cameroon Nigeria Mixed Commission

D.O- Sub Divisional Officer

D.R.C- Democratic Republic of Congo.

ECOWAS-Economic Community of West African States

G.T.A- Greentree Accord.

ICJ- International Court of Justice.

I.P-Inspector of Police.

MINEPIA- Ministry of Livestock Fisheries and Animal Husbandry.

MINREX-Ministry of External Relations

MIRAP- Mission de Régulation des Approvisionnements des Produits de grande consommation.

OAU- Organisation of African Unity.

SCNC-Southern Cameroons National Congress

SOWEDA-South West Development Authority

UDEAC- Union Douanière et Economique de l' Afrique Centrale

UN- United Nations

UNESCO- United Nations Educational, Scientific and Cultural Organisation

USA- United States of America

CHAPTER ONE

1.0 GENERAL INTRODUCTION

1.1 Background to the Study

To maintain a sustained peace between two contiguous states suddenly beset by boundary conflicts has increasingly become more challenging. Sustainable peace, though perceived by realists as being utopic, is the dream of not only non-state actors but state actors as well. Peace has virtually become the *end* of every action, whether the means may be in consonance with the tenets of peace or not. Unfortunately, the world has been totally void of significant interstate, colonial or civil wars only in about 1 out of every 12 years in all of recorded human history and about 150 million people have died during war since the year 1000 (Rourke, 2007:299). Conflicts, especially those concerned with boundaries, have existed in all cultures, religions and societies since time immemorial, as long as humans have walked the earth and the procedures for dealing with them have been a part of human heritage, differing from culture to culture and society to society (Shamir, 2008:2).

The United Nations (UN) Charter expresses its fervor for peace in its preamble. It states: “We the people of the United Nations...determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind...practice tolerance and live in PEACE with one another ...strength to maintain PEACE and security...” (stress intended). The importance of Peace can be seen in the commemoration of September 21st of each year as an International Day of Peace. This is observed by several nations, political parties and individuals. First celebrated in 1982, it is a common practice now during which a

'peace bell,' offered by Japan with inscriptions "Long live absolute World Peace" as a reminder of the human costs of war, is rung.

Several categories of conflicts exist in Africa which have marred the possibility of peace. These range from civil wars and internal conflicts having international repercussions, succession conflicts, political and ideological conflicts, boundary conflicts to others including those related to transhumance (Salim, 1999; Bujra, 2002:3). With the exception of the war on terrorism which has shifted the premise for war outside of geographical prerogative, most, if not all wars, seek domination over land (Lewis, 2004:3). In Africa most especially, the amount of land resource owned by an individual or group or state is indicative of the power, wealth and survival attendant to such individuals or groups (Havnevik et. al, 2007; Sone, 2011:84) and this has therefore made landownership to constitute a primary cause of conflict in Africa, for nothing evokes deeper passion or gives rise to more bloodshed than do disagreements about territory, boundaries or access to land resources (Lewis, 2004:5).

With the upsurge of conflicts in Africa especially relating to boundary and land disputes, it has become absolutely necessary to address them in a satisfactory manner for the parties involved. This is to guarantee the sustainability of peace and the implementation of decisions after the resolution of conflict. If peace is to be sustained (and decisions implemented), it will need to be backed by a long term approach that will address structural causes of conflict and foster institutions that will provide a kind of distributive and procedural justice (Connie, 1998:15).

The general thrust of conflict resolution is to help parties develop common norms, rules and regulations on utterance attitudes, actions and aspirations to allow

peace reign, rather than violence (Ikejiani & Casmir, 2009:21). In order to achieve this objective, conflict resolution has become associated with non-adversarial practices such as arbitration, negotiation, mediation, conciliation rather than the imposition of decisions by an external authority (Boule, 1996; Carolyn, 2009:3). Africa, which is plagued with arbitrary boundaries due to colonialist activities, has faced most of the boundary-related conflicts in the world. The boundary between Nigeria and Cameroon is one of such contentious areas which led to a strain of relations between the two contiguous states for a long time.

The Cameroon-Nigeria relations after the 1981 attacks by both states on the peninsula was characterised by mutual distrust and *cold* resentment especially after the rise of Murtala Muhammed to power as president of Nigeria. The origin of the crisis is usually traced as far back as 1885 when Britain and Germany signed an agreement defining their colonial boundaries along Rio del Rey (in the Bakassi Peninsula) and especially in 1913 when the boundary was defined between the two contiguous states (*Cameroon Tribune* No. 9161/5360 of Thursday August 14, 2008 p.20).

The voice of diplomacy seemed to fade gradually to the hopeless rock bottom when on December 18, 1993 Nigerian troops went on the offensive by attacking Cameroonian soldiers stationed at Idabato. There was fear of another breakout of bloodshed (*Cameroon Tribune* No. 9161/5360 of Thursday, August 14 2008 p. 20) because this came to reawaken the resentment which had gradually been fading as a result of the 1981 attacks by both states in the peninsula. Many feared Cameroon would react by taking retaliatory response. Although Cameroon dispatched troops to defend its territorial integrity and some casualties were reported, a full war situation was never met. After failure of negotiation efforts, President Biya decided to

seek litigation from the World Court. By resorting to the International Court of Justice on March 29, 1994, to resolve the Bakassi peninsula crisis that had impinged on the cordial relations between her and Nigeria, therefore, Cameroon did so in absolute congruence with the norms of International Law which relate to pacific settlement as clearly outlined by articles 33 to 38 of the United Nations Charter. However, both states became very involved in their efforts to provide a peaceful model of resolution of conflict.

Until some few years after the independence of both states, the Bakassi peninsula had never been an area of contention between Cameroon and Nigeria. Attempts were made for a bilateral negotiation but in 1981, 1993, 1994 and 1996 the dispute reached the brink of full scale war. Doubting the outcome of bilateral talks proposed by Nigeria, Cameroon took the case to the International Court of Justice on March 29, 1994 (*Cameroon Tribune* No. 9161/5360 of Thursday August 14, 2008 p.20).

In this case which the court filed as **Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening)**, *judgment, I.C. J. Reports 2002, p. 303*, Cameroon wanted the court to determine the question of sovereignty over the Bakassi Peninsula and over islands around Lake Chad and to specify the course of the land and Maritime boundary between Cameroon and Nigeria (Kinni, 2009:126). The ICJ pronounced its verdict after eight years of hearing giving sovereignty over the Bakassi Peninsula to Cameroon and sharing regions around the Lake Chad and the maritime boundary between the two states based primarily on the 1913 Anglo-German Agreement.

After the ICJ verdict and following continuous negotiations between the two presidents, Paul Biya and Olusegun Obasanjo, facilitated by then UN Secretary General, Kofi Atta Annan on June 12, 2006, within the scope of the Cameroon-Nigeria Mixed Commission, the two presidents renewed their commitment at Greentree, New York. This agreement was meant to set the modalities for a more practical implementation of the verdict.

With the favourable reports from the Follow-up Committee and the Cameroon-Nigeria Mixed Commission, the United Nations was pleased with the level of Cameroon's commitment to respecting her own part of the bargain. On August 14, 2006, barely two months later, in pursuance to the GTA provisions, Nigeria withdrew her military force from the Peninsula as a sign of authority transfer and on August 14, 2008 it withdrew its Administration and Police Force from the Peninsula, thereby relinquishing officially its hold on the Peninsula. This was fully applied in the towns of Akwa, Kombo Amunja and Issobo. However, in the areas around Idabato, Jabane and Kombo Abedimo village, though under Cameroonian sovereignty, the full transition of authority to Cameroon was to take a slower pace due to several Nigerian investments as well as the number of Nigerian citizens in the area. In these areas, a special transitional regime was formed which gave Cameroon the authority over the entire peninsula but with UN supervision. This was to take place within a five-year period beginning from August 14, 2008 to August 14, 2013.

It is against this background information that this present study finds some salient issues worth investigating.

1.2 Statement of the Problem

While no one suggests that preventing war or promoting peace is easy, there is nonetheless a growing consensus that violent conflict is not and should not be considered inevitable (Naraghi & Stanski, 2007:1). The Obasanjo-Biya example is glaring to support this assertion. The goal of conflict resolution is to make violence evitable and after the resolution of a particular conflict, there is usually a question about when the other might re-surface and how best to prevent them from arising again as wartime experiences can foment the desires for revenge or breed distaste for further hostilities.

Laue suggests that conflict can only be considered resolved if: the solution proffered satisfies the interests and needs of the parties and does not compromise the values of either party; parties involved do not repudiate the solution even if they have the power to do so and solutions are fair and just and becomes self-supporting and self-enforcing (Laue in Manning, 2009:4).

For the peace attained to be sustainable, there is need for a committed leadership, security, good government structures providing services, information dissemination, sound civic engagement, mediation and community participation. As expected, the ICJ verdict of October 2002 in favour of Cameroon, received mixed feelings and interpretations from both Cameroon and Nigeria. While President Obasanjo and, later, Yar Adua and Goodluck Jonathan were hailed internationally for their acquiescence to a peaceful resolution of the Cameroon/Nigeria border dispute, some factions of the Nigerian political class never gave up on the dreams of regaining Bakassi. However, the two Heads of state (Paul Biya and Obasanjo) never surrendered their choice of peaceful negotiation. The parties signed an Accord which had to facilitate the peaceful implementation of the verdict in 2006.

Therefore, one ponders with this agreement which both states set for themselves and with the close of the mandate of this agreement on August 14, 2013, to what extent both parties to the Bakassi conflict have committed themselves to its implementation and what are the impediments they faced in their bid to implement their resolve?

1.3 Research Questions

This study attempts to provide answers to the following Questions:

- Why was it necessary to establish the GTA?
- To what extent have both parties implemented the provisions of the Greentree Accord?
- What were the challenges faced by the two states in implementing the October 2002 verdict?

1.4 Hypotheses

To answer the above questions, the study proffered the following hypotheses;

- The establishment of the GTA was in response to difficulties that presented themselves in the course of implementation of the 2002 verdict.
- With the end of the GTA mandate, both parties have to a greater extent implemented their 2006 resolve.
- Both Cameroon and Nigeria faced internal and external challenges in their bid to implement the ICJ verdict.

1.5 Objectives of the Study

The main objective of this study is to give an assessment of the level at which Cameroon and Nigeria have been able to observe the Accord of Greentree and to examine the challenges faced by both states at implementation.

The study equally has as specific objectives the following:

- To discover why it was necessary to establish the GTA
- To assess to what extent the conflicting parties have stayed steadfast to the respect of the Greentree Accords since 2006.
- To examine the challenges in implementing the GTA.

1.6 Significance of the Study

The study is of academic and social significance. To the academia, this study is expected to give a new direction of reason as it focuses on analysing the implementation of the verdict, a path which has hardly been taken before. It shall therefore serve as an indispensable tool for the existing literature on Bakassi. The recommendations from the study shall help give a direction to governmental policies relating to the residents of the area as they take into consideration especially the complaints laid during interviews. The study is a stock-take and shall therefore be helpful as it shall facilitate the assessment by the Cameroonian government on the level of advancement or achievements from the pre-August 14, 2013 period to the post-August 14th period when Bakassi became totally under its reserved domain. The on-the-ground situation that has been presented in this write-up debunks the general impression given on land about this area on the high level of violations of human rights and insecurity. The study shall therefore be an encouragement to companies seeking to do business in the area as well as citizens wishing to come to the area for lucrative businesses. To the International Community, it is hoped that the intricacies that led to

the peaceful resolution of conflict between Cameroon and Nigeria shall serve as a veritable set-a-pace to be emulated by present and future conflicting parties. Conflict resolution experts could therefore study these intricacies to try and establish relationships between this case and other countries which are plagued by such conflicts. The study does not leave out the residents of the Peninsula as it shall assist in making their needs known to the government.

1.7 Scope and Limitations of the Study

Scope of the Study

Though reference has been made to the colonial period especially the early twentieth century, the study however focuses on the period 2006 to 2013. The study assumes 2006 as the base time frame because it was in this year that Cameroon and Nigeria, after facing some difficulties in implementing the ICJ verdict between 2002 and 2005, decided to set modalities of implementation at Greentree in the presence of some witnesses. Concentrating on 2013 as the upper limit time frame is simply because August 14, 2013 marked the end of the time frame for the Greentree Accords (and the Special Transitional Regime) which laid down the modalities for the implementation of the verdict. It therefore takes the stock before this period and which shall facilitate eventual assessment of the achievements made by Cameroon as the territory becomes fully under her control.

The works of the CNMC are also examined as the GTA were formulated within its framework. Geographically, the study shall define its fringes within the peninsula itself. In the peninsula, it shall cover Idabato I and II, Jabane I and II as well as Akwa in the Kombo Abedimo Subdivision. This is because Idabato and Jabane were concerned with the third phase of the Greentree Accords which ended on August 14,

2013 meanwhile Akwa is the area where the Cameroonian government has invested most in the peninsula, and it is the headquarters of the entire peninsula.

Limitations of the Study.

This study suffered from a number of difficulties which affected the collection and analysis of data.

The researcher encountered the hurdles of bureaucratic bottlenecks in the process of seeking for interviews especially in the Ministry of External Relations of Cameroon. This was overcome by requesting for an interview from the next-in-command administrators who were equally versed with issues under consideration.

The research was further impeded by fright to do extra work in areas such as Kombo Abedimo village due to the death which the researcher faced at the high sea when the engine of the boat ceased functioning. However, during interviews in other localities, questions were directed towards areas not visited.

In some localities of the peninsula especially Jabane, there were hardly any residents who could communicate even in the pidgin language. Even some chiefs could not speak in pidgin language, talk less of English. The researcher therefore employed the services of a translator.

1.8 Methodology

The study made use of both primary and secondary data

1.8.1 Primary Sources of Data

The study made use of data which were gathered through purposeful random sampling in the form of interviews with persons having specific knowledge on the subject-matter

as well as observation for a period of three months between May and August, 2013. Interviews were conducted with three authors on the Bakassi conflict (Dr. Kinni Fongot, Mr. Ngwane George, Dr. Fombo Gregory), three local residents in the peninsula (Yaya Emile, Ngala Mcnee Njila, Kah Engelbert), three Chiefs (Chief Basse Ekpeyong, Chief Etim Effiong and Chief Paul Tchienkou), five Military officials in the peninsula (Colonel Lombat Kom, Captain Ngato Felix, Commander Ndikum Azieh, Inspector of Police Koko Serges and Etangta Peter) the D.O of Kombo Abedimo subdivision, two civil servants sent to work in Bakassi (Dr. Fogo Moko Georges, Subdivisional Delegate for MINEPIA), two Nigerian diplomats (H.E Ibrahim Hamzat and Babatunde Ugochukwu), three Officials at the Ministry of External Relations (Mr. Robert Tanda, Mme Chantale Nandjou and Mr. Derrick Lukong).

The area of study was the Bakassi peninsula so the residents of the area formed the principal study group of this work. Information concerning them was got mainly by visiting the place and making an observation to be able to provide answers to some of the problems raised. This was facilitated by a clearance letter obtained from the University of Buea which acted like a pass for interviews to be conducted.

1.8.2 Secondary Sources of Data

The study also made use of secondary data. These were got from written and published works, unpublished works, radio, the internet as well as television sources. Most of the secondary data was acquired from the University of Buea Library, the National Archives Buea and the Pan African Institute for Development (PAID-WA) Library. Information was got also from several delegations in Buea, South West Region on specific issues concerning Bakassi. The ICJ Judgment over the Land and Maritime Boundary between Cameroon and Nigeria was consulted as well as the

Provisions of the GTA which form the focal point of this work. Instruments such as the Camera, phone recorder and semi-structured interview guides were used.

1.8.3 Method of Data Analysis

The data gathered in this study made use of content analysis within the qualitative design in order to answer the questions raised. This was done by giving a systematic and detailed examination of the material written on Bakassi in order to identify patterns, themes and biases. These contents are got from the sources named above. The main issues analysed in this study are the modalities which were set in 2006 by Cameroon and Nigeria at Greentree. The theory of pacifism renders it easier for the study to be understood from the reliance-on-peace model of resolving conflicts.

1.9 Theoretical Framework

This study makes use of the *Theory of Pacifism*. Pacifist writers such as Erasmus, More, Comenius, Voltaire, Rousseau, Penn, Fenelon and Bentham took their stand from either the stoic and early Christian radical positions or from the newer European ideals of Cosmopolitanism, humanitarianism and bourgeois internationalism. Practically, all of them exhibited a pronounced skepticism in their attitude towards war and military profession (Doughery & Pfaltzgraff, 1971:155). The word ‘pacifism’ was first coined by a French peace campaigner Emile Arnaud and adopted by other peace activists at the Universal Peace Congress in Glassglow in 1901. It is usually traced from the moral instructions which Jesus Christ gave in the Bible “Love thy neighbour” and “forgive them for do not know what they do.”

Pacifism covers a spectrum of views including the belief that international disputes can and should be peacefully resolved, calls for the abolition of

the institution of the military and war, rejection of the use of physical violence to obtain political, economic or social goals, the obliteration of force except in cases where it is absolutely necessary to advance the cause of peace and opposition to violence under any circumstance, even defence of self and others (Teichman & Blackwell, 1986:12).

Jonathan Dymond, an English Quaker, argued that war, like the slave trade, would begin to disappear when men would refuse to acquiesce in it any longer and begin to question its necessity (Dougherty & Pfaltzgraff, 1971:157). The abolition of war from international politics came to be looked upon as the noblest objective of statesmen. Dymond seeks, by his uncompromising movement of pacifism, not only to give religious advice to the conscience of the individual but also to exert an influence upon the policy of states (Dougherty & Pfaltzgraff, 1971:158).

Principled pacifism holds that at some point along the spectrum from war to inter-personal physical violence, such violence becomes morally wrong. Pragmatic pacifism holds that the cost of war and interpersonal violence are so substantial that better ways of resolving disputes must be found. They therefore stand either for non-violence or non-aggression which rejects the initiation of violence, but permits the use of violence for self-defence or delegated defence (Teichman & Blackwell 1986:15).

However, this theory has variedly been criticised by political realists especially. Pareto is one of those realists who prejudices against pacifism, fearing that if war should be eliminated, states would grow soft and disintegrate. Hegel seemed to corroborate this point when he valued the nation so highly that he accepted war as a phenomenon which could contribute to national unity (Dougherty & Pfaltzgraff,

1971:164). These people therefore stand for the fact that war is a necessary condition in the international life of state.

The pacifists have equally been criticised for their thinking of the possibility of using violence to prevent further acts of violence. This argument hinges on consequentialism which is justified by positive outcomes. However, in social actions, one is never too sure of the outcome. Therefore, on this ground too, the theory's belief in using force to achieve peace has been faulted.

In spite of these criticisms the theory finds relevance in this present study, especially the pragmatic pacifism model, in several regards. Cameroon and Nigeria have been hailed internationally for their acquiescence to peaceful resolution of their conflict. The successful resolution of the conflict that beset the two contiguous states came to be possible thanks to their resolve not to compromise their relations with full scale war as they met in Paris one month before the ICJ passed its verdict and pledged to accept the outcome of the World Court whatever it may be.

As a follow-up of their determination to remain attached to that peaceful course of conflict resolution, they thought it wise to establish some modalities which would help them better implement the decision of the World Court. The GTA as it was called, was therefore looked upon as an instrument to enable them in their efforts of building confidence and peace as each of them had specific stipulations to carry out. All these were in an attempt to hinder any form of violence that could befall them. True enough, when the Nigerian Forces attacked the Cameroonian soldiers stationed at Idabato and Jabane in December 1993, there was a violent response from Cameroon. This just goes to strengthen the relevance of the theory (pragmatic pacifism) as Cameroon did so to first of all protect its territorial integrity so that it

could later on seek better ways to peacefully address the situation. This study therefore finds the theory of pacifism very applicable.

1.10 Organisation of the Study

The study comprises five chapters. Chapter One consists of the Background to the Study, statement of the research problem, objectives of study, Research Questions, hypotheses of the study, significance, scope, limitation, methodology and the theoretical framework.

Chapter Two does a review of the relevant and related literature. The literature review encapsulates the conceptualisation of conflict, the causes of boundary conflicts in Africa and Cameroon in particular, some models of conflict resolution, the challenges of resolving conflicts, peace-building, preventive measures and the various perspectives from authors on the Bakassi crisis.

Chapter Three situates the case under study and renders a historical overview of the conflict. It goes ahead to examine the various approaches implemented to resolve the conflict before resorting to the ICJ in 1994, the interests of two states over Bakassi as well as gives a summary of the ICJ ruling.

Chapter Four, dubbed “***AN APPRAISAL OF THE IMPLEMENTATION OF THE GTA BY CAMEROON AND NIGERIA***” analyses the work done by the Cameroon-Nigeria Mixed Commission and the circumstances leading to the signing of the GTA as well as examines to what extent both parties have remained glued to the decisions of the International Court (politically, economically and socio-culturally) especially based on their pledge to observe them during signature in 2006. This chapter

also probes into the level of peace and security which this area has and the various challenges faced by the parties in their bid to respect the modalities.

Chapter Five, which is the last of the chapters, deals with the summary of research findings, conclusions and recommendations for policy options.

This chapter has been able to give the background information to the case under study. It has as well outlined how the researcher went about with the work as well as the limitations which the study faced. The study has also been situated within a framework of analysis which renders a better interpretation to issues under consideration.

IJSER

CHAPTER TWO

2.0 REVIEW OF RELATED LITERATURE

2.1 Introduction

In this section, 'conflict', 'sustainable peace', 'Peace building', 'conflict resolution alternatives' shall be reviewed. All the afore-mentioned concepts are related to the GTA which is viewed as a post-conflict peace and confidence-building mechanism which was used by Cameroon and Nigeria with the help of the UN. This section also reviews what various authors have said about the Bakassi crisis and the shortcomings of their works necessitating this present work.

2.1.1 Conceptualisation of Conflict

The term 'Conflict' has been variously interpreted. According to the Ecowas Conflict Prevention Framework, Conflicts can be defined as the contradictions inherent in power relations with one another and with nature in the pursuit of limited resources or opportunities (ECPF Section III (8):7). It results from opposing interests involving scarce resources, goal divergence and frustration (Swanström & Weissmann, 2005:7). As Berry (1986) suggests, what motivates human behaviour are appetites and aversions, fears, hopes, desires or, in general, passions. It is these passions that produce a natural condition of war of all against all and it is these passions that motivate Man to seek remedy (Berry, 1986: 17). In fact, Billings and Watts (2007) give an all-inclusive understanding of this subject matter when they theorise that conflict is a natural periodic state of affairs that exists between people and its causes are complex: competition for resources, manifestations of power imbalances, incompatible explanation of others' behaviours (Billings & Watts, 2007:140). This view of conflict

from the negative prism is most misleading as conflicts can be as a result of natural contradictions and may proffer very desirable outcomes.

Naraghi & Stanski (2007) make up for the above limping view of conflicts when they say conflict is not a negative force per se as it is often construed by some people. It is a natural expression of social differences which if managed non-violently, can be positive, a source of immense creativity and progress (Naraghi & Stanski, 2007:1). While recognising the fact that the real challenge in every conflict situation lies in avoiding the violent manifestation of grievances without sacrificing the root causes, they go further to categorise conflict early warning indicators into;

- Systematic indicators (which highlight the underlying structural deep-rooted conditions in a society such as economic disparity)
- Proximate indicators (which show the medium-term events such as the formation of militias, increasing popular discontent, high inflation, violence against certain minorities as well as extremely high unemployment) and
- Immediate catalysts which are difficult to predict but are related to other causes. Such include electoral fraud, sharp increase in prices of basic goods, political arrests and attacks on peaceful civilian demonstrations (Naraghi & Stanski, 2007:5).

They are very elucidative when they give a practical guide on how to prevent a conflict from occurring or preventing an existing conflict from escalating. The steps suggested in preventing structural violence especially are very essential as a follow up of this present study. This pertains especially to the residents of the Peninsula who have, since the verdict of October 2002, been discontented with their prevailing conditions, thereby resorting to a series of violent protests. Although Naraghi & Stanski focus their attention on intrastate conflicts rather than interstate conflict, this present study gains a lot of insight from their article as it helps in

unveiling how government and other tiers of the society can conveniently implement policies to prevent further conflicts from occurring.

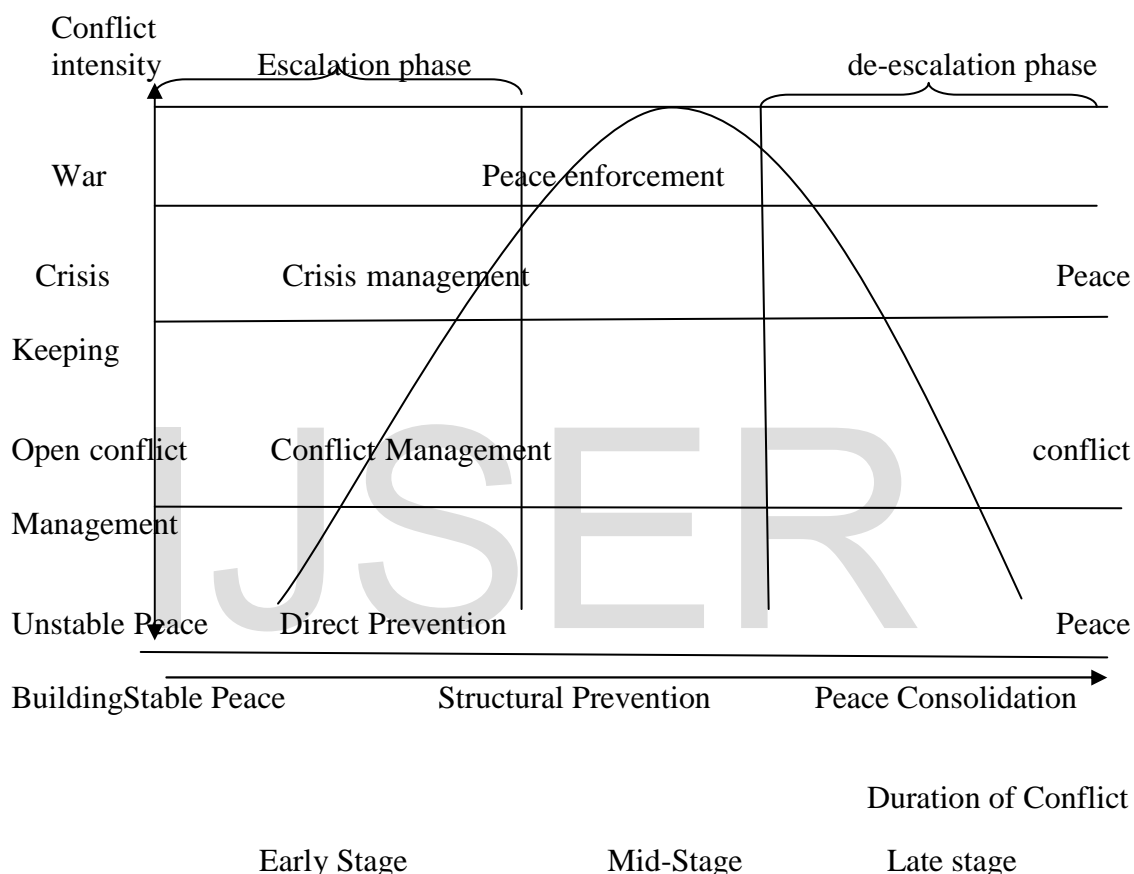
Inter-state boundary conflicts are rife in Africa in general, and Cameroon in particular has unfortunately not been able to escape from the unfortunate scenario. Many writers divulge that what Africa now faces as plague of international boundary crisis has been as a result of western colonial expansionist drives.

Scholars of African studies have examined the challenges of peace and development in Africa from Rwanda to Sudan, Liberia, Sierra Leone, Ivory Coast and Nigeria to mention just these few, and come to the conclusion that the role of imperialism cannot be divorced from the lack of peace in this continent (Onipede & Phillips, 2011:2) and one of such ways was through the creation of artificial boundaries, boundaries, which curiously reflected the distribution of power between colonial states to the detriment of separated groups which traditionally had been aligned with others (Wanchia, 2011:5) thereby leading to conflicts in situations where inherited boundaries became hazy. The Eritrea-Ethiopian border dispute that took centre stage from 1991 right up to June 2000 when the two parties signed a cease-fire and agreed to resolve their dispute through binding international arbitration is one of such crises which Africa faced. Some others like the Somalia-Kenya/Ethiopia as well as the Burundi/Rwanda and Uganda-Kenya/Tanzania boundary disputes are vivid demonstrations of Africa's scourge from colonialism. However, both international and ethnic conflicts have within them components such as culture and identity that are intangible and hard to identify and define (Shamir & Kutner, 2008:12).

All conflicts, as Niklas & Mikael (2005) postulate, whether international or ethnic, are not static, but cyclical in regard to their intensity levels, that is escalating

from relative stability and peace into crisis and war, thereafter de-escalating into relative peace. As such, therefore, different strategies must be deployed at the different stages (Niklas & Mikael, 2005:10).

Fig. 1: The various stages of conflict



(Source; Niklas & Weismann, 2005:11).

Stable peace is a situation where tension between the parties is low and there exist different forms of cooperation between them. At the unstable peace stage, tensions increase and albeit there is negative peace (absence of physical violence), the tension between the parties is so high that peace seems no longer guaranteed.

In the open conflict situation, the conflict is defined and the parties have measures to deal with it, even if militarized options are not adopted. In the crisis phase,

the risk of war is imminent and militarized options whereby sporadic violence may be experienced between the parties. In the war phase, there is widespread and intense violence. The de-escalation phase takes the reverse action (Niklas & Weismann, 2005: 11). When Cameroon and Nigeria reached the brink of war in 1981 over the Bakassi peninsula and the area around the Lake Chad and when Nigerian leader Sani Abacha dispatched troops to the peninsula (Kinni, 2009:124), many estimated the relation between the contending parties had reached a stage when the crisis will break out into a large-scale conflict. However, as it was experienced, this did not come to pass as the parties resorted to more peaceful means of resolving their conflict. Conflict therefore, as been used in the study, refers to the low-scale tension and rivalry that existed between Nigeria and Cameroon.

2.1.2 Causes of conflicts in Africa

With the end of the Cold War, most conflicts have become centered only within Africa, Asia and the Middle East. Okolie (2005) defines Conflict as the pursuit of incompatible interests and goals by different groups (Okolie, 2009:53) and as different conflicts emerge under varying economic, political and social conditions, so too may their causes differ (Bujra, 2002:5).

Most conflicts found in Africa are hinged over the acquisition of land. Many authors on conflict in the African continent seem to reason alike that the role of imperialism cannot be de-emphasised as a principal cause of conflicts in Africa (Onipede & Phillips, 2011:2) as the artificial boundaries imposed on African states took little interest in the cultural and social aspects of the inhabitants. These boundaries, which since independence have proven hazy, have therefore become the primary source of international conflicts in Africa and Cameroon in particular.

The Europeans arbitrarily partitioned Africa amongst themselves without any meaningful consideration of parameters such as history, demographic realities on the ground, ethnicity, language and socio-cultural affinities (Ngang, 2007:4). In fact, Lord Salisbury, former British Prime Minister, who was at the epicenter of British expansionist drives, summarised it all when he noted;

We, [the colonial powers] have engaged in drawing lines upon maps where no Whiteman's feet ever trod; we have been giving away mountains and rivers and lakes to each other, but we have only been hindered by the small impediment that we never knew exactly where those mountains and rivers were (Ajibola, 1994; Ngang, 2007: 4).

There is no doubt that Lord Salisbury's expression underscores a magnitude of euphemism as virtually every inter-state conflict in Africa is as a result of this 'small impediment' referred to here by Salisbury. Border disputes have become not only contentious issues, but have equally become a common feature of African politics. The difference only arises in the manner of conflict management (Kornprobst, 2002: 370). In fact as Aghemelo and Ibhasebhor (2006) suggest, African independent states do not embrace a common past and culture, but are merely an arbitrary creation of the colonialists.

The 199 U.N Secretary General's report on Africa summarised the causes of African conflicts into;

- a) Historical legacies
 - i. Colonial boundaries
 - ii. Pattern of production left by colonialism
 - iii. Competing super-powers during the Cold War.
- b) Internal factors
 - i. Ethnicity and
 - ii. The competition for scarce resources.

From the report, it is seen that colonial boundaries rank the highest among the causes. Most conflicts within African states have been motivated by the boundary factor. The Cameroon-Nigeria boundary disputes form just a part of several conflicts that typify the African continent. Aghemelo and Ibhasebhor (2006) contend that the manner in which European colonialists descended on the African continent at the close of the nineteenth century was bound to leave a heritage of artificially controlled borderlines (Aghemelo & Ibhasebhor, 2006:177).

Nonetheless, the plague of Africa cannot be rested only on a single cause (colonialism). African states are also characterised by weak institutions and poor organisation of institutional functions which hardly can guarantee the security of their citizens. Trepidation about physical security thereby increases between the groups causing each to prepare for violence and as each group prepares for potential conflict, the other group's fear is also stimulated thereby creating a vicious cycle of escalation (Lake & Rotchild, 1996; Connie 1998:31).

In Africa where power, wealth and survival of a group or an individual are measured in terms of land, land conflicts are bound to be inevitable. Increased commercialisation of such lands has led to scarcity thereby increasing the thirst for more lands. Though the propensity for intra-state boundary conflicts based on this point is most likely, it holds too that such conflicts usually have international repercussions. In other instances, a tribe along the border seeking expansion may find itself meddling into the portions of another state.

Increase in transhumance due to the impact of climate change on soil fertility has spurred conflicts also between the cattle and crop farmers (Sone, 2012:87) and the rise of indigenous elites to prominent positions has made them seize the best

lands, in so doing, pushing the poor farmers to look for farmland at the outskirts (Sone, 2012:90). It is not therefore shocking that they encounter conflicts at the boundaries where they go to seek subsistence. Land and conflict are inextricably linked and where there is conflict, land and natural resources issues are found among the root causes. Land is an important economic asset and source of livelihood. It is also linked to community identity, history and culture (Kaye & Yahya, 2010:6) and these communities can readily mobilize around land issues, thereby making it a central object in conflicts.

2.1.3 Conflict Resolution and Some of its Models

Third-party intervention in human conflict has a long history and wide variety of forms and functions in which disputants have access to external actors to whom they can turn when they find they are unable to manage their differences by themselves (Fisher, 2001:1). Conflicts are long-term non-negotiable issues which involve deep-rooted value differences, high-stakes distributional questions about who dominates whom and such issues tend to be drawn out and highly resistant to resolution. However, even the most resolution-resistant conflicts can be transformed and resolved (Burgess & Sprangler, 2003 pp 1-2).

When proactive measures have failed to contend the existing tensions between parties from escalating into violent conflicts, it becomes cardinal to seek measures aimed at quelling the violence in a satisfactory way for all parties. After the two ruinous World Wars in the first half of the twentieth century, the international community undertook a major initiative in preventive diplomacy by instituting the United Nations Organisation (Connie, 1998:3) to ensure sustainable peace. Article 33 of the UN Charter offered choices for resolving disputes before they escalated into

violence. These measures were negotiation, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies and other peaceful means as deemed by the parties (Connie, 1998:3). What is peculiar with the Cameroon/Nigeria boundary conflict is however that they did not wait for the escalation of the tensions into full-blown conflicts before resorting to the conflict resolution.

A conflict may store within it the potential for future major disputes and unless the deep-seated factors that caused such violence are treated, internal conflicts would be persistent (Kumar, 1999:380). The frequent dissatisfaction of the parties to a conflict when Law is used to settle disputes has led researchers and practitioners to explore alternative dispute resolution methodologies to supplement it (Shmueli, 2002:2). Though the term 'conflict resolution' may be understood differently, the non-violent process of bringing conflicting parties to a compromise mostly through the assistance of a third party, who either facilitates or imposes a settlement (Manning, 2009:3), finds relevance in this work.

The task of conflict resolution is to assist parties who perceive their interests as Zero-sum conflict (whereby the gain of one party is regarded as the loss of the other) to help these parties to take a fruitful direction of achieving mutual gains (Ramsbotham et. al, 2011:18).

Negotiation as a Model of Conflict Resolution

Shamir and Kutner (1993) see Negotiation as a process in which parties to a dispute discuss possible outcomes directly with each other and it may involve any of the following approaches; interest-based, rights-based and power-based approaches which all have different focuses and orientations (Ury et. al, 1993; Shamir & Kutner,

2008:6). Unfortunately, parties seldom adopt this approach, leaving negotiations to the whims and ‘right-based’ or ‘power-based’ approaches. They go further to say that “Rights-based” negotiation resorts to legal proceedings to fight for what they consider to be their rights. On the other hand, “Power-based” negotiation resorts to the threat or even the use of violence to communicate one’s interest. To them, the goal of negotiation is to reach an agreement that is acceptable to all parties, to which they remain committed and which they indeed implement and this can only be facilitated by the interest-based” approach of resolution.

Interests, as further expatiated by Shamir & Kutner, include needs, desires, aspirations, fears, hopes, concern while positions are what the various parties demand or want. Interests therefore, are the reasons behind a particular position held by a party to the resolution (Shamir & Kutner, 1993: 7). The distinction between the positions held by conflicting parties and their underlying interests and needs form a primordial basis for conflict resolution (Ramsbotham et. al, 2011:21) and therefore identifying these interests become imperative for a successful resolution of conflicts.

The agreement reached should equally be realistic, specific, operational, clear and understood by the parties involved before signing the agreement. The Bakassi crisis was not one without underlying interests. These interests do not underpin only the two countries involved in the dispute, but equally some others who were involved in the settlement of disputes. The United States of America for example participated because of her interest in the Cameroon and Nigerian oil reserves. Equatorial Guinea intervened to ‘save’ her maritime borders involved demarcating coastal waters between Cameroon, Nigeria and herself. The other states concerned were former colonial masters (Molem & Johnson-Ross, 2006:117). In fact the beginning and end of the crisis was geared towards the fight for control of natural resources (oil deposits)

which were discovered there. The interests are not only economical as these authors have presented. They go further to include geostrategic and political reasons. However, the work eases the understanding of why the territory could not be easily forgone by either party, thereby necessitating the intrusion of a third party. It further helps to explain why despite the clash in interest, a fruitful conclusion was arrived at.

Therefore, the work is relevant to this study as it assists in analysing the level of implementation of the verdict in the disputed region. This is because it is the pre-supposition of this work is that both the Cameroonian and Nigerian governments were not principally interested in the people living on the Bakassi region, but to protect the newfound land that harboured enormous oil reserves.

a) **Mediation as an Alternative in Conflict Resolution**

Alternative Dispute Resolution has matured and developed and mediation is being received as a preferred alternative and has become widely accepted as a process providing more flexibility and less procedural complexity (Shamir & Kutner, 2008:5). Mediation is not an adversarial proceeding where there is a 'plaintiff' and a 'defendant' and the mediator does not seek to determine who is 'wrong or right' and is not also bound by specific rules and therefore has much latitude to propose a satisfactory dispute settlement (Bernier & Latulippe, 2007: 4). Mediation, as an approach to conflict resolution, lies between the two extremes of negotiation and entails a third party to aid the disputants to reach a mutually agreed settlement (Shamir & Kutner, 2008:2) and comes in only when there is an impasse in negotiation. The purpose of mediation is first to bring both parties together and facilitate their

negotiations and also to offer specific suggestions for an effective resolution of the conflict (Copeland, 1999: 3104).

Although third parties may not all be the same, 'pure' mediators have traditionally been seen as powerless, but in other cases, there have been good third parties who are capable of altering the communication structure as well as power balance by the use the 'carrot and stick approach' (Ramsbotham et. al, 2011:21). Mediation has been known to have yielded much fruit in resolving conflicts. Feeling the increasing tensions even between the United States (US) and the former United Soviet Socialist Republic (USSR), the US had to cajole Israel and moderate Arab States such as Jordan and Egypt to attend a middle-East peace conference in Geneva in December 1973. This ended up in a bilateral arrangement between Israel and Egypt which bore fruits in the Camp David Accords when Egyptian president Anwar Sadat visited Jerusalem in 1977 (David, 1996:5).

Thanks to its impartiality, flexibility and less complexity, mediation creates the foundations for parties to resume their relation after the particular issue has been resolved. While focusing on future stability, mediation does not forget the past, which provides the information about the issues and causes of the conflict (Shamir & Kutner, 2008:24) and it may use either of the following models; single-mediator, co-mediator or a panel of mediators. The result of the UN mediation efforts in the Nigeria/Cameroon Bakassi crisis has been regarded as a major footprint in the history of conflict resolution. The outcome of the resolution equally determines the degree of respect of the verdict.

b) Judicial Settlement Approach

The judicial approach to conflict resolution, sometimes referred to as arbitration, is the recourse to legal actions by conflicting parties. According to

Copeland, international arbitration has proved to be a more useful method in solving conflict between one state and another ever since the Great Britain and a recently independent United States agreed to submit a border dispute to arbitration in 1794 in accordance with the Jay Treaty (Copeland, 1999: 3073). It gets very difficult when the issue to be resolved is of utmost importance to the various states involved. The success of arbitration in such cases as Copeland points out therefore, lies only in the willingness of the parties to resolve their disputes in a peaceful manner and their ability to trust each other (Copeland, 1999: 3074). This therefore means that an agreement which has been imposed by an international court without the approval of all parties involved would hardly render intended results.

However, though sometimes used interchangeably, judicial settlement and arbitration are slightly different concepts. While Judicial Settlement involves the reference of a dispute to a permanent court whose composition is primarily fixed, in arbitration the parties to the dispute select the arbitrator. Therefore, when formulating an arbitration case, the parties usually define the composition of the tribunal through either through an *ad hoc* agreement or by reference to an earlier agreement between the parties in which they agreed to submit future disputes to arbitration (Copeland, 1999:3075). The composition of such tribunals varies in accordance with the parties' wishes.

Copeland goes forward to examine some two successful arbitrations; The Rann of Kutch Arbitration and The Taba Area Arbitration. He concludes that arbitration can be successful only when invoked in a well-defined issues and fact-oriented manner and would most definitely fail when there are political undertones to the conflict and neither party is willing to relinquish hold of its position as experienced in the Breko arbitration. This

outlook goes in tandem with the verdict of the International Court of Justice over the Bakassi Peninsula in which the claims of disputants were clearly defined, facts were vividly exhibited and there was a display of unwillingness by both parties to forgo the territory under dispute due to its geo-strategic nature.

Nevertheless, Copeland's study falls short as he concentrates only on the resolution proceedings and how peace was established through the Court. The case of the Rann of Kutch area had little or no political and economic underpinnings as the area in dispute had little economic or strategic value and was sparsely populated. It was the case of the Taba Area which was more akin to that of Bakassi as the place was economically valuable. One would have expected that Copeland goes further to assess the success and efficacy of using the tribunals for conflict resolution by analysing the level of implementation of the judgment passed by such Courts, which is actually the aim of this present study.

2.2 Conceptualisation of Sustainable Peace

It is usually attractive to think of peace as the absence of war/conflict but this is in opposition to other forms of violence which may be subtle such as poverty, exclusion, oppression and other forms of socio-psychological pressures which may not be physically manifested yet are a threat to the wellbeing and security of people (Alli, 2008:5).

As Grewel opines, the physical absence of war or conflicts (negative peace), is not the only indicator of peace. Structural indicators (repression, unemployment, poverty, inadequate standards of living as well as exploitation) and cultural factors (the acceptance of every other person's values and beliefs) are also fundamental indicators of peace (positive peace) (cited in Hoex, 2009:12).

Sustainable peace, therefore, is the continuous presence of both negative and positive peace. The building blocks of sustainable peace and security are; well-functioning local, state, regional and international systems of governance which are responsive to human needs and requires adequate legal enforcement and judicial protection to ensure that all citizens are treated equally and that there is respect for the cultures and identities of all (Connie, 1998:45).

Maintaining sustainable peace entails involving a wide range of actors within and without the locality meanwhile weak institutional arrangements within and between national governments as well as local authorities may lead to compartmentalized approaches to addressing peace building and state building changes (OECD, 2010:46).

Due to other increasing challenges to peace and security such as the environmental threats, ethno-cultural and economic issues (Hutchful cited in Warris, 2008:8) which renders it knotty to measure up sustainable peace vis à vis conflict resolution, sustainable peace as per this studies, shall limit itself to the perpetual absence of physical violence between parties who had conflicted.

True enough, there has been a degree of negative peace since the resolution of the Bakassi crisis, but there is inadequate positive peace. This means the Bakassi residents do not meet up with the adequate living standards of living and as Grewel has posited, this can lead to the disruption of the existing peace. The skirmishes experienced in the territory since October 2002 have mostly been due to the lack of these positive peace indicators. This has further gone to strengthen the assertion of this study that the interest of the two states was not primarily the inhabitants of the area, but the resources inhabiting the area.

2.2.1 Challenges of Conflict Resolution in the maintenance of Sustainable Peace

Arriving at a settlement which will bring both parties to a mutually satisfied end is usually a very daunting task. It becomes again more difficult and challenging to build social peace in an increasingly diverse setting, where a myriad of ethnic and religious groups must live side by side (IDEA, 2008:5). Wartime experiences can foment the desires for revenge or breed distaste for further hostilities. This is what usually renders internal conflicts more difficult to resolve (Pearson & Rochester, 1998:322). Therefore, the challenge is usually to manage the conflict in such a way that the parties involved would agree to channel and resolve their differences more constructively. According to Ngwane (2010:1), while some conflicts are economic in nature and could therefore be resolved politically, there are other challenges which make conflict difficult to address such as primordialism (commonness between some ethnic groups making them different from other ethnic groups); instrumentalism (use of resources by elites to achieve political or economic goals); and constructivism (seeing ethnicity as a social construct, manufactured rather than given).

Moreover, predicting an escalation to violence is always usually complex and can lead to false alarms and by drawing attention to a potential conflict, there is trepidation that deliberate awareness could actually stimulate and increase escalation (Naraghi & Stanksi, 2007:3).

Equally, due to the different historical root causes of conflict and different political, social and geographical contexts in the different localities and states, the strategies to address such challenges and backup durable peace entails diversification (Anita, 2007:3). Every step, therefore, to attain a peaceful compromise

must exhaust all necessary yardsticks which can ensure peace. Mandela's mediation efforts in the Democratic Republic of Congo

during the 1996-1997 period failed because he failed to include Non-Governmental Organisations, Churches and long term opposition leaders-all of who had considerable public support in their opposition to the Mobutu dictatorship (Carayannis, 2009:6).

More so, when parties to a conflict go for negotiation with their minds already set as to how their demands should be met and they are not ready to have a change in position, there is always a deadlock (Dzurgba, 2006:168). Negotiators sometimes even arrive at the negotiating table with their personal tendencies and analysis of the situation. These tendencies to no little extent impede concrete resolution (Tversy & Kahanman, 1995; Shamir & Kutner, 2008:14). This view is corroborated by Billings & Watts (2007) who maintain that conflicts encourage the involved to invest heavily in strategies that are designed to achieve their desired outcome and to mitigate the significance of their potential loss and it is this awareness that encourages parties to commit themselves to a particular outcome (Billings & Watts, 2007: 141). It is made worse when the mediating factor imposes its will on the parties. The conflict may just quell for some time and re-escalate into a worse crisis. The resolution of the conflict between Nigeria and Cameroon, like every other conflict resolution case, is a process whose fruits could only be realised progressively.

2.3 Conceptualisation of Peace building

The deployment of troops either from the United Nations or between belligerents or even from a sub-regional or regional grouping, in a peacekeeping mission may help to stem a conflict for a short term but it may not result in sustainable peace unless it is accompanied by programmes designed to prevent the recurrence of

the conflict. This however differs from situation to situation but in general, the achievement of sustainable peace requires progress in four principal areas;

- a) Restoring the state's ability to provide security and maintain public order
- b) Strengthening the rule of law and respect for Human Rights
- c) Supporting the emergence of legitimate political institutions
- d) Promoting social and economic recovery and development (Langholtz, 2010:28).

Therefore, peacebuilding is all those activities carried out in order to ensure that the peace attained in an area should be sustained.

2.4 The Importance of Preventive Diplomacy

The common adage that '*prevention is better than cure*' holds sway in no better situation as in preventing war or other related conflicts. Given the socio-economic cum political strain, not to mention the human sufferings and trauma caused by war, it is undisputable that war is not the best solution to conflict (Ngang, 2007:6), as conflicts are not by themselves negative. It is always wise to take pre-emptive measures to avoid conflicts. As the common maxim "experience is the best teacher" goes, it may be expatiated by adding that it is wiser to learn from others' experience. Conflict prevention involves activities aimed at defusing tensions and preventing the outbreak, escalation, spread or recurrence of violence (ECPF S.IV (18) p. 9) and they change according to given circumstances.

Taking proactive measures to subdue conflict helps to strengthen existing processes for peace, respond to crises, help generate an environment through which conflicts can be resolved non-violently (Naraghi & Stanski, 2008:4). No matter how poor or oppressed a group may be, communal violence does not erupt suddenly.

Violence just manifests as a result of accumulated aggression and hostility which has not been addressed pre-emptively (Naraghi & Stanski, 2008:1). Conflict prevention depends so much on communication channels which guide against misperception and misinterpretation of intention by either party (Aja, 2009:15).

Prevention is best thought of not only as avoiding undesirable circumstances, but also as creating preferred alternatives. Therefore, the most successful prevention of ethnic, religious and interstate wars is not only by focusing on ways to avert direct confrontation between hostile groups, but also by promoting democracy, economic development and the creation of civil institutions that protect human rights (Connie, 1998:xiii).

When parties do not want to accept that there is an imminent conflict, sometimes it may play in favour of the avoidance of conflict because attention will not be drawn towards the possibility of conflict (Naraghi & Stanski, 2008:3). However, there are cases where denial to admit the existence of underlying grievances has led to a rapid escalation of the conflict (Connie, 1998:16). In all, conflict prevention has been seen as an efficient way of avoiding cost and therefore more preferable than conflict resolution. At the signing of the Greentree Accord, President Olusegun Obasanjo had this to say: “our agreement today is a great achievement in conflict prevention, which practically reflects its cost-effectiveness when compared to the alternative of conflict resolution... its significance therefore goes much beyond Nigeria and Cameroon. It should represent a model in the resolution of similar conflicts in Africa, and I dare say the world at large” (Ngang, 2007 pp 1-2).

2.5 REVIEW OF THE BAKASSI CRISIS IN PERSPECTIVES

Due to the exuberance that characterised the academia of not only the two contending states, there is a surfeit in the literature concerning the resolution of the Bakassi crisis. This was because it was one of the rare cases that epitomised preference for peaceful resolution of differences. However, this study finds relevance in the works of Molem & Debora (2006), Evenye (2011), Kinni (2009), Menjo (2010) Aghemelo & Ibhasebhor (2006), Okereke, Onuoha & Emmanuel (2008) and Fombo (2011).

Molem and Debora (2006) note that in the entire African continent skirmishes relating to boundaries were relatively rare as they were regarded by the new governments as unalterable. They prove that this scenario is no longer the same and they base this reason mostly on the discovery of vital natural resources (Molem & Debora, 2006:104) as experienced between Ethiopia and her neighbours in the horn of Africa, between Nigeria and her neighbours in the West and Central Africa, between the D.R.C and her neighbours in the Great Lakes region. They equally point a finger at political liberalization which has accentuated the struggle to control natural resources while citing the examples of irredentist movements in the various resource-prone areas of some African states such as Casamance in Senegal, the SCNC in Cameroon, the Cabinda enclave in Angola, Caprivi Strip of Namibia and Niger Delta of Nigeria.

They go further to analyse the two competing perspectives presented by the two states and the reactions of both states after the verdict. On the one hand, there was a more practical historical-consolidation perspective held by Nigerians that was on the advantage of the Nigerians living in the Peninsula and on the other hand, a perspective based on a series of border treaties and diplomatic agreements which were reinforced by the 1961 plebiscite results (Molem & Debora, 2006:113). The residents of the peninsula have not been able to come to terms with the ICJ verdict and they are

unsure of their future under Cameroon leading them to form the Bakassi Self Determination Movement.

Molem & Debora accede to the fact that both parties had their own interest during the resolution process and that implementation of the Green Tree Accords would not be able to present the best results. This work is very essential for this study as it provides

proof for one of the hypotheses of this study. However, it rests most of its arguments of interest on economic reasons. Moreover, there is the erratic assumption that the local residents are the ones that form the Bakassi Self Determination Movement because of uncertainties. As the present study proves, the BSDM is a rebel group which exists in the Cross River state of Nigeria that wants to fight to regain the peninsula for Nigeria. The study of Molem & Debora equally falls short of giving a detailed analysis of the implementation endeavours of both states. It is this implementation that forms the focal attention of this present study.

Evenye (2011) in her M.A Thesis entitled *Women Caught in Armed Conflict: The Cameroon Vs Nigeria Sovereignty Dispute over Bakassi Peninsula*, concentrates on the impact that conflicts have on women. According to her, these impacts are enormous but international agreements hardly take these into consideration. These challenges include psychological trauma, unwanted pregnancies, sexual assault and exploitation (Evenye, 2008 pp 113-118). To her, women make valuable contributions and face several experiences which are always undervalued.

The Bakassi woman suffered greatly during the conflict but was not considered during the negotiating process but has however devised means of surmounting her fears by grouping themselves into their various brands of trade such

as fishing, smoking, trading in fish, subsistence farming, livestock rearing, net weaving and net mending which are mostly transported to Nigeria as well as joining meetings during which they discuss their experiences (Evenye, 2008 pp 64-67).

This author analyses that the Cameroon-Nigeria dispute could be classified into three broad headings; political, economic and socio-cultural. Politically, the constant change of borders between the colonial masters, the refusal of Nigeria to recognise the

Anglo-German agreements, the desire of the Nigerian government to protect its citizens in the Peninsula as well as the strategic nature of the Peninsula never gave room for the conflict to be minimized. The strategic nature of the peninsula was seen in the Nigerian Civil War when Major General Gowon took permission from Cameroon to use Bakassi to block supplies to Biafra. Economically, the peninsula is very rich in fish and oil deposits. Socio-culturally, the lack of effective occupation by Cameroon gave Nigeria the leverage to claim ownership over the Peninsula (Evenye, 2008: 56). Although this write-up focuses on women and their experiences during conflict, it however gives a deep insight of the economic environment of Bakassi as well as the human rights situation as experienced by women in the peninsula. This study however shall not limit itself to the woman-folk. Evenye has also said nothing concerning the Green Tree Accords, the Cameroon-Nigeria Mixed Commission and even the implementation, areas which are of ultimate concern in this study.

Aghemelo & Ibhasebhor (2006) concern themselves with the World Court judgment and its implication on Nigeria. In their article published in the Journal of Social Sciences, they examine the decision of the ICJ vis-à-vis the artificially controlled borderlines created by colonialism, which presently define African states.

They maintain that the international agreements entered into during colonialism and the scramble for Africa are the source of conflicts among African states such as Rwanda which is plagued with the challenge of trying to get two or more states to live peacefully in a single state (Aghemelo & Ibhasebhor, 2006: 178).

As concerns the case of the boundary dispute between Cameroon and Nigeria, they trace the origin to the 1913 Anglo-German Agreement signed in London through the April 12, 1913 Obakin Protocol between Germany and the United Kingdom and the exchange of letters between these governments on July 6, 1914 which recognised the peninsula as Cameroon's. Since 1961, the peninsula had never been included as part of Nigeria and the 1954 Proclamation (L.N 126 of 1954) showed the Bakassi peninsula as forming part of the then Southern Cameroon. In a similar vein, these authors reveal that Diplomatic Note No. 570 of 27, 1962 from the Ministry of External Affairs to the embassy of Cameroon in Lagos to which an attached map, prepared by the Federal surveys of Nigeria, recognised Bakassi as part of Cameroon (Aghemelo & Ibhasebhor, 2006:180).

Getting back to the October 2002 verdict, the authors probe into implications for Nigeria economically, socially and from the security perspective. Economically, they hold that losing Bakassi would put the multi-million naira company Export Processing Zone (EPZ) in peril and would lead to a loss of over 100 million barrels of oil deposits in the peninsula. Socially, Nigerians who have lived all their lives in the peninsula and are not willing to stay under a different administration would have to face the grim reality of leaving the region. This entails losing businesses and infrastructures established by Nigerians and their government. The loss of the peninsula would equally lead to Nigeria losing its eastern access to the Atlantic since it would need Cameroon's approval for security reasons (Aghemelo & Ibhasebhor, 2006:

180). This was experienced during the civil war where Major General Gowon took permission from Cameroon to use Bakassi in order to block supplies to Biafra.

Although the write-up by these authors seems to be very narrow in its scope as it limits itself to the costs of the ICJ ruling on Nigeria, it is very instrumental to this study because it gives some of the salient considerations which the Nigerian populace must have considered before denying the ruling. Equally, it is these considerations that account for either an effective or ineffective implementation of the verdict. However, the present study still finds loopholes which are in dire need of filling. The Cameroonian interest which permitted her not to give up the fight over the peninsula shall also be x-rayed in this present study, in addition to the emphasis which it lays on the assessment of the level of implementation of the verdict.

In a similar manner, Menjo (2010), interests himself with the *Implication of the Bakassi Resolution for Cameroon*. According to him, the discovery of oil deposits in the Bakassi peninsula subjected it to claims and counter-claims for sovereignty, military occupation and the eventual recourse to the ICJ. After proffering a brief overview of the crisis beginning from 1913 and ending with the effective withdrawal of the Nigerian military, police and administration on August 14, 2008, Menjo goes ahead to examine the conflict dynamics in which he is able to situate the concept within a larger scope of understanding from the domestic to the international levels. He maintains that most disputes occur in border zones and offshore areas that were thought to have no particular value, but suddenly become very valuable with the discovery of oil deposits (Menjo, 2010 Pp 14-15). He salutes the entire process as a model in peaceful resolution of conflicts, though as he notes, constraints have been faced in a bid to implement the verdict. He holds that the implication of the settlement anchors on the expenditure-reducing and expenditure-switching effects, wealth

generating effects of international credibility as well as enhanced cross-border activities.

Deciding to resolve their dispute amicably, both Cameroon and Nigeria saved the revenue which would have otherwise been used for military purposes. Also, the peaceful model adopted by the two presidents attracted international credibility which acted as an incentive for investors to come into both countries and a consequential increase in cross-border activities. Menjo gives only the economic advantage of having resolved the conflict amicably. He does not even go further to show how these advantages helped them to implement the verdict. One would have expected him to go further to explain how this outcome, which became beneficial to them, has helped them to implement the verdict whose modalities were set at Green Tree and their total acquiescence to them. Since it fails to give this, it is necessary for it to be addressed in this present study and also the challenges faced by both states in trying to implement it.

Fombo (2011) gives a paradigm shift from the existing literature which based merely on the existence of a conflict zone and their causes as well as the adjudication procedure. In his article “Territoriality; Cabotage and the Cameroon-Nigeria Bakassi Conflict”, he explicates that in addition to the economic interests which both states have on the peninsula as well as military cum strategic nature of the peninsula, diverse state territorial policies, legitimately aimed at controlling resources and human activities within national boundaries tend to engender conflict where the policies clash (Fombo, 2011:71). He goes further to note that efforts at resolving such conflicts seem to be failing not only because of disagreements over oil deposits and territory, but also due to the existence of a ‘grey’ area in international law which renders the dispute difficult for adjudication. Therefore, this author suggests that

conceiving and implementing a functionalist, human-based approach, which takes care of the protection of peoples' political, cultural, social and economic values, to border policies and reconciliation that the vortex can be settled (Fombo, 2011:71).

Noting that skirmishes have not ceased to exist on the border and the rejection of the Nigerian Senate to abide to the decision of the World Court has left Cameroon hysterical in its images of insecurity vis-à-vis Nigeria especially with the existing asymmetry in population and landmass (Fombo, 2011:74). This author equally focuses on the various levels of insecurity which Cameroon in particular faced; Ahidjo's self-arrogated powers, light border controls, activities of those who escaped from Ahidjo's Cameroon, the conflict between the UPC and the Ahidjo regime, the presence of pirates along the Cameroon-Nigerian border as well as the continuous attacks on the fishermen and traders in the peninsula.

In another article by this same author titled "The United Nations System and Resolution of the Cameroon-Nigeria Boundary Dispute", he reduces the dispute between these two contiguous states to four fundamental aspects twirled by composite disagreements; Lacustrine border (around the Lake Chad), the land between lake Chad and the Bakassi peninsula, sovereignty over the Bakassi peninsula itself and the maritime boundary dispute (Fombo, 2011 pp. 132-147).

Explaining in detail the manifestation of the conflict on each of these segments, he notes that the territorial dispute over the ownership of the Bakassi peninsula formed the crux of the boundary dispute between Cameroon and Nigeria. Dissecting the intricacies of these disputes, he puts forth the contending points of both states. While Cameroon rested its claims on colonial treaties dating as far back as 1913, Nigeria argued based on the title held by the kings and Chiefs of old Calabar

which Nigeria claimed to have retained since 1913 until independence in 1960. To them therefore, Britain had no rights to have ceded the territory to Germany as one cannot give what he does not have (*nemo dat quod non habet*). Nigeria also said the 1913 Anglo-German agreement flawed as the German parliament, contrary to the General Act of the Berlin Conference of February 26, 1885 and the present German domestic laws, failed to approve it. Nigeria argued that the agreement was equally annulled by Article 289 of the Versailles treaty which stated that pre-war bilateral treaties with Germany had to be revived by notification to Germany by the other party and which Britain never did (ICJ, Case Concerning the Land and Maritime Boundary between Cameroon and Nigeria cited in Fombo, 2011:138).

However, Cameroon raised counter claims against these issues raised by Nigeria. According to the former, the 1913 arrangements were considered as mere rectification of boundaries which never required parliamentary approval. Cameroon equally maintained that Britain had the right to cede Bakassi as the 'Colonial protectorate' which Britain signed with the Kings and Chiefs of Old Calabar were in consonance with international law just like colonies. In this case therefore, they had the right to acquire and cede part of the protected territory by international treaty without any intervention by the population or entity in question (Fombo, 2011:138). Cameroon further pointed out that Nigeria has always unambiguously confirmed the 1913 boundary line in her consular and diplomatic practices as well as her official geographical and cartographic publications and statements of conducts in the political field until the start of the 1990s. She therefore held that the 1913 agreement was to be applied in its entirety and Nigeria had no right to choose just part of it to implement. Moreso, if the peninsula was included in the 1961 plebiscite, it means the United

Nations recognised the fact that it fell within British Cameroon's jurisdiction as the map annexed to the report of the plebiscite showed (Fombo, 2011:139).

After giving the points of contention of both states, the author goes further to give the ruling of the ICJ which was effected by first of all ruling on the various counts on which Nigeria thought the 1913 agreement should be invalidated. The brilliant elucidation expounded by this author is therefore seen as an indispensable tool in understanding the various interests and contentions and the reasons why the court decided the way it did. Nevertheless, the lacunas the two articles pose, such as the assessment of the acquiescence of the two states to the Greentree Accords as well as the difficulties faced in executing these agreements, give a *locus standi* for the present study.

Okereke et al. (2008) are another set of authors that took interest in the Bakassi saga. In their publication in the Africa Peace Review Journal titled "Nationalism and the Struggle Over Bakassi: The Changing Face of Diplomacy Between Nigeria and Cameroon, the authors posit, as others had earlier done, that most of the political boundaries of African states were simply the product of colonial enterprise which mangled traditional politics and territories into alien geopolitical clones that make up the modern states in Africa and with the attainment of political independence, these have been exposed to weakness, thereby resulting to the prevalence of conflicts in the continent (Okereke et. Al 2008:47). They contend also on the economic interest which accounted for both Cameroon and Nigeria refusing to relinquish the territory. The crux of their article lies in their emphasis on the various diplomatic intricacies that characterised the Cameroon-Nigeria conflict especially from the 1970s between General Gowon and Ahmadou Ahidjo. The diplomacy ranges from the meetings of both presidents to examine the submissions of the Joint Boundary

Commission in Yaoundé and later on Lagos in 1971 to the revision of the Ngoh-Coker line in 1975 delineating the boundary from point 'G' on the Admiralty Chart No. 3433, to the mediation of the OAU led by Edem Kodjo and later the Secretary General of the OAU (Okereke et al, 2008:54).

Other mediatory efforts such as those of France were highlighted, but these proved suspicious when France dispatched French paratroopers to Cameroon for defence. With every effort even of the UDEAC proving futile, the OAU referred the matter to the newly created Peace and Security Commission to be led by Hosni Mubarak. The Organisation later on adopted the principle of *Uti Possidetis Juris* by which all states pledged themselves to respect frontiers existing at their independence. While OAU mediation was still ongoing, as the authors note, Cameroon took the case to the ICJ on March 24, 1994 and with an eventual ICJ ruling on October 10, 2002, a Cameroon-Nigeria Mixed Commission was formed in 2002 to implement the verdict (Okereke et. al, 2008:57).

These authors fault the principle of *Uti Possidetis Juris* on grounds of ambiguity when it states that all members should pledge themselves to respect the frontiers existing on their attainment of independence. This is because Southern Cameroon and by implication Bakassi, was part of Nigeria in 1960 when both Nigeria and La République gained independence. By the same token, they nullify the GTA as it was not ratified by the National Assembly. This is because Article 12(1) of the 1999 Constitution states that "No treaty between the Federation and any other Country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly." They also pose the problem which Nigeria would have to face in wiping out the peninsula from the 1999 Constitution as one of the 774 local Government Areas in Nigeria (Okereke et. al, 2008:63). The finesse of this work

lies in the focus it lays on the diplomatic complexities of the conflict. It shows the various strategies which were adopted in order to resolve the differences between these two sister-states. It is therefore of use to the present study as it helps to give more insight in this regard. Nevertheless, the present study finds it lacking in the fact that it makes only sweeping allusion to the verdict and the GTA and does not examine compliance to it by the two states.

The most akin write-up to this present one is that by Kinni (2009) in his book chapter titled “Bakassi Colonial Agent Based System Conflicts.” This author begins by pointing a finger at the colonialist, just like other authors had done. He then went further to analyse the causes of the increasing tensions between Cameroon and Nigeria. To him, this was spurred up the presentation of maps by Cameroon’s government showing Bakassi’s real position as opposed to those which were reprinted on the orders of President Babangida in 1991. The tension later aggravated when some authors held that Cameroon was a small issue that could be dealt with by only one battalion of the Nigerian Army (Kinni, 2009:124).

The author further assesses the importance which Bakassi gained especially among the Nigerian folk. Politically and ideologically, it became a concept whose objective was to expand Nigerian interest beyond its frontiers, reason why the Bakassi Local Government was created. Bakassi equally became a commercial concept with the creation of the Bakassi Lottery to stimulate economic growth. It became a myth which was likened to the Trojan horse meant to tear two sister-states apart and lastly, it became an important concept in the spheres of the academia (Kinni, 2009:124).

He then delves into the adjudication of the court and postulate that the meeting and resolution of the two states, prior to the ruling, to abide by the ICJ verdict was in conformity with Article 36(2) of the ICJ Statute otherwise known as the “optional clause.” This clause provides that

state parties to the ICJ statute may at anytime declare that they recognise as compulsory, without special agreements in relation to any other state accepting the same obligation, the court’s jurisdiction in all legal obligation, the court’s jurisdiction in all legal disputes concerning the interpretation of a treaty, any question of international law, the existence of any fact which if established would constitute a breach of an international obligation, or the nature or extent of the reparation to be made for the breach of an international obligation. (cited in Kinni, 2009:126).

Kinni (2009: 128) further gives the rationale for the creation of the Cameroon-Nigeria Mixed Commission in which he reveals that such moves were initiated by Kofi Anan, then Secretary General of the UN and this commission, chaired by the Special Representative of the UN Secretary General, had to enhance the peaceful implementation of the verdict of the World Court. The author assesses the achievements which this commission has had so far beginning from 2003 through 2009.

In analysing the implementation of the Greentree Accords, he is able to bring out the shortcomings which Cameroon has had in upholding the Human Rights of the inhabitants of the area. He maintains that the natives and inhabitants of Bakassi are victims of a post-war malaise hangover generated by the discontent and rivalry that

is going on between the various sections of the armed forces notably the Cameroon Military, who fought for the defence of the sovereignty of Bakassi, and the Rapid Intervention Battalion (BIR), who are accused to be receiving the lion's share of the booty of war when they did not even participate (Kinni, 2009:138). By implication, the lack of respect of human rights in this area is as a result of two giants fighting and the grass suffering.

This article is very useful to this present study as it gives a clue on one of the hypotheses concerning the implementation of the verdict. The article is also informative as it tries to analyse the achievements of the Cameroon-Nigeria Mixed Commission. Despite these benefits, the present study shall not limit itself to the sociological aspect of the implementation as the author has done. Moreover, this present study extends to the period of 2013 which is the year when the provisions of the Greentree Accords ended (August 2013) because so many things have changed. It would therefore be very timely for a future assessment of Cameroon's efforts in the area as it fully assumes control over it.

Due to the fact that that these studies have fallen short of addressing the salient issues which this paper seeks to address, the necessity of this study is therefore justified.

CHAPTER THREE

3.0 HISTORICAL OVERVIEW OF THE BAKASSI CRISIS AND EARLIER ATTEMPTS TO RESOLVE THE CONFLICT

3.1 Introduction

This chapter explains the origin and evolution of the crisis that beset the relationship of Cameroon and Nigeria for a very long time. To do this, it locates the area under study and after reviewing the origin of the crisis, it moves to the summary of the Verdict and ends with an examination of the interests both states had over the peninsula.

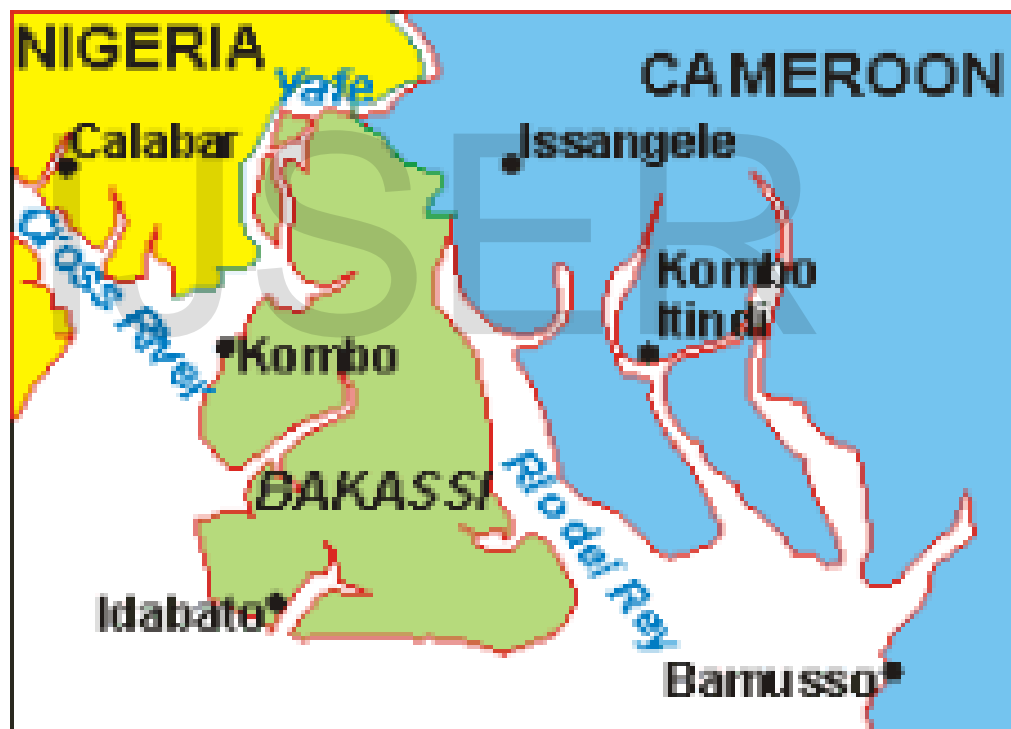
3.2 The Bakassi Peninsula: Geographical Location.

The area referred to as the oil-rich Bakassi Peninsula lies between Latitudes $4^{\circ}25'$ and $5^{\circ}10'N$ and Longitudes $8^{\circ}20'$ and $9^{\circ}08' E$. It lies between the Cross River estuary, near the city of Calabar in the West, and the Rio del Rey estuary on the East. It covers an area of approximately 665 km^2 with a population of over 300,000 people and consists of a number of low-lying, largely mangrove-covered islands. The Peninsula is inhabited by people from Calabar, the Cross River and Akwa Ibom States of Nigeria including the Efiks, the Efuts, the Ibiobios and Annangs as well as indigenes from mainland Cameroon. These people are mostly fishermen but with the discovery of huge oil deposits in the area, many oil companies have increasingly shown interest in the place which has increased the restriction to the fishing grounds of the population.

The Bakassi peninsula is situated at the extreme eastern end of the Gulf of Guinea, where the warm East-flowing Guinea Current meets the cold North-flowing

Benguela Current. These two ocean currents interact creating huge foamy breakers which constantly advance towards the shore, and building submarine shoals rich in fish, shrimps, and a wide variety of other marine life forms. This makes the Bakassi area a very fertile fishing ground, comparable only to Newfoundland in North America and Scandinavia in Western Europe. Secondary activities of this area include business such as foodstuff, clothes, jewelries (especially in Idabato II and Akwa), boat carving, weaving of mats, and breaking of logs to smoke fish.

Fig. 2: The Bakassi Peninsula vis-à-vis Cameroon and Nigeria



(Source: Google Images).

The border between Cameroon and Nigeria can be generally divided into four physical and ecological sectors. In the northernmost part, the boundary traverses Lake Chad and the neighbouring plains at an average altitude of about 300m

above sea level. The second phase of the boundary is a near continuous chain of mountains and valleys only broken by the Benue Valley near Yola and the predominant activity in the area is grazing. The third geographical sector of this boundary is the coastal region that descends into the area of the Bakassi Peninsula and the adjoining islands. This area, which is located along the Gulf of Guinea, is endowed with mangrove swamp vegetation and abounds with marine and aquatic life as well as crude oil. This boundary which is limited to the north by the Akpayafe and that runs from the Rio del Rey and Ndian River to the east to the Calabar and Cross Rivers to the west comprises the focal locus of this present study. The fourth and last sector of the boundary between Cameroon and Nigeria concerns the Maritime zone that ends in an ill-defined tripoint with Equatorial Guinea (Fombo, 2008:24). It is the geography of the various areas that determine the predominant activity of the region. The geo-strategic importance of the Bakassi peninsula cannot be over-emphasised when one thinks especially of the fact that this peninsula harbors two major seaports along the Gulf of Guinea (Douala and Calabar). Together with the huge deposits of petroleum, oil, fishing deposits and companies present there, the potential for a major conflict in the area is no surprise.

The Bakassi Peninsula is one of the subdivisions found in the Ndian Division. There are also four principal subdivisions which comprise the Bakassi peninsula. These are; Kombo Abedimo, Idabato, Kombo Itindi and Isangele. Out of these four subdivisions of the peninsula, only two of them were under conflict (Kombo Abedimo and Idabato). It therefore means that only these two areas in the peninsula were covered by the GTA and therefore form the actual case-study. All other areas in this peninsula only find themselves affiliated to the accords due to their riverine nature. Isangele and Kombo Itindi have never been contested by Nigeria.

3.3 An Overview of the Crisis: Origin, Development and Resolution.

The origin of the feud that came to characterise the *sister-states* of Cameroon and Nigeria can be traced as far back as 1885 when Britain and Germany signed an agreement defining their colonial boundaries along Rio del Rey (in the Bakassi Peninsula) and especially in 1913 when the boundary was defined between the two contiguous states.

Pre-colonial history admits that around 1450, the kingdom of Bakassi was founded by the Effik people who later became part of the Old Calabar Kingdom. The coastal people there were of the Efik/Ibiobio, Oron origins who expanded their power and strategic fishing grounds and camps along the Bakassi Peninsula and the adjacent peninsula right into the estuaries of the rivers that empty their waters into the open sea (Kinni, interview on July 2nd 2013). At this time Nigeria, as a state, did not yet exist. When the Obong of Calabar signed the protection treaty with Britain on September 10, 1884, he agreed to refrain from signing treaties with any other foreign power without prior approval from the British government. The traditional chiefs of Efiat and Idombi, found within the peninsula, were co-signatories (Okereke et. al, 2008:50).

Key declarations were made in 1900, 1903 and 1906, and enforced militarily, which formed the colonies of Northern and Southern Nigeria, making them colonies instead of protectorates. The Obong of Calabar still was not consulted and he did not resist.

3.3.1 Frontier Demarcation during the Colonial Period:

In 1913, Britain, for the 'Northern' and 'Southern' colonies and Germany, for 'Kamerun' signed an agreement on their border from Yola to the sea. The first was signed in London on March 11, 1913 titled (1) "The Settlement of the Frontier between

Nigeria and Kamerun from Yola to the sea and (2) The Regulation of Navigation on the Cross River". The second was signed at Obokum on April 12, 1913 by Hans Detzner representing Germany and W. V. Nugent, representing Britain. This treaty addressed the precise demarcation of Anglo-German Boundary between Nigeria and Kamerun from Yola to the Cross River and eight accompanying maps were provided (<http://www.omoigui.com>). Germany was interested in Shrimps and an undertaking that Britain would not seek to expand its territory Eastwards. Britain on her side was interested in uninterrupted and secure access to Calabar, which was a key trading area. With Douala already under German control, Germany was ready to hand over the 'navigable portions' to Britain in exchange for Bakassi, since Douala also had port facilities. In other words, as Omoigui (2003) puts it, to get Germany's cooperation not to threaten access to Calabar, Bakassi Peninsula was conceded to Germany by Britain. At this time still, Nigeria never existed as a state. "Nigeria" as an entity was only created in 1914 by amalgamation, without any resistance still from the Obong of Calabar. The distinctive maps of 'Nigeria' and 'Kamerun' from 1914 clearly show Bakassi under the German sphere of influence.

With the outbreak of the First World War (WWI) and the consequent withdrawal of Germany from its colonies, Kamerun was partitioned into two on March 3, 1919 by Viscount Milner, for the British and Henry Simon for the French. In this partition, Bakassi under what became known as the 'Southern Cameroons' fell under British competence and were administered by the British as an integral part of Eastern Nigeria, though not merged. The 1913 boundary was maintained. Agreements as well as all exchanges of notes and maps from that period show Bakassi under the British Cameroons territory and not Nigeria. In 1954 when the Secretary of State for colonies issued a legal order defining Nigeria's "Eastern Region" and "Southern Cameroons"

borders, the Peninsula was in the latter's territory, well distinct from the Eastern region and the Calabar province (<http://www.omoigui.com>).

On January 1, 1960 when French Cameroon gained independence, instruments creating the new 'State' respected the colonial boundaries as defined by previous agreements and exchanges of notes. In the same way, when on October 1, 1960 Nigeria gained her independence, all boundaries were respected as provided by earlier agreements. During the February 11, 1961 controversial plebiscite, the Southern Cameroonians decided to gain independence by joining the independent Republic of Cameroun. Some authors like Ngoh (2004:61-3; Molem & Debora, 2004:113) hold that there were polling stations in Bakassi and that the population voted to join La République. This is misleading as the official gazette (The Southern Cameroons Gazette No. 14 of March 18, 1961 vol.7), which published the results of the plebiscite clearly shows that there was never any polling station in Bakassi and that only 2 votes were cast in Mundemba to join La République.

In 1962, the Nigerian government of Prime Minister Tafawa Balewa exchanged diplomatic notes with Cameroun acknowledging the fact that Bakassi never fell within Nigerian jurisdiction. Major General Ironsi who took over from Balewa equally recognised the agreements reached by Balewa and the Cameroonian government, and later it was General Gowon, who too, accepted the previous Agreements.

3.3.2 Post independent Period and the Bakassi Peninsula Crisis:

After the Nigerian civil war, in 1970, moves began to be made to clarify the maritime boundary between Cameroon and Nigeria which was hazily defined by the 1913 Anglo-German Treaty. Since there was no detailed demarcation of the

'navigable portion' of the approach channel of the Calabar estuary, the offshore boundary was 'unclear.' The problem which arose was defining what part was 'navigable' and what part was not. This is what the April 4, 1971 meeting between Nigerian President General Yakubu Gowon and President Ahmadou Ahidjo, both accompanied by large delegations, sought to resolve. On June 1, 1975, Gowon and Ahidjo signed the Maroua Declaration for the partial extension of the maritime boundary. Still, at this point, Bakassi was not the issue under contention as every map clearly showed that it was under Cameroon sovereignty.

With the overthrow of Major General Gowon by General Murtala Muhammed on July 29, 1975, the latter resorted to questioning every domestic and foreign decision which was made by his predecessors-including the maritime boundary between the contiguous states. Muhammed's decision to default on earlier agreements fell in line with the wishes of some of the residents of the Peninsula who had been hoping for a way to get out of French Cameroon's administration as a result of the 1961 plebiscite (<http://www.omoigui.com>).

On May 16, 1981, a Cameroon National News Report informed the world that a Nigerian Military Patrol had violated the territorial sovereignty of Cameroon by penetrating the Bakassi Peninsula and going as far as Rio del Rey and firing on the Cameroon navy (Mbuh, 2004:2). As a response, the Cameroon soldiers killed five Nigerian troops. This incident raised a lot of eyebrows over the sovereignty of Bakassi. On December 18, 1993, the Nigerian forces invaded Jabane and Diamond Island (as a reaction to the harassment of the Nigerian fishing vessels and traders by Cameroon Gendarmes) and President Biya reacted by first addressing a letter to his Nigerian counterpart, opting for a diplomatic resolution of the conflict. With no response coming from his counterpart, Paul Biya addressed a note to the U.N Security

Council and the Organisation of African Unity (OAU) and was accused by Nigeria for internationalising the conflict. Doubting the outcome of bilateral talks proposed by Nigeria, Cameroon took the case to the International Court of Justice on March 29, 1994 (Konang, 2010:6). The Joint activities of the Commission that had been formed to foster the relationship between the two states were interrupted by the Bakassi crisis.

3.4 ICJ RULING ON THE CAMEROON/NIGERIA FRONTIER

The decision of Cameroon to carry the conflict between herself and Nigeria was not out of sheer spontaneity. Rather, the two sister-states had gone through a series of diplomatic relations that were aimed at quelling down the tension that existed between them as explained above. As early as 1981, both states had even refused to consider any thoughts of taking the case to an international tribunal for arbitration (Fombo, 2011:132). Such a consideration was only made after failure of other subtler means were experienced, and especially after the May 1981 shooting incident.

The case was filed as **“Land and Maritime Boundary between Cameroon and Nigeria (CAMEROON v. NIGERIA: EQUATORIAL GUINEA intervening)”** and Cameroon seized the court to determine and define the land and maritime boundary between herself and the Federal Republic of Nigeria (Reports of Judgments, Case Concerning the Land and Maritime Boundary between Cameroon and Nigeria, 2002 pp 17-28). After a series of hearings, the ICJ pronounced its verdict only after eight years. After the first hearing on March 15, 1995, the ICJ took some temporary measures by sending a UN mission to the disputed area. Nigeria challenged the Court’s competence over the disputed area and on February 12, 1996, violent clashes broke out again between Cameroonian and Nigerian soldiers (Konang,

2010:6). The situation was well painted by *Jeune Afrique* in its November 13, 1996 edition when it noted “...all ingredients for a major conflict are present”.

After the UN succeeded in maintaining a cease-fire, it declared its competence to adjudicate on the dispute and gave Nigeria a period of twenty one months to submit its own version of the case. Prior to the pronouncement of the verdict, Presidents Paul Biya and Olusegun Obasanjo met in Paris on September 5, 2002 under the auspices of the UN Secretary General, Kofi A. Annan and undertook to respect and implement the decision of the International Court. On October 10, 2002, the ICJ passed its final verdict. After reciting the historique of proceedings of the parties; [the filing of application by Cameroon on March 29, 1994 to determine the sovereignty over the Bakassi peninsula and to determine the course of the maritime boundary between the two states beyond the 1975 Line; an additional petition on June 6, 1994 to determine sovereignty over a part of Cameroon in the area of Lake Chad and specify the frontier between both states from Lake Chad to the sea, which the Court approved to examine all as a single file on June 16, 1994; Nigeria’s counter-file objecting the jurisdiction of the Court and the admissibility of the application filed by Cameroon, which were ruled out by the court on October 28, 1998; the counter-memorial including counter-claims filed by Nigeria which the Court admitted on June 30, 1999 and Equatorial Guinea intervening on the same day to protect her legal rights and interests in the Gulf of Guinea; the grant of right to Equatorial Guinea by the Court to intervene; the public hearings held from February 18 to March 21, 2002) as well as the Submissions made by both parties (Cameroon, pursuant to the provisions of article 62(2) of the Rules of Court of the Republic of Cameroon, declared that the land between Cameroon and Nigeria should follow the straight line from the mouth of the Ebeji to Mount Kombon, then to Pillar 64 stretching

to Pillar 114 on the Cross River as far as the intersection of the straight line from Bakassi Point to King Point with the center of the navigable channel of Akwayafe. Based on these, Cameroon held that sovereignty over Bakassi and the disputed land occupied by Nigeria in the area of Lake Chad, especially the Darak region is Cameroonian; that the Maritime areas belongs to Cameroon and that Nigeria should respect the confirmation of the Yaoundé II Declaration and the June 1, 1975 Maroua Declaration; that Nigeria, by failing to recognise these, is violating the principle of *Utī Possidetis Juris* (which states that every state shall respect its boundary as at the period of its independence) and Cameroon's Customary Law as well as International Treaty Law; that Nigeria should end its administrative and military presence in Cameroonian territory; that Nigeria should compensate for the moral and material injury caused on Cameroon and lastly that the Court should reject Nigeria's counter-claims as unfounded both in fact and in law. Nigeria's claims for sovereignty over Bakassi; the delimitation and demarcation of the Lake Chad area which Nigeria did not accept as binding upon her and sovereignty over the area is vested in her; that the beginning of the land boundary is located at the point where the north-east channel of Ebeji flows into the feature marked 'pond' on the same map; that the Court lacks jurisdiction over Cameroon's maritime boundary; that Cameroon's claim to the maritime boundary is unfounded especially the area to the west and south of the area of overlapping licenses; that the territorial waters of the two states are divided by a median line boundary within the Rio del Rey; that Cameroon's claims for Nigerian reparation are unfounded].

Equatorial Guinea equally came in to ensure that the delimitation of the boundary between Cameroon and Nigeria in areas closer to her, than to the coasts of the two parties, which could prejudice her interests must necessarily remain to the

north of the Median Line between Equatorial Guinea's Bioko Island and the mainland).

The Court proceeded by establishing the geography of the area under dispute beginning from the areas around the Lake Chad right down to the Akwayafe River to the west and Rio del Rey to the East along the Gulf of Guinea. It then established the ruling as follows;

The Court first decided that the land boundary between the two countries had been fixed by treaties entered into during the colonial period and it upheld the validity of those treaties. It further rejected Nigeria's historical consolidation theory on which she contended and accordingly refused to take into consideration the *effectivités* (effective occupation theory) on which Nigeria relied. Accordingly, the court decided that in accordance with the Anglo-German Agreement of March 11, 1913, sovereignty over Bakassi lies with Cameroon. In a similar way, the Court fixed the boundary around the Lake Chad area in accordance with the Handerson-Fleuriu Exchange of Notes of January 9, 1931 between France and Great Britain. The Court rejected Nigeria's claims over the Darak area and the neighbouring villages. The Court drew a concise boundary between the contiguous states and in Lake Chad, it arrived at the same conclusion as that of the Lake Chad Commission.

As requested by Nigeria, it then turned to the 17 sectors of the land boundary between Lake Chad and pillar 64. Most of the area around here fell within Nigerian competence such as the Keraua River, the Mandara Mountains, the Maio Senche, Jimbare and Sapeo, between Namberu and Banglang as well as the boundary between Akbang River and Mount Tosso. The areas that fell within Cameroonian sovereignty here were; Kohom River, the area between Mount Kuli and Bourha, the

Kotcha village, the Hambere Range area and the Sama River. Other areas were put in a neutral position. These were; the Limani, the sources of the Tsikakiri, the course of Beacon No. 6 to Wamni Budungo, Tipsan, and from the Hambere Range to the Mburi River. The Court fixed the precise course of the boundary channel of the Akwayafe to the west of the Bakassi Peninsula.

Concerning the Maritime boundary between the two states, the Court accepted Cameroon's petition by validating the Yaoundé II and Maroua Declarations in which the heads of state of both states had, in 1971 and 1975, agreed that the boundary between them runs from the mouth of the Akwayafe to Point G situated longitudes $8^{\circ} 22' 19''$ east and latitude $4^{\circ} 17' 00''$ north. With respect to the Maritime region further out to sea, the Court endorsed Nigeria's submission and establishing an equidistance line between Cameroon and Nigeria, making sure the rights of Equatorial Guinea are not encroached.

As a result of the Court's delimitation of the boundary therefore, it decided that Nigeria should withdraw expeditiously and without condition any administration and military or police from the Bakassi Peninsula and the Lake Chad area falling within the competence of Cameroon. Cameroon, on its part, had to do same on the Nigerian territory between the Lake Chad and Bakassi (see Appendixes IV- XII).

The Court further noted that the implementation of the ruling would require cooperation between the two states in the interests of the people concerned to enable them continue enjoying from the educational and health facilities which they then enjoyed. The Court also took note of Cameroon's pledge during the hearings that "faithful to its traditional policy of hospitality and tolerance," she would continue to

“afford protection to Nigerians living in the Bakassi peninsula and in the Lake Chad area”.

Finally, the Court rejected Cameroon’s submission for Nigeria to pay reparation as a result of her occupation of Bakassi. It held the recognition of Cameroon’s sovereignty over the peninsula and Nigeria’s evacuation was enough reparation which Nigeria would pay. It went ahead to reject Cameroon’s submission concerning the implementation of its Order of March 15, 1996, for lack of proofs.

Fig. 3: Pointing out the Bakassi Peninsula and the boundary between Cameroon and Nigeria



(source: downloaded from Wikipedia Google maps)

In summary, this was what the over 150 page ICJ ruling document carried concerning the conflicts which had marred the Cameroon-Nigeria relations. However, for a more fruitful analysis of the implementation of the verdict, only one of the areas (Bakassi) was chosen to be studied in this present work. Of all the border disputes that

Cameroon has had with Nigeria since independence, the Bakassi peninsula stands out very clearly as the most serious dispute of all (Mbuh, 2004:1).

Any party had a period of 10 years to file for an appeal of the verdict in accordance with Article 61(1-5) of the Statute of the ICJ if *she* was not satisfied and had new found proofs which may change the outcome of the verdict. The political class of Nigeria rejected the verdict barely two weeks after it had been passed but with the growing concerns for peace to reign between the two states, Presidents Paul Biya and Obasanjo met in Geneva on November 15, 2002 and renewed their determination to lean on peaceful means of conflict resolution. In order to facilitate the implementation of the ICJ verdict, the United Nations created a twelve-man *Cameroon-Nigeria Mixed Commission* chaired by the Special Representative of the UN Secretary General, Ahmedou Ould-Abdallah (*Cameroon Tribune* No. 9161/5360 of Thursday August 14, 2013 p 22).

On June 12, 2006, the two presidents renewed their commitment to the 2002 verdict of the ICJ at Greentree, New York. This agreement was meant to set the modalities of the implementation. On August 14, 2006, barely two months later, Nigeria withdrew her army from the Peninsula as a sign of transfer of authority. However, this proved not to be a guarantee for the safety of the Bakassi residents as a series of attacks kept on being perpetrated there by pirates from Nigeria. A commendable step was finally taken by Nigeria on August 14, 2008 when it withdrew its Administration and Police Force from the Peninsula, thereby relinquishing its hold officially on the Peninsula.

Prior to the signing of the Greentree Accord in 2006, the Nigerian forces were spread all over the peninsula especially in the West of the Rio del Rey River.

There was a Nigerian military base in Akwa, Issobo, kombo Amunja, Idabato, Jabane with many forward operating bases (Commander Ndikum, interviewed on July 29, 2013). Jabane was the seat of the Nigerian military forces on the peninsula. Cameroon military forces occupied Akwa, and Mbetmoun in the North, Issobo and Munia in the Centre and Kombo Amunja and Ndo Location in the South after the withdrawal of Nigerian troops in August 2006. But the total transfer of authority was only effective in August 2008 when Nigeria pulled out its civilian administration and the police from the entire peninsula. At the time of arrival of the Cameroonian military in Jabane, Nigeria had barely been functioning with a police force and a civilian administration. This force was already receiving a lot of pressure from armed politically motivated groups that were contesting the sovereignty of Cameroon over Bakassi peninsula (Commandant Ndikum, interviewed on July 29, 2013).

The example portrayed by both Cameroon and Nigeria and of course the diplomatic prowess of then Secretary General of the UN, Kofi Atta Annan, in the resolution of the Bakassi conflict which had impeded the sense of good neighbourliness between the two states for several decades, was one without precedence in the political landscape of the African continent will always remain acclaimed both locally and internationally.

3.5 Interests over the Bakassi Peninsula.

This sub-section discusses on the underlying interests which both states had on the peninsula. Commander Ndikum (who is equally a Historian and scholar), describes Bakassi as eighteenth century Poland which every other state wanted to possess. This was because of several advantages that the peninsula enjoys. The interests over the peninsula, which neither party had unequivocally raised, range from

political to economic and geostrategic reasons that never let the parties to be inclined to giving up its hold on it.

3.5.1 Political Interests over the Bakassi Peninsula

The Bakassi conflict between the two contiguous states of Nigeria and Cameroon carried several political undertones.

Some schools of thought have posited that the drawing of public attention towards the conflict-stricken Bakassi in the 1990s had some political underpinnings. According to some of them, the presidents of both Cameroon and Nigeria wanted to shift public attention from the local political, social and economic situations in their countries at the time. Cameroon, for example, was just getting into multipartism and the first organised multi-party election results were heavily contested and in Nigeria, Sani Abacha had just taken over through a military coup. In the same vein, the democratic state of affairs in Nigeria was just too stumpy. The Nigerian government equally intervened in the peninsula to safeguard the security of its nationals who due to the ill-treatment by Cameroonian soldiers, Nigeria found a credible reason of interfering.

Cameroon on her part just did what she naturally was supposed to do. Being convinced of her sovereignty over the region, the Cameroonian administration knew that it was her duty to maintain the territorial integrity of her land. Cameroon is one and indivisible and it was just normal that the administration would not accept anything that is going to compromise this wholeness.

With the geostrategic and economic endowments of Bakassi, the governments of both states were aware of the level of prestige they were going to get

when eventually the international community gets to recognise that the area belongs legally to them. With Bakassi being under Cameroon's reserved domain, there was no doubt that the perceived power of Cameroon was going to increase in one way or the other. Therefore, both parties had their major political aims why they really needed the peninsula to belong to them.

3.5.2 Economic Interests over the Bakassi Peninsula

Bakassi can be termed a once desolated land, whose sudden discovery of potentials ushered in a lot of animosity between two sister states. The economic resources which the Bakassi peninsula has are enormous. Bakassi has large reserves of oil in its sub-soils and it is even held that the area encompasses one-tenth of the total oil found around the Gulf of Guinea (Commander Ndikum, interviewed on July 29, 2013). Presently, there are already three petroleum companies which have established their oil wells in the area. These are Addax Petroleum, Dana Petroleum and Perenco companies. The reason why the pirates from Calabar occasionally attack the peninsula is because of the drop in oil revenue of the Cross River state which used to contribute to the State's Income. Most of the rich countries in the world today are those which are heavily endowed with oil deposits because oil contributes very significantly to the National Income of a state's economy.

Apart from the large oil deposits which the peninsula harbours, there are equally an abundance of fishery resources which the area enjoys. There are a variety of fish which are caught in Bakassi. In fact, the amount of fish in this place is compared only to that found in the Scandinavia (in 2007, 6.4 million tons of fish were caught by European countries). All these boost up the economic activities of the area. Most of the fish caught here are either smoked or transported by boat to Nigeria. Very few of the

fish usually gets back to the Cameroonian main-land. Getting towards the fishing boundary line, where the oil fields are implanted, there are more fishes. But these areas, where most fishermen prefer to fish, are strictly out of bounds because of security reasons (Colonel Lombat, interviewed on July 28, 2013).

In addition to the above reasons, the creeks and mangroves, the rivers, the birds, trees and the entire biodiversity which one finds in the area is a pleasant scenery which could attract a lot of touristic activities in the area. If well harnessed, the tourism sector in it could be developed to contribute to the National Income of the State.

3.5.3 Geostrategic Relevance of the Peninsula of Bakassi

The geostrategic importance of the peninsula in the Gulf of Guinea cannot be over emphasised. This was noticed since the colonial period under the British and the Germans and that is why an agreement was made between them in 1913. The Germans were interested in shrimps and an undertaking that Britain would not seek to expand eastwards. The British were interested in an uninterrupted and secured sea access to Calabar, a key trading post. Since the Germans already had the option of using Douala environs as a port, they conceded the "navigable portion" of the offshore border to Britain. In exchange, Britain conceded the Bakassi peninsula proper to Germany. In other words, to get Germany's cooperation not to threaten access to Calabar, Bakassi peninsula was conceded by Britain (<http://www.omoigui.com>). The Bakassi area is an outlet that controls the Port of Calabar and opens up around the Gulf of Guinea. The strategic nature of the peninsula was seen in the Nigerian Civil War when Major General Yakubu Gowon requested for Cameroon's collaboration and support to use Bakassi to block supplies to Biafra.

With the yearly increase in the number of threats from pirates, the peninsula has gained more value as its strategic position gives ample possibility for a better fight against the pirates. Nigeria, especially which is the most vulnerable, is in dire need of such facilities. With the joint security forces established along the Gulf of Guinea therefore, there are greater prospects for the decrease in pirate activities.

Despite these interests over the peninsula which one would have thought no suitable outcome can ever be reached, the decision of both Cameroonian and Nigerian Heads of State to respect whatever the International Court would decide was an example which was yet unprecedented. However, some people hold that Nigeria was able to relinquish her hold on the peninsula, although reluctantly, because of her bid in gaining a Permanent Seat at the United Nations Security Council (Kinni, interview on July 2, 2013). Also, due to the zeal of foreign investors to invest in the area, these people pressed on the governments to ensure that an atmosphere of stability returns. With Cameroon's promise not to ill-treat Nigerians in the area, Nigeria eventually let go the territory. Nevertheless, some simply maintain that Nigeria had no case in front of The Court and did not even have the *locus standi* to petition. Such is the case with Ikhariale when he asserts:

Nigeria as a legal and political concept did not exist in 1913. In fact, as a matter of law, Nigeria became a state and therefore, a legal entity, before international law, properly so-called, only on 1st of October 1960. So how could an entity that did not legally exist in 1913 be given audience now to be disputing the validity or otherwise of a legal transaction entered into at that time? The only way Nigeria could get any right of audience in the circumstance is by way of "inheritance" and, in this case, from Britain. But if as we are arguing, that Britain did not have that right, from where would Nigeria then get the right?

He goes further to say that

It should be clear to everyone that as a legal concept, there was NOTHING like “Nigeria” until Lord Lugard and his empire building British colonialists took hold of the territories now comprising the Nigeria. And as a matter of international law, there was nothing like the Federation of Nigeria until the 1st of October 1960. Bakassi people, like all other peoples now encased in the political entity now called Nigeria could not have been Nigerians from time “immemorial”. When the colonialists came to Bakassi in 1884 they certainly did not enter into any treaty (ies) with Bakassi chiefs as “Nigerians”. These were autonomous states with all the paraphernalia of sovereignty resident in them and they could not have been “Nigerians” then. So, what then is “immemorial” about the modern state of Nigeria and her citizenry, if one may ask? (Ikhariale, 2012:2).

Whether or not Nigeria existed, is not however the contention of this study. The origin of the conflict has been traced to the Anglo-German partition of 1913. The area under study has equally been situated in this chapter. The chapter equally has been able to render a summary of the ICJ verdict and to recapitulate the submissions of the two contiguous states to the Court. As implementation processes may be marred by underlying unsatisfied interests, this chapter went further to investigate some of those underlying interests which both Nigeria and Cameroon had over the peninsula.

CHAPTER FOUR

4.0 AN APPRAISAL OF THE IMPLEMENTATION OF THE GTA BY CAMERON AND NIGERIA

4.1 INTRODUCTION:

In order to proffer a better assessment of the level of implementation of the Green Tree Accord, this chapter shall comprise an examination of the works achieved by the Cameroon-Nigeria Mixed Commission, The Provisions of the Greentree Accord, the level of implementation of the Greentree Accord by the two parties as well as the challenges these parties face in their effort to provide a lasting solution to the Bakassi conflict. The relevance of establishing the GTA (H1) is proven in the first part of this chapter.

4.2 The Cameroon-Nigeria Mixed Commission, Its Accomplishments and Necessity for the GTA.

The commitment and undertakings given by both Heads of Government were confirmed by the establishment of the Cameroon-Nigeria Mixed Commission (CNMC) pursuant to the Joint Communiqué adopted at a Summit Meeting on November 15, 2002 in Geneva in the presence of both Heads of State and then UN Secretary General, Kofi Annan. The Commission was chaired by the representative of the UN Secretary General Ahmedou Ould-Abdallah and had to meet in Yaounde and Abuja in alternating turns. It had the duty of ensuring the peaceful implementation of the ICJ judgment and preventing related tensions between Cameroon and Nigeria from escalating into conflict. In specific terms, the Commission was entrusted with the task of demarcating the land between the two countries, recommending on additional confidence-building measures such as holding of meetings on regular basis between

local authorities, Government officials and Heads of State, developing projects to promote joint economic ventures and cross-border cooperation, the avoidance of inflammatory statements by either party on issues concerning Bakassi, withdrawal of troops from relevant areas along the boundary and eventual demilitarization of the peninsula as well as the reactivation of the Lake Chad Basin Commission (UN Mixed Commission for the Implementation of the I.C.J Judgement of October 10, 2002, 23rd Meeting publication: 15).

The first meeting of the Commission held from the 1-2 of December 2002 in Yaounde during which a sub-commission was established which was responsible for the demarcation of the land boundary between the two states. Another sub-commission that was later formed during the second meeting was the Sub-Commission on Affected Persons with a mandate of assessing the situation of the affected people. The commission worked on many issues between the neighbouring nations. The CNMC has held in total thirty-second Sessions since its inception, the last being that of the 12th and 13th of September 2013 in Abuja. So far, the Commission has peacefully, amicably and successfully:

(a) brought Cameroon and Nigeria back to negotiation table where it was able to put up modalities of implementation and establish a follow-up Committee that would ensure the peaceful realisation of the ICJ verdict through the GTA;

(b) supervised the handing over of 33 ceded villages surrounding Naga'a, Tchika, Doron Liman, and Darak to Cameroon and Damboré to Nigeria in December, 2003 and received 3 settlements and territories in Adamawa and Borno States Sectors from Cameroon in 2004;

(c) initiated the Enugu-Abakiliki-Mamfe-Mutengene Road project as part of the confidence building measures between the two countries which started in mid 2005. The Mutengene-Abakiliki road, which is being constructed by the Chinese, is close to completion and links CEMAC to ECOWAS. Trade shall therefore be facilitated between the regional blocks especially as Nigeria stands as the number one importer of products to Cameroon according to the 2012 Cameroon Financial Reports (H.E Hamzat, interviewed on September 2, 2013).

(d) supervised peaceful withdrawal of Civil Administration, Military and Police Forces and transfer of authority in the Bakassi Peninsula by Nigeria to Cameroon in 2008 in line with the modalities contained in the Greentree Agreement signed by Cameroon and Nigeria in 2006 which the United Nations, Germany, USA, France, UK and Northern Ireland witnessed; and

(e) commenced the emplacement of boundary beacons/pillars along the land boundary and initiated final mapping of the whole stretch of the boundary. It is instructive to note that about 1800 kilometers of the boundary have so far been assessed for Pillar Emplacement leaving only about 220 km to complete the assessment of the entire boundary. The final maps of the no-longer-disputed boundary were released in March 2005. The delimitation Commission ended at the mouth of the Calabar River due to rioting by the Nigerian population. It was decided at the thirty-first meeting on the demarcation of boundary that their work shall continue when the atmosphere will be conducive. In total, 1913km of the boundary has been successfully assessed and only 81km of the boundary is presently left (see Appendix XIII)

f) both Cameroon and Nigeria agreed to set up a joint trans-border security committee.

g) a documentary film was produced by the CNMC on all its works done so far in delineating the boundary between the two states.

Moreover, the UN carried out several projects in the areas formerly under dispute in order to help the local populations of these areas.

All in all, the works of the mixed commission has been commendable since its initiation. Ahmadou Ali, former Vice Prime Minister and Minister of Justice of Cameroon notes that, “The Mixed Commission can be proud of commendable achievements in eleven years of activity. To date, experts from Cameroon and Nigeria, assisted by those from the United Nations, have agreed on the placement of boundary pillars representing ninety-five percent of the assessment work.” The work of this Commission would end only after the full boundary has been demarcated. For now, its functions remain and the meetings held in alternating terms continue despite the full transfer of authority to Cameroon.

4.3 Establishment and Summary of the Greentree Accords

In 2005, the CNMC halted its activities because Nigeria was asking for more guarantee for the protection of the affected population (this validates the second hypothesis). Instead of taking the case back to the Security Council as Article 94 of the Statute of the ICJ suggests, the two states, considering several facts such as disparity in military strength and the fact that Nigeria wanted a seat in the Security Council, decided to maintain the peaceful course which they had stated. This led to the signing of the Greentree Accord which facilitated the implementation modalities by clearly stipulating activities to be carried out by the two states and by setting up a Follow-up Committee to supervise adherence to the Accords.

Thanks to the efforts of the then Secretary General of the United Nations, Kofi Annan, the Cameroonian and Nigerian Heads of State, together with some witnesses from France, the USA, Britain and Germany, met at Greentree in New York to establish modalities through which they would observe the October 2002 ruling. The GTA was an agreement of eight (8) articles pertaining to Cameroon and Nigeria. Reaffirming their willingness to peacefully implement the judgment of the ICJ, and commending the efforts made by the UN Secretary General in organizing the tripartite, and determined to consolidate the confidence and peace between the two states, both states concluded the Agreement.

In the GTA, Nigeria recognized the sovereignty of Cameroon over the Bakassi Peninsula, Cameroon and Nigeria recognized the land and maritime boundary between the two countries as delineated by the Court and committed themselves to continuing the process of implementation.

Nigeria equally agreed to withdraw all its armed forces from the Bakassi Peninsula within sixty days of the date of the signing of this Agreement meanwhile Cameroon, after the transfer of authority to it by Nigeria, promised to guarantee to Nigerian nationals living in the Bakassi Peninsula the exercise of the fundamental rights and freedoms such as not forcing Nigerian nationals living in the Bakassi Peninsula to leave the Zone or to change their nationality, respecting their culture, language and beliefs, respect their right to continue their agricultural and fishing activities, protecting their property and their customary land rights not levying in any discriminatory manner any taxes and other dues on Nigerian nationals living in the zone; and taking every necessary measure to protect Nigerian nationals living in the zone from any harassment or harm.

4.4 Assessing the Implementation of the GTA

Putting in place the Accords of Greentree to ease the two states in their determination to respect international norms raised the hopes of the nationals from both states as well as the International Community. However, a critical look at the level at which both states remained unswerving to the Court's decision and their resolve in 2006 shows some loopholes in the implementation.

From 2002, the verdict was mostly implemented in the areas around the Lake Chad in the North. After a brief halt, it resumed in 2006 after the establishment of the GTA which set the modalities through which the parties were to go about with the implementation. This concerned mostly the Bakassi peninsula which is situated further down towards the Atlantic Ocean. These modalities set out the progressive actions of both states for a period of eight years. The first-two years were mostly based on Nigeria relinquishing her hold over the peninsula and the later five was a Special Transitional Regime set up to enable the slow handover of the entire peninsula to Cameroon.

In order for an enhanced appraisal to be made, this study tries to group the various modalities established in the GTA into political, economic and socio-cultural implementations. The outcome of this section is an answer to hypothesis (**H₂**) which stated that with the end of the GTA mandate, both parties, despite difficulties faced, have satisfactorily implemented their 2006 resolve.

4.4.1 Political Implementation of the GTA

The assessment of the implementation of the Green Tree Accords politically hinges on Articles 1, 2 and 3(1)(f), 5, 6, 7 and 8 of the Accords as enumerated in the preceding section.

Concerning article 1 that talks of Nigeria recognising that sovereignty within the Bakassi peninsula lies with Cameroon according to the Court's judgment in the matter of the land and maritime boundary between herself and Cameroon and both states recognising the land and maritime boundary as delineated by the Court, it became clear that both parties accepted the ruling in good faith. They gave themselves up to the work of the CNMC which was tasked to clearly delineate and help the two parties in their bid to implement the verdict of October 10, 2002. It is thanks to this recognition by these two states of the delineation by the International Court that the Mixed Commission was able to achieve very good results in a very short time. Before 2005, the CNMC had recorded considerable successes in establishing a land and maritime boundary.

By August 2008, the Nigerian government had fully withdrawn its military and administration pursuant to the provisions of the GTA. The Nigerian Military settled mostly in Akwa, Kombo Amunja and Issobo. These areas were taken over by the Cameroonian government and the Cameroonian military was set up in the entire peninsula when the UN expressed its satisfaction with Cameroon's engagement towards the population in the above-mentioned areas. Other areas in the northern part of the boundary were also ceded according to the ICJ verdict (appendixes IV-XII).

In 2009, after the government of Cameroon realized that the peace between the two states attained in the area was evident and that there was no cause for

continuous hostilities, the “Operation Delta” was replaced by “BIR DELTA” in order to make the residents feel more at ease. This force consists of all the forces on land such as the Police, Gendarme, the military, and the BIR. Normally, Presidential Guards and the Marine were supposed to be a part of it but they are just represented. Nigeria and other African countries as well as the international community have not left the security issue of the area to be the sole concern of Cameroon. In fact, at the Gulf of Guinea where the peninsula presents itself as the mouth, Nigeria, with 45% of the 197 attacks by pirates, faces the highest threats from pirates while threats to Cameroon are the least summing up only to about 2%. This is what necessitated the signing of the Trans-border Security Agreement (which includes maritime space) in February 2012 and equally the joint conference on security issues in the Gulf of Guinea which brought up several resolutions and engagements by various states.

Article 6 of the GTA established a Follow-up Committee which was tasked with ensuring that the pledge of the two parties to observe the verdict and the Accords. This follow-up committee effectively carried out its mission of being the ‘watchman’ of the Accords. It rendered its last visit to the three localities of Kombo Abedimo, Jabane and Idabato in July 2013.

Fig. 4: the various Cameroonian Administrative installations in the Bakassi Peninsula



Gendarmerie post at Idabato I



Buildings hosting D.O's Office and most Ministerial departments at Idabato II



'BIR DELTA' Camp at Jabane I



The Council of Kombo Abedimo



The Sub divisional office of Kombo Abedimo

(Source; researcher's field work).

On Cameroon's part, she was supposed to respect the Human Rights of the Nigerians living on the peninsula and to protect them from every harassment or harm. According to the information gathered on the field, it was clear that very few cases of harassments were recorded. According to most of the residents of the area, they are in very good relations with the military from Cameroon. In fact, in the words of Chief Etim Effiong, one of the several Nigerian Chiefs of Idabato I, he says;

For now we are in a very good relationship with the army. We hardly face any harassment from them. I have never entertained any case of rape in my house. The people live freely and they carry out their activities very freely. The only time when they face disturbance is when they carry out activities that disturb public security. But as I have told you, I am giving you the situation as it is now. I don't know how the future looks like (Chief Etim, interviewed on July 26, 2013)

The reports were not different in Jabane and Kombo Abedimo. At Jabane, Chief Ekpeyong, who has lived in the locality for a very long time strengthened the position earlier held by Chief Etim. He noted fervently, when asked whether they faced any human rights violations from the Cameroon forces in the peninsula. To him, *"the people here do not have any problem with the Military force. They are always*

ready to welcome us whenever we have a problem. I have heard of only one rape case involving a military person.”

In fact, Commandant Ndikum of the BIR DELTA gives a concise reason as to why these views differ from those generally presented by the Cameroonian press, which are widely believed on land. He says;

There are two Bakassis. One is in Nigeria and the other one is the peninsula which falls under Cameroonian sovereignty. The series of harassments and insecurity reported over the media are perpetrated in the Bakassi found in Nigeria. It is this same group of people that sporadically attacks the peninsula due to their rancor for the loss of the peninsula by Cross River State. Even the cases of insecurity that have taken place around Cameroon itself were not carried out in the Bakassi peninsula. Places like Bekumu where the D.O was killed are not in the peninsula as was reported by most journalists who do not usually come on the grounds to understand things better. In the peninsula, those incidents of rape and human rights issues happened only before when there were still struggles for transition (Ndikum Azieh, interviewed on July 30, 2013).

Corroborating the point of the existence of two Bakassis, Agba says that the other Bakassi which is found in Akpabuyo Local Government of Cross River State is comprised of the displaced people from the Bakassi peninsula into the place which is now called “New Bakassi” (Agba, 2010:52).

The administration which Cameroon set up on the peninsula is at the beck and call of the population. They are readily available whenever need arises from the local residents. Colonel Lombat, Commander of the BIR DELTA forces, explained that whenever a case was brought at the Gendarmerie that concerned a Cameroonian and a Nigerian, they treated it with utmost cautiousness. They even went as far as favouring the Nigerian because they were aware the eyes of the international community are on them. There is general consensus that with the coming of the BIR to the area, the threats to insecurity have drastically dropped. Occult groups that existed

in the areas such as the Black Axe, the Red Caps and the Yellow Caps as well as the Bakassi Self Determination Forces and Niger Delta Liberation Fighters that came in from Nigeria, have been virtually expelled.

With the evident occupation of the area by the Cameroonian Administration as well as the zeal depicted in its bid to respect international jurisdiction, one can say with some certainty that the government of Cameroon, especially after August 14, 2013 has full control over the Bakassi peninsula. This nevertheless does not imply that the Nigerian government shall forget about her citizens in the area. Nigerians resident in the peninsula reserve the rights which fall on every other Nigerian living as a foreigner elsewhere. Hence, it is the duty of the Consular Service of the Buea and Bamenda Multi-representation to pay constant visits to the people in view of assessing their needs (H.E Hamzat, interviewed on September 2, 2013) due to proximity to the area as compared to Yaounde. From their observation, they would try to provide for what may fall within their jurisdiction or make recommendations for the Cameroonian government to intervene. With this accession, it can therefore be concluded that politically, both states have been able to respect their commitment at Green Tree.

However, the Cameroonian government has not made its services easily accessible. The Sub-divisional Office as well as other buildings representing different ministerial departments at Idabato 1 are very difficult to get to. The area is separated by water thereby making the inhabitants to pay for a ferry through a boat whenever they need the Administrators' signatures. It was even discovered that the Mayor for Idabato 1 does not live there. The government has therefore not done enough in this regard of ensuring the effective presence of Cameroonian administrators and the accessibility of governmental services. Local residents of the Bakassi peninsula are

closer to Nigeria as the government of Cameroon has not fully ensured the effectiveness of its service in reaching them. This has caused its presence to be hardly felt by the Local residents.

The peace achieved in this area and between the two states in general continues to be enhanced by the maintenance of diplomatic exchanges, military honours during march-past, enhancement of trans-border roads as well as joint security ventures which both states have embarked on.

4.4.2 Economic Implementation of the GTA

From the natural endowments of the Bakassi peninsula, it is not surprising that the GTA devoted specific provisions to address the economic livelihood of the local population. Once the economic situation/condition of an area is agreeable, the political and social conditions may as well be taken care of. In the GTA, provisions that concerned the economic wellbeing of the Nigerians living in the Bakassi peninsula were articles 3(2)(c) and (e).

Economic provisions were mainly directed to Cameroon because most of the areas under dispute were given to Cameroon. Since the numbers of Nigerians living in the peninsula were considerable, they were given some special rights. They were therefore supposed to continue their agricultural and fishing activities uninhibited. The Cameroon government did not have to levy in any discriminatory manner any taxes and other dues on Nigerian nationals living in the zone.

The main economic activity of Bakassi is fishing. Other activities like boat-carving, trade, mat-weaving, wood-breaking, and other menial jobs that sustain the people. Throughout the period of the implementation, Cameroon never interfered

in the fishing and agricultural activities of the residents. It can be recalled that Nigeria's attacks on Cameroon was based on the fact that she wanted to protect her citizens from the military harassment and high taxes levied on them. After the Accords were signed, the Cameroonian government, despite some few hitches which the transitional military force in the peninsula created, tried as much as possible to observe the clause.

Concerning taxes, the clause stipulated that Cameroon should not levy them in a discriminatory manner. However, in order not to create some confusion, the Cameroonian administration decided to keep away tax levy in all subdivisions apart from Bamusso (which was not an area covered by the GTA). The residents were supposed to start paying taxes only after the full transfer of the peninsula to Cameroon on August 14, 2013, since it was still under UN supervision. Concerning fishing, since the local population is mainly concerned in this activity, they mostly face problems with the elements of security, who have given them a limit to their fishing boundary. Such was the case with Peter, a fisherman whom I caught-up with, whose engine was seized on the waters and his net was torn by elements of the Rapid Intervention Battalion.

Nonetheless, this strictness by the BIR is perpetrated for the good of the local residents. As Colonel Lombat explained, there is a boundary at sea beyond which no fisherman is supposed to go. Behind such boundaries are found petroleum fields whose pipes may be damaged and the resultant effects would be the intoxication of the fishes in water or even the fishermen may lose their lives in the course fishing in such areas. The inhabitants of this place keep going there because they believe it is the area which is most rich in fish.

Fig. 5: Showing fishing as main activity of Bakassi



Source: Field observation of researcher

Most of the fish caught here are transported to Nigeria either fresh or smoked. This comprises the main activity at Idabato, Jabane, Shell Creek, Issobo, Rio, Kombo Amunja as well as Kombo Abedimo.

Fig. 6: Carving of a crayfish (prawns) boat (One of main activities in Bakassi).



Source: Field observation by researcher.

In order to boost up the economy more, the government sends a team with basic commodities (MIRAP team) every 10th of month to come and sell basic commodities there at a cheaper rate. Economic activities in the Bakassi peninsula are flourishing and this renders generally the cost of living to be very high. Some few Cameroonians who have discovered the economic potentials of the area do not fail to take business tours every week to supply foodstuffs like garri, eru, and snails which are in very high demand. In fact there is hardly any food or cash crop grown there at the peninsula due to its mangrove creeks. These goods, which are usually transported from Cameroon, are sold at very lucrative prices for the business people. This has made the area to be inhabited mostly too by people who merely have a temporary stay in the place to make fast money.

A brief talk with a Cameroonian student who went there to look for his fees, Mcnee Njila, revealed the level of affluence which most of those business people had attained. They come to the peninsula purposely for their business and when they get the money, they go back and invest in Nigeria. This student revealed that a majority of those fishermen were actually very rich, judging from some of their houses he has been opportuned to see. Despite the fact that the fishermen looked very 'cranky' and 'unkempt', Cameroonians are gradually becoming aware that Bakassi harbours a lot of get-rich-soon potentials.

To encourage more Cameroonians to settle on the peninsula, the Cameroon government envisages bringing in some Mousgoums from the northern part of the country, who are mainly fishermen, settle them in the peninsula, buy them fishing equipment and give them a starting capital so that the number of Cameroonians could try and match-up with that of Nigerians. A market is already under construction at Akwa that shall also help in the trade of fish within the Cameroonian territory so that

the much fish got from this area could also be consumed. Most of these activities were carried out and are still being carried out by Nigerians who live in the area. Every interviewee recognised the fact that they have never been asked any taxes by the Cameroonian military or any person from the Cameroon administration.

4.4.3 Socio-Cultural Implementation of the GTA

The Bakassi peninsula, with a population approximated to 300,000 peoples is inhabited by indigenes who originate from different tribes from Nigeria, Niger, Togo, Benin, Ghana, Cameroon and some other countries along the Gulf of Guinea. The main tribes in the peninsula include the Effik, Atabong, Ibiobio, Ekeya, Effiat, Ilaje, Eket, Yoruba and Orong (interview with Kinni on July 2nd 2013). Being a mixed or cosmopolitan population, the Bakassi people speak Efik and Ibiobio languages.

This position which seems to suggest that those living in Bakassi are Nigerians, has however been logically contested by some anthropologist who hold that before the Anglo-German partition of 1913 there were people living in the peninsula. By virtue of that partition and its consequent placement of these people within the Cameroonian sphere, these people were made Cameroonians and remain Cameroonians just like every other African state which faces the problem of artificial boundaries that divided them at colonialism. Hence, they hold that these people are not ethnically Nigerians as has been posited by most Nigerian scholars and is 'erroneously' being imbibed by the Cameroonian scholars.

Several cultural groups are present in the Bakassi area, but the most dominant one is the Ekpe culture from the Atabong and Calabar tribes which even has its shrine (Chief Etim, interviewed on 26th July 2013). The masquerades in Bakassi are similar to that of the Efiks of Calabar and range from *Nnabo*, *Agaba*, *Tinkoriko*, *Edem*

Obing, Ekpe, Ekiri Akata and Offiong Inyang (Agba, 2010:52). On national days such as May 20 and February 11, the people usually carry out some celebrations. Whenever they appeal for sponsorship from the government, this is usually done. The various tribal groups usually have their festivals celebrated during which every culture supports the other in displays. Before these events are carried out, they obtain permission from the D.O.

According to Mme Ndoh Beltha, the President of the Follow-up Committee for the implementation of priority projects, the Cameroonian government has set apart the following as priority projects; primary and secondary education, vocational training, water, electricity, fishing (cold houses), agriculture (ovens to dry fish), roads, health and communication.

The government of Cameroon, in accordance with Articles 3 (2)(a,b and d), has spent over twenty billion Francs since 2006 to make the area habitable (Cameroon This Morning of 14 August 2013, 6:36 GMT) by providing some fishing structures, administrative houses, educational and health facilities, peace and security agencies as well as some few installations to generate either water (Jabane) or electricity (Kombo Abedimo). To an agreeable extent, primary and secondary education facilities are provided in all the localities in the various subdivisions save for Jabane which does not have a government secondary school. All the localities have been provided with health facilities which are equipped except one in Jabane which is not yet equipped.

Table 1: Some government schools built at the Idabato subdivision;

serial	School	Nu Number of Schools
1	Government Primary	1
2	Government Primary School	1
3	Government Primary School Ekeya	1
4	Government Primary School Jabane I	1
5	Government Bilingual Primary School Jabane II	1
6	Government Primary School Idabato I	1
7	Government Primary School Kombo Amunja I	1
8	Government Primary School Ndo Location	1
9	Government Primary School Shell Creek (still un under construction)	1

Table 2: Government Secondary Schools in the Peninsula

IDABATO	Government Secondary School IDABATO II Government Technical College KOMBO A AMUNJA II
KOMBO ETINDI	Government Secondary School BARRACKS
KOMBO ABEDIMO	Government Technical College AKWA Government Teachers Training College AKWA
ISANGELE	Government Bilingual High School MUNDEMBA

(Source; Regional Delegation of Secondary Education, Buea).

With all these learning institutions provided by the government, the residents of these localities seldom use them. They rather go for their fishing activities.

The same situation holds for the health sector in Bakassi. There are Health Centers at Ndo Location, Kombo Amunja, Jabane, Idabato, Akwa and in all localities of the Kombo Abedimo Subdivision. At Jabane, services are rendered free of charge by the BIR DELTA. The infirmary there has a permanent medical doctor with three Assistant Nurses. Yet, the local population seeks their services only when their conditions become critical and traditional medicines or those from quacks are no longer promising. Even pregnant women prefer to put to birth traditionally even if they receive their prenatal care from the government health services.

Fig. 7: Educational and Health facilities at Idabato and Jabane



Government Secondary School Idabato II

Government Primary School Idabato II



Integrated Health Center at Idabato II

BIR DELTA Infirmary at Jabane

(Source; Field Work of the Researcher)

It is not enough for government to build these structures in its bid to make the social standards of the population to be ameliorated. Some of the Health Centers do not have either staff or the necessary equipment. Jabane II for example has neither medical staff nor equipment. Idabato II has only one medical official at the health centre but it is equipped. At other government institutions, some of the people do not assume duty when appointed to the place. They only do so when an Inspector is to come and visit around. This is mostly the case with teachers especially around Kombo Abedimo who say they are afraid of pirates. Some workers who actually assume duty at the peninsula find life very hard and expensive as they are not well catered for by the government. This has made the services which government established for these people neglected.

In the fight to bring this area to suitable habitation, the Cameroonian government has spent above twenty six billion Francs CFA in different domains and has also received grants from donors such as UNESCO, the European Union, SOWEDA, and France (Ndoh Beltha, interview on 2nd September 2013). The plan by the Cameroonian government to extend PAMOL to Bakassi is also in a bid to boost the level of economic activities there and increase the number of Cameroonians who go

there. The Nigerian government on her part also gave some of the communities larger fishing boats to enable them fish better in the high seas.

Fig. 8: Showing why (A) and how (B) people posted to the peninsula do not assume duty



Residence of some Gendarme Officers at Idabato II(A)



Deserted Government Residential Area at Akwa (B)

(Source; field work of researcher)

From observation, one could say that the people live under horrible conditions and suffer from virtual neglect. The topography of the peninsula and the soil contents have not eased government's efforts to render the place more accommodating. Communication in the area has been left to the local people themselves to seek a solution. The telephone network used at Kombo Amunja, Jabane, Idabato and Kombo Abedimo village is basically from Nigeria. Radio frequencies which are captured at these places are equally Nigerian. They have developed their own means of acceding to communication. Despite the fact that CAMTEL has set up a multimedia house at Idabato (which is not yet used), this would only solve very negligible problems as it impacts less on the people.

The main worries of these inhabitants go far beyond accessing Cameroonian network. Rather, issues like food, water, electricity and roads in the case

of Jabane (linking Akwa Ibom and Effiat) are their main worries. The inhabitants are malnourished due to scarcity of water, high costs of living and lack of fruit trees which impede them from growing healthily. Apart from those who live around Jabane II where the BIR have implanted a system of recycling water from the sea, other localities suffer from acute water shortage. They consider the rainy season as their period of grace when they would have to maximise the storage of water. As Dr. Fogo Georges, a medical personnel explains, during the dry season, 20 litres of water are sold at 200 Naira which is equivalent to close to 700 FCFA. This has contributed to make the living cost very high and scares away people sent to work there.

Fig 10: Local adaptation to life in the peninsula.



Local antennas to capture network (A) Tanks for storing water during the rains (B)
(Source: Field observation by researcher).

The inhabitants of Jabane and Idabato have equally laid complaints severally concerning the need for their localities to be filled with sand dug from the sea. The present Idabato village was further into the sea, but due to water encroachment, the village was razed by the raging of the sea. They therefore build only houses with the mind that they are under threat from the sea. Most of their houses are built with zinc in order to ensure that the incidents of fire hazards that have been frequently experienced there before are contained.

Fig. 9: A typical living house at Idabato.



(Source : Field observation of researcher).

With the end of the GTA on August 14, 2013, the Nigerians who decided to stay on the peninsula would have the status of foreigners and would therefore have to obtain residence permits as well as every other formality required to be carried out by foreigners resident in another country. In brief, they would have to live according to the consular relations rules that govern Cameroon and Nigeria since the 1960s. The Nigerian government had earlier provided a settlement space at Ikang in the Cross-river State, but most of those who left for the place came back. As an explanation to this, Chief Etim Effiong explains that they refused to settle there because of the different culture which the people of Ikang have from their own. They equally wanted the Federal Government of Nigeria to give them an uninhabited land so they could settle there. Rather, the government gave them Ikang which was already populated, with little space for the ‘newcomers’ to be resettled.

From the above analyses, it is clear that the conditions in Bakassi, just like in some places on mainland, are not the best. It is not because the two governments have not respected the agreements they made at Green Tree in 2006. Rather, it can be

viewed as an implementation which despite the numerous challenges it faces, continues to forge ahead in the right direction. Challenges in this regard therefore are mostly visible in the social sphere where the living conditions of the inhabitants still cry up to the heavens for mercy.

4.5 Challenges of Implementing the GTA

Going about the implementation of the GTA has not been a bed of roses to both Cameroon and Nigeria. Both nationally and internationally, they faced a lot of hurdles going about with the application of the ruling right from the moment the verdict was pronounced to the close of the Special Transitional Regime. This section therefore addresses the third hypothesis to the study.

After the ruling, the interstate conflict became an asymmetric situation in which pirates (some of who were discontented Nigerians from the lost Bakassi who had gone back to Nigeria) threatened both Cameroon and Nigeria. Such groups later began using the name 'Bakassi' in order to make their demands heavier to the international community. When Cameroonian administrative presence was not yet effective on the peninsula, the area was under the Bakassi Local Government Area, an extension from Nigeria. After the ICJ ruling of October 2002 when the court gave the area to Cameroon, there became a place in Nigeria still called 'Bakassi'. According to Captain Ngato, Commander of the BIR DELTA forces at Akwa, these people, who are discontented with the loss of the Bakassi peninsula which was indispensable for the wealth of Cross River state, have continually perpetrated acts of terrorism, putting the local inhabitants of the peninsula in a state of insecurity and thereby making the government's efforts for the provision of security a virtual farce.

The Nigerian Senate on several occasions rejected the ICJ verdict and the Nigerian government's resolve to follow the verdict. This Second Chamber quoted the 1999 Constitution which stipulates that every major decision by government must be adopted by the Houses of Assembly. The fact that this did not take place made the implementation to meet various challenges not only from the Senate but from other Nigerians who were equally angry with the World Court judgment.

Equally, the signing of the Greentree Accord, according to Commander Ndikum, coincided with the emergence of armed groupings in Nigeria that ventured into areas like the contestation of Cameroon's right over the peninsula. Groups such as the Niger Delta Freedom Fighters, the Bakassi Self Determination Force and others usually mete out sporadic attacks on the local residents of the peninsula. This has also made local cult groups such as the 'Black Axe', 'Black Caps', 'Yellow Caps' to emerge. The D.O of Kombo Abedimo was even killed and that of Idabato was kidnapped together with the Mayor. However, with the coming of the BIRs in the peninsula, this phase of the story has gradually faded.

The Cameroonian forces on the peninsula did not make the implementation of the ruling easy also. With the constant harassments of the Nigerian fishermen through high taxes and the several cases of rape which were experienced in the early period of 2009, the Cameroonian army gave the *locus standi* for Nigeria to constantly invade the place in order to protect its citizens. These harassments remained indelible in the minds of the population which kept being suspicious of every intention of the military. Such is the case of the refusal for fishermen to fish beyond a boundary line which has Cameroonian oil fields as well as the insistence by the BIRs that people travelling in boats must wear their life-jackets. The local populations see these bids by the BIR elements as a disturbance of their daily activities.

Cameroon equally faced and continues to face the challenge of making the Bakassi Peninsula habitable. The geography of the area renders government task to make it accommodating very arduous. The problems faced by the residents of Bakassi abound. They face problems of sea encroachment, food, roads, water, and electricity. All these inadequacies go to portray the ineffectiveness of the social responsibilities which Cameroon undertook to ensure during the 2006 Greentree summit. With the inadequacy of the provision of these social services therefore, the implementation of the Accord was therefore challenged.

In addition to the above challenges, the level of illiteracy in the peninsula is a huge problem. The population, which is predominantly into fishing, is mainly interested in fishing activities rather than schooling. There are government structures implanted there such as schools and health centers but which are hardly used by the residents. This causes the implementation of the Accord to remain very insignificant. Moreover, the alarming rate of illiteracy constituted a clog to the work of the follow-up committee which found it very difficult to get information from people whenever it visited.

It is usually said that under every dark cloud lies a silver lining. It is true that these challenges must have almost completely annihilated the hopes of the parties implementing the Accord in its entirety. But the tenacious hold of both parties on their resolve made the results achieved even better and more meaningful, thereby giving more meaning to the theory adopted in this study.

CHAPTER FIVE

5.0 SUMMARY, CONCLUSIONS AND RECOMMENDATIONS.

This chapter has three main parts. Part one deals with the Summary of the Research findings. Part two deals with the conclusions drawn from the studies and the last part deals with the recommendations for policy options.

5.1 Summary of Research Findings

This study set out to critically assess the level of implementation of the GTA and challenges faced in implementing the provisions of the Accord. It was guided by three main hypotheses. Among others, this study made the following findings;

Hypothesis one stated that the establishment of the GTA was in response to the difficulties that presented themselves in the course of the implementation.

According to the study carried out, it was found out that almost immediately after the verdict of October 2002, the United Nations found it necessary to establish a Mixed Commission which was composed of both Cameroonian and Nigerian delegates as well as representatives from the United Nations. This commission later formed other sub-commissions.

The commission was charged with the peaceful implementation of the ICJ verdict and preventing related tensions between Cameroon and Nigeria from escalating into conflict. It had to demarcate the land between the two states, recommend confidence-building measures and several other duties.

Due to the difficulties posed by some Nigerians who wanted more guarantee for the protection of the affected population along the maritime boundary

further down towards the Atlantic ocean, the CNMC halted its activities in 2005. It became more important to set in place more feasible and practical modalities for the implementation of the accords-reason why the GTA were signed.

As a sequel, a follow-up committee was established which had to monitor the implementation of the agreement. Nigeria and Cameroon had the duty to withdraw from the territories which, according to the verdict, did not belong to them. Nigeria was given sixty days to withdraw her military from the Bakassi peninsula, and under exceptional circumstances, add a period of not more than 30 days. Cameroon, on her part, had to assure that she does not violate the culture, language, beliefs, property and land rights of the Nigerians living there. She also had to protect these citizens from any harassment or harm.

The second Hypothesis gave a tentative proposition that with the end of the GTA mandate, both parties have to a greater extent implemented their 2006 agreement. Still, with the use of contents analysis substantiated by field observation and the use of an appropriate theoretical framework, the study finds out the following;

Following the stipulations of the GTA, on August 14, 2006, Nigeria was prompt to withdraw her Military force from the peninsula. Two years later, on August 14, 2008, she withdrew her administration, thereby fulfilling her own part of the bargain. The areas where the Nigerian military and administration were previously settled became under the full responsibility of Cameroon. Due to the number of Nigerians living in certain parts of the peninsula such as Idabato, Jabane and Kombo Abedimo, the change of authority could not be so abrupt. A special transitional regime was therefore instituted in these areas, to be overseen by the UN. Nigeria therefore was commendably unswerving in her acquiescence to her pledge.

It was now left for the government of Cameroon to fulfill her own part of the bargain in her relations with the Nigerian citizens living in the peninsula. Cameroon, in respect of article 3(2)(a) of the agreement, never forced Nigerians to leave the peninsula or to change their nationality. Most of those who are resident in the peninsula are Nigerians who have decided not to be resettled in the place where the Nigerian government prepared for those who never wanted to live under Cameroonian administration.

As regards article 3(2)(b), the Cameroon government respected their culture, language and beliefs. The dominant culture in the peninsula is the Ekpe tradition, which has its shrine in the place even. There is hardly a Cameroonian language spoken in places like Idabato, Jabane, Kombo Abedimo because these areas are mostly inhabited by Nigerians.

Pertaining to the rights of Nigerians to their fishing and cultivating activities, they are hardly perturbed by the elements of security since the establishment of the BIR DELTA which came to replace the Military force in 2009 (during which period there were lots of violations of human rights). Those disturbed now in the seas are only those who do not respect the rules of keeping out of the oil fields boundary. This rule applies to everybody and not only Nigerians.

Concerning their property and customary rights, these were maintained and would continue dominating in the area so long as the dominant people there are Nigerians. During the period of the Special Transitional Regime, the Cameroonian administration took special precaution in cases that pitted a Cameroonian against a Nigerian in the peninsula. According to the Etat Major of the BIR DELTA, such cases were mostly rendered in favour of the Nigerian so that peace should reign.

Article 3(2)(e) stipulated that Cameroon should not levy in a discriminatory manner any taxes and dues on Nigerian nationals living in the zone. In localities like Idabato, Jabane and Kombo Abedimo, the local residents assented to the fact that they have never been levied taxes. The Cameroonian government decided to put away taxes to avoid confusion. However, this would not be so after the end of the Special Transitional Regime.

With respect to article 3(2)(f) of the agreement, the BIR DELTA, which is a combination of all the security forces on land such as the Police, Marine, Gendarme and the BIR, replaced the army which was stationed there. This was in a bid to render the atmosphere more conducive for the inhabitants as there was no conflict. However, the zone has faced some series of sporadic attacks from rebels who belong to different groups. The coming of the BIR has been a major scare to the activities of such people. Most of the places where people hear about harassments are not within the peninsula itself. Equally, the Bakassi Self Determination Movement that fights for the 'self-determination of Bakassi are not Nigerians who live in the peninsula, but rebels who are instigated by overzealous politicians who are dissatisfied with the loss of Bakassi from the Calabar State.

It has also been discovered that contrary to the general impression people have and which the media has very often painted, the area is peaceful and security is tightened from sporadic attacks by pirates as days go by. Most at times, journalistic utterances which are devoid of ocular substantiation tend to create unnecessary panic among citizens. Bakassi is also a very thriving place, a place which Cameroonians have not yet discovered and which Nigerians there, thanks to the ill-painting of the place to Cameroonians, are making a maximum use of its viability.

This study finds out that the Cameroonian government has spent around twenty billion francs since 2006 to make the Bakassi peninsula livable. Most of the complaints raised by the local residents are actually in the pipeline of government's projects. In order to encourage Cameroonians to come and occupy the territory, the government plans to bring in some families from the North, who are predominantly fishermen, and settle them there with fishing equipment and a start-up capital.

The third hypothesis of this study stated that both parties have been impeded by both internal and external factors in their bid to fruitfully carry out the verdict.

It was also discovered that despite the fact that both governments consented themselves to the strict observance of the modalities which they agreed upon, they were faced with lots of challenges which marred the effective implementation of the agreement. Such challenges included the rejection of the verdict by the Nigerian Senate, the rise of armed groups in Nigeria which questioned Cameroon's rights over the peninsula, the ill-behaviour of the Cameroonian Military prior to 2009 sent to the peninsula, threats from Pirates and the difficulties which the Cameroonian government faced trying to make the peninsula a conducive habitat.

These made implementation in the social domain to lag behind. There is no Cameroonian network there, the houses of civil servants sent there are despicable and the cost of living especially in the dry season is very high due to lack of water. Therefore, it cannot be said clearly that they have satisfactorily carried out their 2006 resolve.

With the close of the special transitional regime on August 14, 2013, the Nigerians who have decided to remain in the peninsula as Nigerians would have to be

treated just as other foreigners who live on Cameroonian soil. They would have to obtain residence permits, and live under the laws governing foreigners in a particular state. However, between Cameroon and Nigeria, a harmonious relationship has been re-established. The peace between these two states has been put back and would only need confidence-building activities to promote its sustainability.

5.2 Conclusions

It is not every conflict resolution that ends up with the signing of an accord. The Cameroon v. Nigeria case is a peculiar one in modern conflict resolution attempts as the two states remained steadfast to their choice for peace. The signing of the GTA is therefore a novel model through which the international community assisted conflicting parties to maintain peace. Based on the findings of the study, the observance of the agreements signed by both Cameroon and Nigeria could be evaluated as being more or less satisfactory. Despite the fact that the Cameroon government still lingers in the social domain of this zone, it is trying to make the place very livable.

Seven years after the signing of the accords and five years after Nigeria fully withdrew from the peninsula, the government of Cameroon has not fully succeeded in establishing its relations with the local residents. The people find themselves interacting more with nearby Calabar because of the accessibility and permeability of the State to it. There is still a loose occupation over Bakassi by Cameroon and by the time some of these salient social impediments are solved, more Cameroonians would come and reside in the place.

The determination for a sustained peace to be attained in this area and a more harmonious relationship between Cameroon and Nigeria by their major projects

such as linking the Mutengene-Mamfe-Abakiliki-Enugu trans-border road which started in 2005 and was the brain child of the Cameroon-Nigeria Mixed Commission, the supply of electricity to Nigeria, joint security ventures at the Gulf of Guinea as well as other minor projects are all confidence-building ventures which cannot fall short of public salutation. The involvement of the International Community in the resolution of the Cameroon/Nigeria border dispute such as creating a Supervisory Committee and a Mixed Commission cannot equally fall short of praises for this novel model of Conflict Resolution.

5.3 Recommendations

With the efforts of government to fully assert its hold on the peninsula suffering from ocular plausibility, the study has found out that better results can be achieved by putting several factors into consideration. These factors pertain to different tiers of society. The study therefore renders recommendations to the Cameroonian Administration, the International Community, the Bakassi residents and future scholars who shall take interest in the subject matter discussed in this present work.

5.3.1 To the Local Residents

The execution of the ICJ verdict had enormous consequences mostly on the residents of Bakassi. This study recommends the following for those who decided to stay under the Cameroonian administration:

They could initiate projects that border on their livelihood before they seek for government assistance. They know their utmost needs and government sometimes

reacts very late. They should therefore try to find an alternative means of solving their problems without necessarily waiting for the government. Concerning the issue of embankment for example, they could get some canoes and dig and from the sea and try to sand-fill their areas of residence. This is going to reduce the level of water threat on the low-lying peninsula. Jabane is not so much threatened by the waters because of this reason too.

Since more than 96% of the present population are people who claim to be Nigerians living under Cameroonian authority, it is recommended that for a mutual understanding between the administration and these people, let them be law-abiding and try to live in peace. This is going to reduce the number of problems they may encounter with the security agents of the area.

5.3.2 To the Government of Cameroon.

The border line between Cameroon and Nigeria covers a total area of about 1994 sq Km. This therefore means there must be a more livable relationship instituted between the two countries. In this regard therefore, it would be indispensable for the Cameroonian administration to consider the following points in their bid to render the Bakassi peninsula more livable and maintain the allegiance of the Nigerians found there;

The Cameroonian government has to subsidise transportation cost for all those who would like to go to the peninsula to do business or stay there. This could be done by putting government ferries and boats on the waters which would aid in facilitating transportation for people of all walks of life.

The government should embark on a water-for-all program that shall make water readily available for all the inhabitants. Due to the lack of potable water, the hygienic conditions of the residents are so poor and there exists a lot of malnourishment. If the Cameroon government could therefore recycle water from the sea as the BIRs have done in Jabane, this would go a long way to solve a lot of problems that come along water-scarcity especially during the dry season.

Also, the Cameroonian government should embark on a lot of social housing. This should not be done only to the civil servants that go to work there, but to all local inhabitants, especially people of Cameroonian descent so as to encourage many more to settle there. In relation to this, the fishermen whom the government wants to settle in Bakassi should include more tribes than just the *Mousgoums* who represent only a particular group of people.

The government should give all contracts in this area just to the *Genie Militaire* (the Civil Engineering department of the Military) who master the art of their work and are out to serve the state. This is because the projects in this locality that have been given to local contractors have been poorly executed. The genie militaire would master the nature of the terrain than any other private contracting firm. The Bakassi peninsula is an area in which for a fruitful execution of a contract to be carried out, a lot of care has to be taken and not just the concerns for profits.

The people have been clamouring for an embankment to be built in order to help protect their land from the constant threat of water incursion. Where Idabato is presently located is a resettlement area which the people occupied after their previous settlement was ravaged by the raging of the sea. If the government could therefore get into partnership with the UN, the African Union as well as other subregional

organisations such ECOWAS and CEMAC to carry out such a mammoth project, it would go a long way to help the inhabitants.

Equally, the government should impose employment conditions on the oil companies which have their oil fields around the peninsula. If the young people in the area should have their services hired by these companies, their levels of income and livelihood would also improve. Consequently, the social conditions of the people shall therefore be ameliorated.

The government should introduce active tourism in the area. The Bakassi peninsula has several touristic potentials which could be exploited by government. This can be done by enhancing the Mangrove and the creeks, reinforcing the flora by planting more flowers and trees, building attractive gardens and parks, introducing some interesting relaxation games, as well as enhancing the small rivers that cut between the small islands. This could bring in several tourists who would help in boosting the economy of the area. Even those sent to work there would find it interesting to remain there.

The government should open up a very important agricultural or fishing training institute in this area where anybody who would be seeking employment under MINEPIA must be forced to go. This is going to make several people who are skeptical about going there to discover actually how the peninsula is. With the waters readily available there could act as a tool for practicals for the students of this institute.

Lastly, the Cameroonian government should support every venture which is aimed at making this area popular. This could be done by grants to people who do documentaries on Bakassi or who organise seminars of sensitisation on issues of

Bakassi. Together with the enforcement of security over this region, all these are going to pull enough crowds from Cameroon to go and live there.

5.3.3 To the International Community

This study is equally important for the International Community represented by the UN. With the unprecedented example which Cameroon and Nigeria set in the domain of conflict resolution, and understanding the role of the UN in achieving the peaceful implementation of the verdict, it is therefore imperative for the UN to continue upholding what she started. Specifically, the UN should;

Support the government of Cameroon in huge projects which the government comes up with through financing and loans. This is because some of the projects are very costly for the government to quickly decide to embark on. Issues like building an embankment would cost a lot to the government, yet they are the main issues threatening the inhabitants. Without prompt action from government, the people of Idabato risk losing their present site in the next three years.

The UN should continue in its social program which it has been carrying out especially those of food supply and medication which was always provided through the Follow-up Committee sent to investigate on the level of implementation of the verdict.

The International Community through the UN should encourage this novel approach to Conflict Resolution by providing a Special Development Fund for Bakassi to the Leadership of both states for their commitment to International Peace. This is going to encourage other warring states to opt for peaceful resolution of their conflicts.

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Commander Ndikum Azieh, Gendarmerie Commander of the BIR DELTA Force, on July 29th 2013 in Jabane.

Colonel Lombat Kom Hilaire, Etat Major of BIR DELTA, on July 28th 2013 in Jabane.

Chief Bassey Ekpeyong, one of the Nigerian chiefs in Jabane, on July 28th 2013.

Chief Etim Effiong, one of Nigerian chiefs at Idabato, on July 26th 2013.

Chief Paul Tchienkou, the lone Cameroonian chief at Idabato, on July 26th 2013.

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APPENDIXES

Appendix I: Interview Guide

UNIVERSITY OF BUEA



FACULTY OF SOCIAL AND MANAGEMENT SCIENCES

DEPARTMENT OF POLITICAL SCIENCE AND PUBLIC ADMINISTRATION

Dear Sir/Madam,

I am **FICHANFIE DJ NKWAIN NGAMFON**, a Masters student in the Department of Political Science and Public Administration, University of Buea. I am carrying out a research entitled **“Implementation of the ICJ Verdict over the Bakassi Conflict: An Appraisal of the Green Tree Accords 2006-2013.”** I would be grateful if you assist me in this academic exercise by responding to the following questions;

Questions to Authors on Bakassi Crisis

1. What do you think were the main interests of both states over Bakassi?
2. Was it necessary that the two states go to the ICJ?
3. Was the signing of the GTA necessary?
4. How can you assess the effective occupation of the place by Cameroon?
5. How would you assess the economic development of the peninsula?
6. How can you assess the respect of Human Rights of the people?
7. What are the impediments faced by both states in implementing their 2006 agreement?

Question to Local Residents

1. How would you assess your accessibility to government services?
2. Are there sufficient schools, teachers and other learning facilities?
3. How many hospitals are in your area? Are they equipped? How many health personnel are there?
4. Do you pay taxes?
5. How do you relate with the Military?
6. What are the principal activities in this area?
7. Which culture (dancing, dressing, eating) do you practice?
8. What difficulties do you face living here?

Questions to the Local Authorities

1. How often does the follow-up committee visit this zone?
2. How is the collaboration of the central administration with your services?
3. What has government done concerning schools, teachers and other learning equipment in the area?
4. What has the government done about health facilities such as hospitals, medical personnel, and health equipment?
5. What does the government do to promote the culture of the people?
6. How are the Human Rights of the people in the peninsula guaranteed?
7. What measures has the government taken to solve some of the preoccupations of the place?
8. What are the challenges which the government faces trying to carry out development in this area?

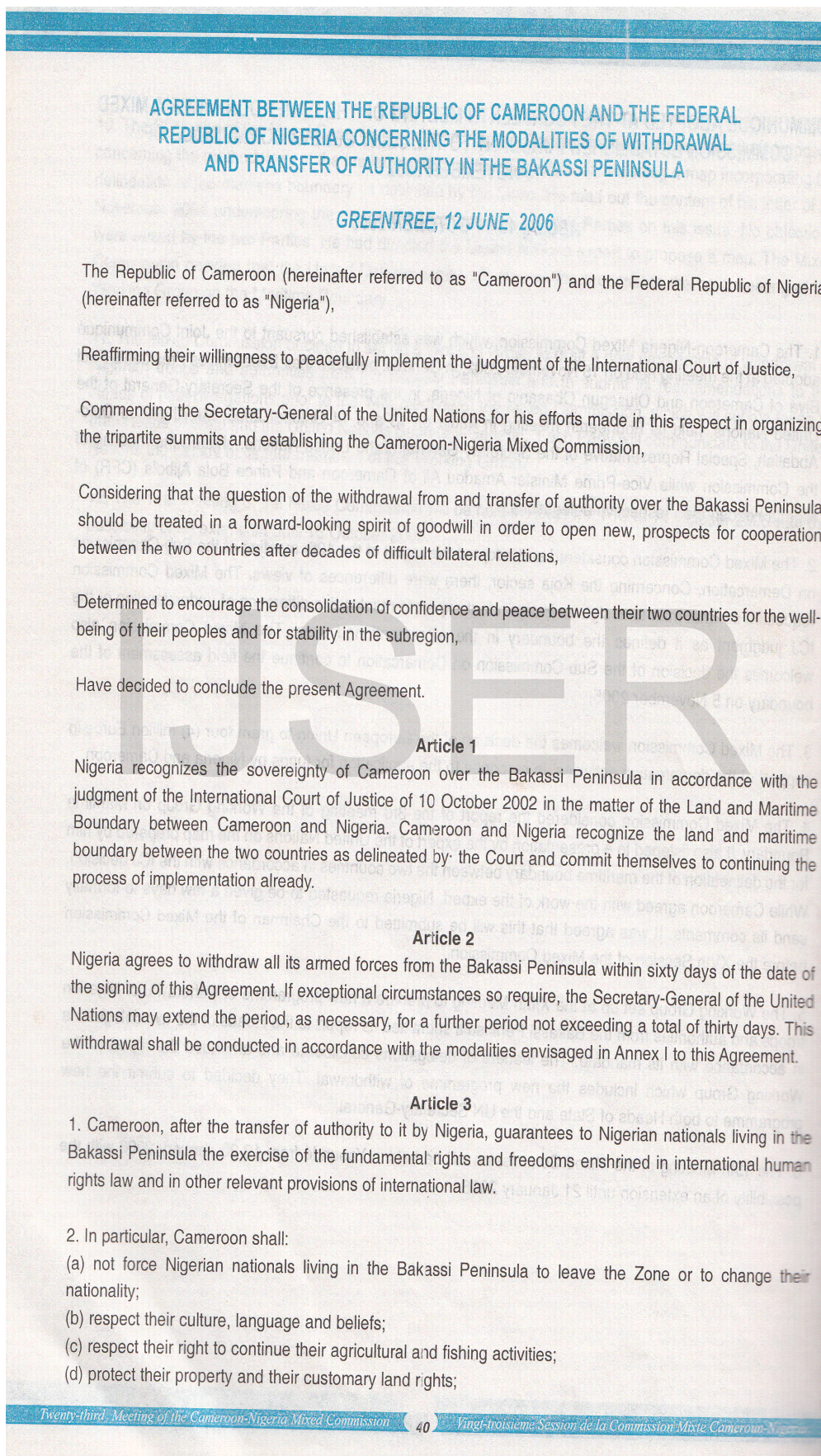
Questions for the Diplomats

1. How do both states ensure that either party respects their 2006 agreement?
2. How many times have the CNMC and the Follow-up Committees visited the zone?

3. What are the challenges which your state faces in trying to implement the verdict and the 2006 agreement?
4. How would you assess Nigeria's presence in the peninsula?
5. How would you assess Cameroon's observance of the GTA?

IJSER

Appendix II: THE GREEN TREE ACCORDS



- (e) not levy in any discriminatory manner any taxes and other dues on Nigerian nationals living in the Zone; and
- (f) take every necessary measure to protect Nigerian nationals living in the Zone from any harassment or harm.

Article 4

Annex I and the map contained in Annex II to this agreement shall constitute an integral part thereof.

No part of this Agreement shall be interpreted as a renunciation by Cameroon of its sovereignty over any part of its territory.

Article 5

This Agreement shall be implemented in good faith by the Parties, with the good offices of the Secretary-General of the United Nations, if necessary, and shall be witnessed by the United Nations, the Federal Republic of Germany, the French Republic, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Article 6

1. A Follow-up Committee to monitor the implementation of this Agreement is hereby established. It shall be composed of representatives of Cameroon, Nigeria, the United Nations and the witness States, The Committee shall monitor the implementation of the Agreement by the Parties with the assistance of the United Nations observers of the Mixed Commission.

2. The Follow-up Committee shall settle any dispute the interpretation and implementation of this Agreement.

3. The activities of the Follow-up Committee shall cease at the end of the period of the special transitional regime provided for in paragraph 4 of Annex I to this Agreement.

Article 7

This Agreement shall in no way be construed as an interpretation or modification of the judgment of the International Court of Justice of 10 October 2002, for which the Agreement only sets out the modalities of implementation.

Article 8

This Agreement is concluded in English and French, both texts being equally authentic.

Done at Greentree, New York, on 12 June 2006.

Appendix III : Annex I OF THE GTA

Annex I
Zone in question of the Bakassi Peninsula

1. In order to prepare the Nigerian nationals living in the zone in question of the Bakassi Peninsula (hereinafter "the Zone") for the transfer of authority to Cameroon, the Zone shall temporarily be subject to a special status as laid down in this Annex.
For the purpose of this Annex, the details of the delimitation of the Zone are set out in the attached map (Annex II)

2. (a) Cameroon shall allow Nigeria to keep its civil administration and a police force necessary for the maintenance of law and order in the Zone for a non-renewable period of two years from the time of the withdrawal of the Nigerian forces. At the end of this period, Nigeria shall withdraw its administration and its police force and Cameroon shall take over the administration of the Zone.¹
(b) The United Nations and the witness States shall be invited to attend the ceremony of the transfer of authority.
For the duration of this period, Nigeria shall:

3. (a) not conduct or allow, the conduct of any activities in the Zone which would prejudice Cameroon's peace or security;
(b) take every necessary measure, under the supervision of the United Nations observers of the Cameroon-Nigeria Mixed Commission, to stop any transfer or influx of its nationals into the Zone;
(c) not engage in any activity in the Zone which would complicate or hinder the transfer of authority to Cameroon;
(d) equip its police force in the Zone with only the light equipment strictly necessary for the maintenance of law and order and for personal defence;
(e) guarantee to Cameroonian nationals wishing to return to their village in the Zone the exercise of their rights;
(f) not conduct or continue the exploitation of natural resources in the sub-soil of the Zone, or to engage in any other activity harmful to the environment;
(g) take every necessary measure to prevent any change in land-property rights; and
(h) not position any armed forces in the Zone.

4. Following the transfer of authority over the Zone to Cameroon, the latter shall apply to the Zone a special transitional regime for a non-renewable period of five years.
In the application of the special transitional regime, Cameroon shall:

(a) facilitate the exercise of the rights of Nigerian nationals living in the Zone and access by Nigerian civil authorities to the Nigerian population living in the Zone;
(b) not apply its customs or immigration laws to Nigerian nationals living in the Zone on their direct return from Nigeria for the purpose of exercising their activities;
(c) allow officers and uniformed personnel of the Nigerian police access to the Zone, in cooperation with the Cameroonian police, with the minimum of formalities when dealing with inquiries into crimes and offences or other incidents exclusively concerning Nigerian nationals; and
(d) allow innocent passage in the territorial waters of the Zone to civilian ships sailing under the Nigerian flag, consistent with the provisions of this Agreement, to the exclusion of Nigerian warships.

5. At the end of the special transitional regime, Cameroon shall fully exercise its rights of sovereignty over the Zone.

6. In accordance with paragraph 4 of this Annex, any acquisition of land in the Zone by Nigerian nationals not resident in the Zone at the time of the signature of this Agreement shall be perfected only in accordance with the laws and regulations of Cameroon.

Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission 42 Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria

Appendix IV: TRANSFER OF AUTHORITY OVER BAKASSI

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA

WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE

Follow up Committee for the Greentree agreement
Commission de suivi de l'accord de Greentree
Cameroon Nigeria mixed commission
Commission mixte Cameroun-Nigeria

Withdrawal and transfer of authority form
Formulaire de retrait et de transfert d'autorité

In conformance with the judgment of 10 October of justice and.
En application de l'arrêt de la Cour Internationale de justice du 10 Octobre 2002 et,

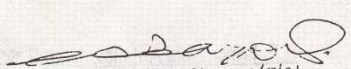
In accordance with the Greentree Agreement of 12 June 2006,
En conformité avec l'accord de Greentree du 12 Juin 2006,

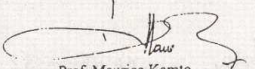
It is hereby to recognize (a) the withdrawal of the military forces of the federal Republic of Nigeria in the Bakassi Peninsula and (b) the transfer of authority over the **BAKASSI Peninsula**, excluding the zone (Annex I (1) and Annex II, Greentree Agreement), to the Republic of Cameroon have been completed this day, Monday, 14 August 2006.

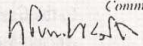
Il est reconnu par le présent acte que (a) le retrait des forces armées de la République Fédérale du Nigeria de la presqu'île de Bakassi et (b) le transfert d'autorité à la République du Cameroun sur la presqu'île de BAKASSI, exception faite pour la zone (Annexe) (1) et Annexe II, Accord de Greentree, ont été achevés ce jour, lundi 14 Août 2006.

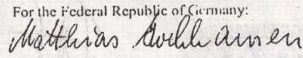
This ceremony is symbolic and representative of (a) the process of withdrawals in the **BAKASSI Peninsula** and (b) the transfers of authority over the **BAKASSI Peninsula**, excluding the zone, from the Federal Republic of Nigeria to the Republic of Cameroon.

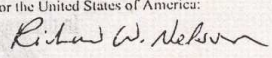
Cette cérémonie est symbolique et représentative es opérations (a) de retrait de la presqu'île de BAKASSI et (b) de transfert d'autorité sur la presqu'île de BAKASSI, exception faite pour la zone, passant de la République fédérale du Nigeria à la République du Cameroun".

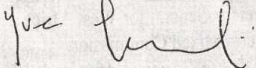

Chief Bayo Ojo 14/8/06.
Attorney General, and Minister of Justice
Head of the Nigerian Delegation to the Follow-up Committee
Attorney General et Ministre de la Justice
Chef de la Délégation du Nigeria à la Commission de suivi

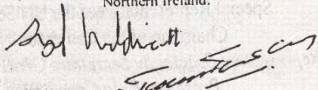

Prof. Maurice Kamto
Minister Delegate at the Ministry of Justice
Head of the Cameroonian Delegation to the Follow-up Committee
Ministre Délégué auprès du Ministre de la Justice
Chef de la Délégation du Cameroun à la Commission de suivi


In the presence of / *En présence de*
Sir Kieran Prendergast
Chairman of the Follow-Up Committee
Président de la Commission de suivi

For the Federal Republic of Germany:

Matthias Döhl

For the United States of America:

Rita W. Nelson

For the French Republic:

Yves Leterme

For the United Kingdom of Great Britain and Northern Ireland:

Sebastian Wood

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Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria *Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission*

Appendix V TRANSFER OF AUTHORITY OVER OTHER REGIONS

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA

WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE

In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

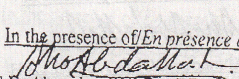
In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and,
Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun Obasanjo du Nigeria et,

In accordance with the mandate given by the Cameroon-Nigeria Mixed Commission at its 9th and 10th meetings,
En accord avec le mandat donné par la Commission Mixte Cameroun-Nigeria lors de ses 9^{ème} et 10^{ème} sessions,

It is hereby confirmed that both the withdrawal of civil administration, military and police forces of the Republic of Cameroon in **NDABAKURA** and environs as clearly indicated in the Courts Judgement and the transfer of authority to the Federal Republic of Nigeria have been completed this day, Tuesday 13 July 2004,
*Il est confirmé par le présent acte que le retrait des administrations civiles, des forces armées et de police de la République du Cameroun de **NDABAKURA** et ses environs tels que clairement définis dans l'Arrêt de la Cour Internationale de Justice et le transfert d'autorité à la République Fédérale du Nigeria ont été achevés ce jour, mardi 13 juillet 2004.*

This ceremony is symbolic and representative of the overall process of withdrawals and transfers of authority of the localities and territories from the Republic of Cameroon to the Federal Republic of Nigeria along the land boundary.
Cette cérémonie est symbolique et représentative de l'ensemble des opérations de retrait et de transfert d'autorité des localités et des territoires passant de la République du Cameroun à la République Fédérale du Nigeria le long de la frontière terrestre.

<p>S.E. Amadou Ali Minister of State in Charge of Justice, Keeper of the Seal <i>Ministre d'Etat Chargé de la Justice</i> <i>Garde des Sceaux</i> <i>Chef de la Délégation du Cameroun</i> <i>A la Commission Mixte Cameroun-Nigeria</i></p>	<p>H.E. Prince Bola Ajibola Former Minister of Justice and Attorney General of the Federal Republic of Nigeria Head of the Nigerian Delegation to the Cameroon-Nigeria Mixed Commission <i>Ancien Ministre de la Justice «Attorney General»</i> <i>de la République Fédérale du Nigeria,</i> <i>Chef de la Délégation du Nigeria</i> <i>à la Commission Mixte Cameroun-Nigeria</i></p>
--	--

In the presence of/En présence de

S.E. Ahmedou OULD-ABDALLAH
Special Representative of the UN Secretary General for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
Représentant Spécial du Secrétaire Général de l'ONU pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria

Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria 61 Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission

Appendix VI : Transfer of Authority on Narki

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA

WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE

In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

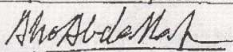
In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and,
Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun Obasanjo du Nigeria et,

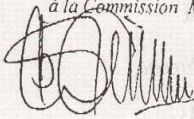
In accordance with the mandate given by the Cameroon-Nigeria Mixed Commission at its 9th and 10th meetings,
En accord avec le mandat donné par la Commission Mixte Cameroun-Nigeria lors de ses 9^{ème} et 10^{ème} sessions,

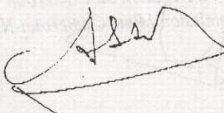
It is hereby confirmed that both the withdrawal of civil administration, military and police forces of the Federal Republic of Nigeria in **NARKI**, and the transfer of authority to the Republic of Cameroon have been completed this day, Tuesday 13 July 2004,
*Il est confirmé par le présent acte que le retrait des administrations civiles, des forces armées et de police de la République Fédérale du Nigeria de **NARKI** et le transfert d'autorité à la République du Cameroun ont été achevés ce jour, mardi 13 juillet 2004.*

This ceremony is symbolic and representative of the overall process of withdrawals and transfers of authority of the localities and territories from the Federal Republic of Nigeria to the Republic of Cameroon along the land boundary.
Cette cérémonie est symbolique et représentative de l'ensemble des opérations de retrait et de transfert d'autorité des localités et des territoires passant de la République Fédérale du Nigeria à la République du Cameroun le long de la frontière terrestre.

<p><u>H.E. Prince Bola Ajibola</u> Former Minister of Justice and Attorney General of the Federal Republic of Nigeria Head of the Nigerian Delegation to the Cameroon-Nigeria Mixed Commission <i>Ancien Ministre de la Justice «Attorney General » de la République Fédérale du Nigeria, Chef de la Délégation du Nigeria à la Commission Mixte Cameroun-Nigeria</i></p>	<p><u>S.E. Amadou Ali</u> Minister of State in Charge of Justice. Keeper of the Seal <i>Ministre d'Etat Chargé de la Justice Garde des Sceaux Chef de la Délégation du Cameroun A la Commission Mixte Cameroun-Nigeria</i></p>
---	--

In the presence of/En présence de

S.E. Ahmedou OULD-ABDALLAH
Special Representative of the UN Secretary General for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
*Représentant Spécial du Secrétaire Général de l'ONU pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria*





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Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria / Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission

Appendix VII : transfer of authority on the Darack Zone

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA

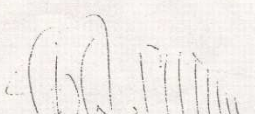
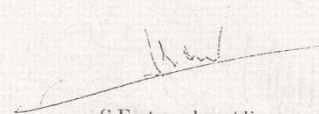
WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE

In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

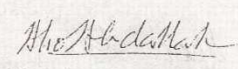
In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and,
Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun Obasanjo du Nigeria et,

In accordance with the mandate of the Cameroon-Nigeria Mixed Commission in Yaoundé,
En accord avec le mandat de la Commission Mixte Cameroun-Nigeria défini à Yaoundé,

It is hereby confirmed that both the withdrawal of civil administration, military and police forces as well as the transfer of authority have been completed in **DARACK** and environs, this day, Wednesday 17 December 2003,
*Il est confirmé, par le présent acte, que le retrait des administrations civiles, des forces armées et de police de même que le transfert d'autorité ont été achevés à **DARACK** et ses environs, ce jour, mercredi 17 décembre 2003.*

 <u>H.E. Prince Bola Ajibola</u> Former Minister of Justice and Attorney General of the Federal Republic of Nigeria	 <u>S.E. Amadou Ali</u> Ministre d'Etat chargé de la Justice, Garde des Sceaux
<u>Chief of the Nigerian Delegation</u> to the Cameroon-Nigeria Mixed Commission	<u>Chef de la délégation du Cameroun</u> à la Commission Mixte Cameroun-Nigeria

In presence of /En présence de :


S.E. Ahmedou Ould Abdallah,
Special Representative of the Secretary General of the United Nations for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
Représentant Spécial du Secrétaire Général des Nations Unies pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria

vingt-troisième Session de la Commission Mixte Cameroun-Nigeria 60 Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission

Appendix VIII : Transfer of authority on Dambore

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA


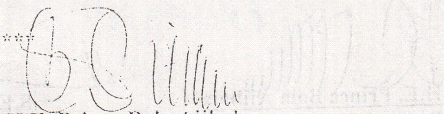
WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE

In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

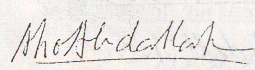
In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and,
Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun Obasanjo du Nigeria et,

In accordance with the mandate of the Cameroon-Nigeria Mixed Commission in Yaoundé,
En accord avec le mandat de la Commission Mixte Cameroun-Nigeria défini à Yaoundé,

It is hereby confirmed that both the withdrawal of civil administration, military and police forces as well as the transfer of authority have been completed in **DAMBORE** and environs, this day, Tuesday 16 December 2003,
*Il est confirmé, par le présent acte, que le retrait des administrations civiles, des forces armées et de police de même que le transfert d'autorité ont été achevés à **DAMBORE** et ses environs, ce jour, mardi 16 décembre 2003.*

 <u>S.E. Amadou Ali</u> Ministre d'Etat chargé de la Justice, Garde des Sceaux	 <u>H.E. Prince Bola Ajibola</u> Former Minister of Justice and Attorney General of the Federal Republic of Nigeria
<u>Chef de la délégation du Cameroun à la Commission Mixte Cameroun-Nigeria</u>	<u>Chief of the Nigerian Delegation to the Cameroon-Nigeria Mixed Commission</u>

in presence of / *En présence de :*


S.E. Ahmedou Ould Abdallah,

Special Representative of the Secretary General of the United Nations for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
Représentant Spécial du Secrétaire Général des Nations Unies pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria

Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria 58 Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission

Appendix IX Transfer of Power at Doro Liman

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA

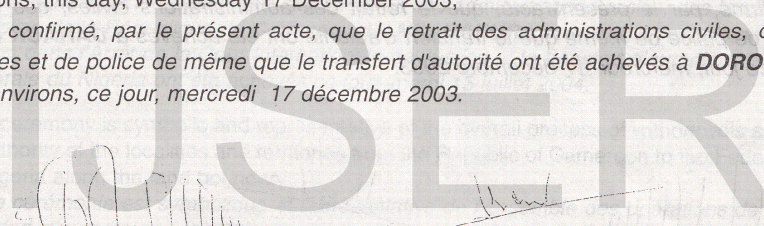
WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE


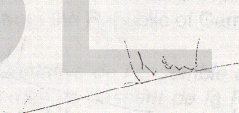
In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and,
Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun Obasanjo du Nigeria et,

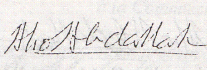
In accordance with the mandate of the Cameroon-Nigeria Mixed Commission in Yaoundé,
En accord avec le mandat de la Commission Mixte Cameroun-Nigeria défini à Yaoundé,

It is hereby confirmed that both the withdrawal of civil administration, military and police forces as well as the transfer of authority have been completed in **DORO LIMAN** and environs, this day, Wednesday 17 December 2003,
*Il est confirmé, par le présent acte, que le retrait des administrations civiles, des forces armées et de police de même que le transfert d'autorité ont été achevés à **DORO LIMAN** et ses environs, ce jour, mercredi 17 décembre 2003.*



 <u>S.E. Prince Bola Ajibola</u> Former Minister of Justice and Attorney General of the Federal Republic of Nigeria	 <u>S.E. Amadou Ali</u> Ministre d'Etat chargé de la Justice, Garde des Sceaux
<u>Chief of the Nigerian Delegation to the Cameroon-Nigeria Mixed Commission</u>	<u>Chef de la délégation du Cameroun à la Commission Mixte Cameroun-Nigeria</u>

In presence of /*En présence de :*


S.E. Ahmedou Ould Abdallah,
Special Representative of the Secretary General of the United Nations for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
Représentant Spécial du Secrétaire Général des Nations Unies pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria

Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria (59) *Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission*

Appendix X: Transfer of authority on Tchika

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA


WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE


In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and,
Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun Obasanjo du Nigeria et,

In accordance with the mandate of the Cameroon-Nigeria Mixed Commission in Yaoundé,
En accord avec le mandat de la Commission Mixte Cameroun-Nigeria défini à Yaoundé,

It is hereby confirmed that both the withdrawal of civil administration, military and police forces as well as the transfer of authority have been completed in **TCHIKA** and environs, this day, Tuesday 16 December 2003,
Il est confirmé, par le présent acte, que le retrait des administrations civiles, des forces armées et de police de même que le transfert d'autorité ont été achevés à TCHIKA et ses environs, ce jour, mardi 16 décembre 2003.

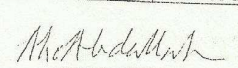

S.E. Prince Boia Atiboh
Former Minister of Justice and Attorney
General of the Federal Republic of Nigeria


S.E. Amadou Ali
Ministre d'Etat chargé de la Justice,
Garde des Sceaux

Chief of the Nigerian Delegation
to the Cameroon-Nigeria Mixed Commission

Chef de la délégation du Cameroun
à la Commission Mixte Cameroun-Nigeria

In presence of /En présence de :


S.E. Ahmedou Ould Abdallah,

Special Representative of the Secretary General of the United Nations for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
Représentant Spécial du Secrétaire Général des Nations Unies pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria

Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria 57 *Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission*

Appendix XI: Transfer of authority on Bourha Wango

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA

WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE

In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria and,
Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun Obasanjo du Nigeria et,

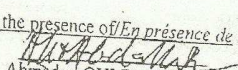
In accordance with the mandate given by the Cameroon-Nigeria Mixed Commission at its 9th and 10th meetings,
En accord avec le mandat donné par la Commission Mixte Cameroun-Nigeria lors de ses 9^{ème} et 10^{ème} sessions,

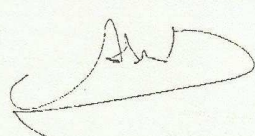
It is hereby confirmed that both the withdrawal of civil administration, military and police forces of the Republic of Cameroon in **BOURHA WANGO**, and the transfer of authority to the Federal Republic of Nigeria have been completed this day, Tuesday 13 July 2004.
Il est confirmé par le présent acte que le retrait des administrations civiles, des forces armées et de police de la République du Cameroun de BOURHA WANGO et le transfert d'autorité à la République Fédérale du Nigeria ont été achevés ce jour, mardi 13 juillet 2004.

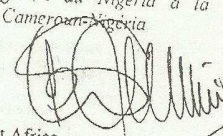
This ceremony is symbolic and representative of the overall process of withdrawals and transfers of authority of the localities and territories from the Republic of Cameroon to the Federal Republic of Nigeria along the land boundary.
Cette cérémonie est symbolique et représentative de l'ensemble des opérations de retrait et de transfert d'autorité des localités et des territoires passant de la République du Cameroun à la République Fédérale du Nigeria le long de la frontière terrestre.

S.E. Amadou Ali
Minister of State in Charge of Justice,
Keeper of the Seal
Ministre d'Etat Chargé de la Justice
Garde des Sceaux
Chef de la Délégation du Cameroun
A la Commission Mixte Cameroun-Nigeria

H.E. Prince Bola Ajibola
Former Minister of Justice
and Attorney General
of the Federal Republic of Nigeria
Head of the Nigerian Delegation
to the Cameroon-Nigeria Mixed Commission
Ancien Ministre de la Justice
« Attorney General » de la République
Fédérale du Nigeria,
Chef de la Délégation du Nigeria à la
Commission Mixte Cameroun-Nigeria

In the presence of/En présence de

S.E. Ahmedou OULD-ABDALLAH
Special Representative of the UN Secretary General for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
Représentant Spécial du Secrétaire Général de l'ONU pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria





Vingt-troisième Session de la Commission Mixte Cameroun-Nigeria 63 *Twenty-third Meeting of the Cameroon-Nigeria Mixed Commission*

Appendix XII: Transfer of power on Naga'a

CAMEROON - NIGERIA MIXED COMMISSION
COMMISSION MIXTE CAMEROUN-NIGERIA

WITHDRAWAL AND TRANSFER OF AUTHORITY FORM
FORMULAIRE DE RETRAIT ET DE TRANSFERT D'AUTORITE

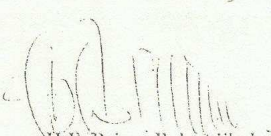
In conformity with the judgment of 10 October 2002 by the International Court of Justice,
En application de l'Arrêt de la Cour Internationale de Justice du 10 Octobre 2002,

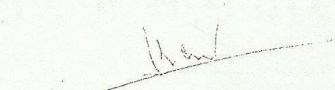
In pursuance of the decision of President Paul Biya of Cameroon and President Olusegun
Obasanjo of Nigeria and,
*Conformément à la décision du Président Paul Biya du Cameroun et du Président Olusegun
Obasanjo du Nigeria et,*

In accordance with the mandate of the Cameroon-Nigeria Mixed Commission in Yaoundé,
En accord avec le mandat de la Commission Mixte Cameroun-Nigeria défini à Yaoundé,

It is hereby confirmed that both the withdrawal of civil administration, military and police forces
as well as the transfer of authority have been completed in **NAGA'A** and environs, this day,
Tuesday 8 December 2003,

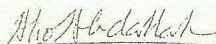
*Il est confirmé, par le présent acte, que le retrait des administrations civiles, des forces armées
et de police de même que le transfert d'autorité ont été achevés à **NAGA'A** et ses environs,
ce jour, mardi 8 décembre 2003.*


H.E. Prince Bola Ajibola
Former Minister of Justice and Attorney
General of the Federal Republic of Nigeria


S.E. Amadou Ali
Ministre d'Etat chargé de la Justice,
Garde des Sceaux

Chief of the Nigerian Delegation Chef de la délégation du Cameroun
to the Cameroon-Nigeria Mixed Commission à la Commission Mixte Cameroun-Nigeria

In presence of /*En présence de :*



S.E. Ahmedou Ould Abdallah,

Special Representative of the Secretary General of the United Nations for West Africa
Chairman of the Cameroon-Nigeria Mixed Commission
Représentant Spécial du Secrétaire Général des Nations Unies pour l'Afrique de l'Ouest
Président de la Commission Mixte Cameroun-Nigeria

Appendix XIII: Map showing the total boundary demarcated already

