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Africa**



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Cameroon-Nigeria Border Conflict Prevention and Resolution Over the Bakassi Peninsula, 1884 – 2008: Model for Peacebuilding in Africa

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Abstract

Purpose: Relations between Nigeria and Cameroon have been strained for a number of years due to conflicts over the ownership and administration of the resource-rich Bakassi Peninsula. After independence, Cameroon and Nigeria accepted the colonial borders, but Nigerian authorities decided in 1980 to question these borders. Following several failed diplomatic attempts to prevent and resolve the conflict, Cameroon approached the International Court of Justice (ICJ) at the Hague with a petition on March 29, 1994 and at the end of the process which lasted eight years, the ICJ rendered its final verdict on October 10, 2002 in favour of Cameroon. This study seeks to examine the geopolitics and historical context of the Bakassi dispute. It argues that, the different conflict prevention measures adopted through the creation of the Joint Cameroon–Nigeria Border Commission in 1965; Yaounde I Declaration of August 14, 1970; Yaounde II Declaration of April 4, 1971; Kano Declaration of September 1, 1974; Maroua Declaration of June 1, 1975; and the activities of the Cameroon-Nigeria Mixed Commission from 2002 to 2007 provided a model for dialogue and mediation in the prevention of armed conflicts in Africa.

Methodology: The study utilized primary and secondary sources to investigate the measures adopted in preventing the conflict and to ascertain that the methods of conflict resolution such as mediation, bilateral negotiation, facilitation, adjudication, agreement and dialogue applied were very successful.

Findings: The study concludes that, addressing the shortcomings of conflict prevention and resolution mechanisms could improve stability, guarantee security and maintain peace. The study recommends that, governments, the general public, litigants, mediators and policymakers involved in the prevention and resolution of border conflicts should be educated and trained on alternative dispute resolution processes in Africa.

Unique Contribution to Theory, Policy and Practice: This study contributes to theory, policy and practice in the sense that, conflict prevention through dialogue, creation of joint and mixed commissions, and the arrival of consensus through declarations and agreements have significant potentials for handling and resolving the growing number of armed border conflicts in Africa.

Keywords: *Border Conflict, Prevention, Resolution, Cameroon-Nigeria, Bakassi Peninsula*

1.Introduction

Border conflicts have long been part of Africa's political landscape. They stem from the colonial processes of state-making that arbitrarily divided peoples and groups into diverse territorial spaces. The long-standing dispute between Nigeria and Cameroon over the ownership and administration of the Bakassi Peninsula and the bordering territory from Chad to the coast, demonstrated that nations do not have to resort to armed conflict to prevent or resolve conflicts.

The case of the Cameroon-Nigeria border conflict over the Bakassi Peninsula has generated huge discussion at the national, regional and international levels amongst writers, jurists and judicial commentators. This explains why different scholars have approached the Cameroon-Nigeria border conflict from divergent perspectives. Maurice Kamto (2008) highlighting the reasons for the successes achieved in resolving the conflict, argues that the success which was unanimously welcomed, was definitely due to the personalities and actors who played fundamental roles in the process, namely Presidents Paul Biya of Cameroon and Olusegun Obasanjo of Nigeria, and United Nations Secretary-General Kofi Annan. Osita C. Eze (2008) thinks that, the conflict provides an example of judicial settlement at the international level and thinks that the dispute illustrates that the political will, the United Nations machinery and procedures for peaceful resolution of conflicts can and do work. Mark Bolak Funteh (2015) argues that the geographical and historical proximity as well as the interdependence between Cameroon and Nigeria has been beneficial for both countries and has reinforced their willingness to work together in seeking lasting solutions to their border conflict and the growing trans-border insecurity threats. J. Ezeilo (2010) states that since the enforcement of international law will help to enthrone peace amongst nations, he submits that Nigeria should comply totally with the judgment and be open to take advantage of any concession made by Cameroon - the adjudged winner. Angela Ebele Udeoji (2013) reveals that the mere fact that the people of Bakassi have refused to be transferred to Cameroon; Nigeria, Cameroon and the United Nations should take advantage of the peaceful negotiating spirit of the Bakassians to look again at their complaints in the interest of national and global security. Francis Menjo Baye (2010) posits that the implications of the settlement anchor on expenditure-reducing and expenditure-switching effects, wealth-generating effects, and enhanced cross-border activities. Ibrahim A. Gambari (2008) concludes that, the peaceful settlement of the Cameroon Nigeria boundary dispute over Bakassi is indeed an illustration of the vital role that the Secretary-General's good offices could play when the parties to a given dispute have the political will and remain steadfast in their resolve to reach a peaceful settlement and the entire process is benefiting from the support of the international community.

Attempts were made in the past to resolve the Cameroon-Nigeria border conflict through bilateral negotiations, but in 1981, and again in 1993, 1994 and 1996, the dispute nearly escalated to a war. Between 1994 and 2002, the matter was before the International Court of Justice (ICJ) and in 2002, a judgment was pronounced by the ICJ in favour of Cameroon. The Nigerian government issued a statement rejecting the verdict of the International Court. Following negotiations between the

two countries, facilitated by the United Nations and crowned by the June 2006 Greentree Agreement in New York and subsequent instruments, Nigeria completed the withdrawal of its military, administration and police from the Bakassi Peninsula in August 2008. This has been described as a remarkable outcome in conflict resolution in Africa (Baye, 2010).

Irrespective of bilateral negotiations between Nigeria and Cameroon, and the role of the United Nations and other international powers to resolve the conflict over the Bakassi Peninsula, the most violent and violence-prone events still took place as follows. The exchange in 1981, with Cameroonian coast guard troops killing five of their Nigerian counterparts was one of the most important in terms of escalatory potential of the conflict. In June 1991, Cameroon faced accusations from Nigeria of having annexed nine fishing villages and their surroundings. Nigeria's accusations of Cameroonian border incursions resulted in Nigeria posting 500 -1,000 soldiers in the Peninsula in 1993 (Marková, 2001). These troops fought Cameroonian security forces for two months in 1994, following reports that several Nigerian civilians had been killed by Cameroon. Lastly, the majority of high-intensity violence took place in April and May 1996. Over fifty Nigerian soldiers were claimed dead, with no official information given regarding potential Cameroonian casualties (Okoi 2016, 58). However, the violence ceased after two months and did not appear to have been carried out with a specific aim. The Cameroonian and Nigerian Presidents were thereby spurred into resuming mediated discussions.

This paper which demonstrated that nations do not have to resort to armed conflict to resolve disputes, provides guidance for those seeking to prevent and resolve conflicts in Africa and the world at large. That paper treats the geopolitics and historical context of the Cameroon-Nigeria border conflict, examines the measures put in place by Cameroon and Nigeria, the United Nations and friendly countries to prevent the conflict, and highlights the different methods of conflict resolution implemented by the parties and the international community. Finally, it ends with a conclusion that provides a model for dialogue and mediation in the prevention of armed conflicts in Africa.

2. Geopolitics of the Cameroon-Nigeria Border Conflict

Cameroon and Nigeria are located on the Atlantic coast of Africa, on the cusp of Central and West Africa. They share a common border which is 1,700 kilometers long. The land border stretches from Lake Chad in the North to the mouth of the River Akwayafe in the South. To understand the difficulties relating to this border, it should be recalled that at the end of the nineteenth century and at the beginning of the twentieth century, Germany, France, and Great Britain signed several agreements to demarcate the borders of their respective colonial territories. The border between the territories of Germany and Great Britain was initially fixed by the 1893 and 1906 Agreements and the western part redefined by the London and Obokum Agreements of 1913, which clearly fixed Bakassi in German territory, and thus in Cameroon (Maurice Kamto, 2008, 17).

Bakassi is a peninsula on the African Atlantic Gulf of Guinea. The Bakassi Peninsula is a network of islands and creeks situated between latitudes 4°50' and 4°25' north. It is bounded to the north

by the Akpa Yafe river. Its western limit lies at approximately 8°43' east of Greenwich. To the west lies the estuary of the Cross River, into which flows the Akpa Yafe. To the east of Bakassi lies the Rio del Rey estuary; and to the south of Bakassi lies the South Atlantic Ocean, known in this region as the Gulf of Guinea, consisting of the Bight of Benin and the Bight of Bonny (known in the past as the Bight of Biafra). The Bakassi Peninsula is transversed by numerous channels and creeks of varying sizes and navigability. Transportation around the peninsula is mainly water-based; and at its widest point the Bakassi is approximately twenty-eight kilometers across. The total area covered by the peninsula is approximately 700 square kilometers. The Peninsula is commonly described as "oil-rich", though in fact no commercially viable deposits of oil have been discovered. However, the area has aroused considerable interest from oil companies in the light of the discovery of rich reserves of high-grade crude oil elsewhere in Nigeria. According to the National Population Commission of Nigeria, the current population of Bakassi is approximately 37,500. This figure is projected from the last census, which was carried out in 1991. Approximately 40 percent of the population is engaged in fishing (Udeoji, 2013). The Bakassi Peninsula is governed by Cameroon, following the transfer of the territory to Cameroon on August 14, 2008.

The political entities of Nigeria and Cameroon are British and German creations respectively. The name Nigeria was handed down to this vast West African territory by Lord Lugard in 1914, after the amalgamation of the Northern Protectorate, the southern colony of Lagos, and the oil protectorate of Calabar. The name Cameroon was handed down to this Central/West African territory by Portuguese sailors. However, today's Cameroon is a product of the territory's colonial history that saw it first administered by the Germans, and then partitioned by the French and the British. Nigeria and Cameroon share a border of about 1600 kilometres, stretching from Lake Chad in the north to the Bight of Biafra in the Atlantic Ocean. It is broken down into four sectors. The first is between the tripoint with Chad and the Kombon or the Kosere Gesumi Uplands; the second, between the Kombon Mountains and the Gamana River; the third, between the Gamana River and the Cross River; and the fourth, between the Cross River and the Bight of Biafra (Ikome, 2004, 10).

3. Historical Context and Claims by Nigeria and Cameroon

Before the scramble for Africa, Bakassi was part of the ancient kingdom of Calabar. The people in the main settlements in the Bakassi Peninsula owed allegiance to the Obong of Calabar. The Obong of Calabar placed not only Calabar, but also the Efike and Ibibio (in the Peninsula) under the status of a British protectorate via a Treaty on 10 September 1884. The chiefs of Efike and Ibibio were co-signatories to the Treaty. Subsequently, through a series of bilateral treaties and other legal instruments, the territory was ceded by the British in 1913, first to Germany, and later placed under the mandate of the League of Nations and the Trusteeship of the United Nations in 1919 at the end of the First World War. Finally, it was ceded by plebiscite to independent Cameroon in 1961. The history of the disputed Bakassi Peninsula claimed by Cameroon and

Nigeria could be traced from the colonial period as seen from the different agreements, notes, treaties, legal and title claims.

3.1 Establishment of the British Protectorate in 1884

In the 1880s, Britain and Germany sought to establish and consolidate their respective spheres of influence in the area, and in particular along the coastal stretches of what are today Nigeria and Cameroon. To that end, numerous treaties were signed by these colonial powers and indigenous chiefs. While generally these treaties are often referred to as “treaties of protection,” their true legal significance could only be established by a careful reading of their contents and terms. They were essentially “unequal treaties” (Eze, 2008).

3.2 Anglo-German Exchange of Notes of April 29 to May 7, 1885

The first agreement on a line of separation between British and German activities in the area was concluded by an exchange of notes on April 29 and May 7, 1885. This exchange of notes was the culmination of negotiations for separating and defining the spheres of action of Great Britain and Germany in those parts of Africa where the colonial interests of the two countries might conflict.

3.3 Anglo-German Demarcation Agreement of October 1906 and the Treaty of March 1913

The terms of the Demarcation Agreement of October 1906 were influential for future developments, including the Anglo-German Treaty of 1913. Starting well to the north of the area of Bakassi, it extended the boundary southwards to the point established by the southernmost pillar of the 1905/1906 demarcation. The 1913 treaty, which drew from this agreement, redrew the eastern boundary of the protectorate of southern Nigeria in such a way that the boundary between the Protectorate and Cameroon runs to the west of Bakassi thus placing the Bakassi Peninsula under German control.

3.4 Non-Implementation of the 1913 Treaty by Germany

The signature of the Treaty of March 11, 1913, was followed in August 1914 by the outbreak of World War I, leading to the military occupation of German Kamerun by British, French, and Belgian forces. That occupation ended in May 1916.

3.5 Legal Situation at the Time of Nigeria’s Independence

Nigerian title to Bakassi was originally vested in the kings and chiefs of Old Calabar. The original title of Old Calabar was not affected by the Anglo-German Treaty of March 11, 1913, and was eventually absorbed in the emerging entity of Nigeria. By the time of independence in 1960, the original title to Bakassi became vested in Nigeria as the successor to Old Calabar. In 1961 the United Nations conducted a plebiscite in the Trust Territory of Cameroon. The northern part voted to remain in Nigeria while the southern part of the Trust Territory voted to reunite with independent Cameroon. Border adjustments were made by October 1, 1961, to reflect political changes occasioned by the plebiscite.

3.6 Bases to Nigeria and Cameroon Title Claims

With its roots in the colonial period as seen above, both Nigeria and Cameroon claims over the disputed Bakassi Peninsula were based on certain evidences. In the light of the foregoing colonial arrangements, both parties subsequently relied on them to strengthen their respective arguments and claims of ownership to the Peninsula, hinging their positions on their interpretations and understandings of the various agreements, and Treaties between Germany and Britain on one hand, and Britain and France on the other. However, Cameroon drew on other post-colonial arrangements she also entered into with Nigeria to buttress her claim (Maroua Declaration, 1975).

On her part, Cameroon predicated her claim mainly on the Anglo-German Treaty of 1913 which defined the spheres of control in the area between the two colonial powers. She also based her claims on two arrangements entered into with Nigeria in the 1970s, in the form of the Yaounde II Declaration of April 4, 1971, and the Maroua Declaration of June 1, 1975 (Ate, 1992, 152-162). These arrangements demarcated the maritime boundary between the two countries. In this instance, the settlement line was drawn through the Cross-River estuary to the West of the peninsula, effectively placing Bakassi on Cameroonian territory. Ofonagoro (2013) sums up the Cameroonian claim on these grounds:

- a. The Anglo-German Agreement of March 11, 1913, relating to the settlement of their Colonial Frontier between Yola and the Sea and the Regulation of Navigation on the Cross River.
- b. The Anglo-German Agreement of April 12, 1913 regarding the boundary of Nigeria and Cameroon from Yola to the Sea.
- c. The Yaounde II Declaration of April 4, 1971, following that of Yaounde I of August 14, 1970.
- d. The Lagos Declaration of June 21, 1971.
- e. The Kano Declaration of September 1, 1974 delimiting a 4-kilometre buffer corridor, i.e. 2 kilometres on either side of the line joining Fairway landing buoy to buoys No. 1, 2 and 3 of the Calabar Channel.
- f. The Maroua Declaration of June 1, 1975, which extends the course of the Boundary from point 12 to point G. The foregoing represents the general claims that both countries relied on as Cameroon instituted proceedings at the International Court of Justice, in the process submitting its entire set of border-related disputes with Nigeria before the World Court.

In this vein, Nigeria premised her claim to the territory largely on the various Anglo-German correspondences (exchange of notes) of the 1880s, as well as the Treaties of protection between the British and the indigenous Kings and Chiefs of the area. Nigeria argued that the legal situation at the time of her independence in 1960 from Britain was such that, she inherited the original title of Bakassi, which was vested in the Kings and Chiefs of Old Calabar and that this title was not affected by the Anglo-German Treaty of March 11, 1913. According to Ofonagoro (2013), this

view by Nigeria was anchored on the notion of the 1884 Treaty. Summer (2004) captures Nigeria's four points claim to title over the peninsula:

- a. Long occupation by Nigeria and by Nigerian nationals constituting an historical consolidation of title and conforming to the original title of the Kings and Chiefs of Old Calabar which became vested in Nigeria at the time of independence.
- b. Effective administration by Nigeria, acting as Sovereign, and an absence of protest.
- c. Manifestations of Sovereignty by Nigeria together with the acquiescence by Cameroon to Nigerian Sovereignty over the Bakassi Peninsula.
- d. Recognition of Nigerian Sovereignty by Cameroon.

4. Cameroon-Nigeria Border Conflict Preventive Measures

Although Cameroon and Nigeria subscribed to the principle of the inviolability of colonially inherited boundaries, as prescribed by departing colonial powers and formalised in the Organisation of African Unity (OAU) Charter, the governments of the two contiguous states were aware that their border constituted a potent seed of discord, especially in the aftermath of the controversial plebiscite in Southern Cameroons in 1961. To this effect, several measures were put in place to prevent the two countries from resorting to violence or war. These measures were many and include:

4.1 Creation of the Joint Cameroon–Nigeria Border Commission in 1965

To forestall any disputes, a Joint Cameroon–Nigeria border commission was created in 1965, shortly after independence. However, the commission had hardly begun its work when the Nigerian civil war broke out in 1966. It resumed its activities after the war, arriving at a number of landmark declarations on the border question (Eze, 2008).

4.2 Yaounde I Declaration of August 14, 1970

This Declaration came into existence as an outcome of the Joint Cameroon–Nigeria border Commission created in 1965. On August 14, 1970, this Commission produced the Yaounde I Declaration, which proposed the delimitation of the Cameroon-Nigeria borders in three stages:

- a. The delimitation of the frontier on the basis of the Anglo-German protocol of 12 April 1913.
- b. The delimitation of the frontier around Lake Chad.
- c. The delimitation of the maritime frontier. Paragraph 2 of the declaration emphasised that the delimitation of the maritime frontier has to conform with the Geneva Convention of 1958 on the law of the sea, and the terms defined by the Anglo-German Accord of March 11, 1913, “fixing the frontier between Cameroon and Nigeria, from Yola to the sea, and the regulation of navigation on the Cross River” (Ikome, 2004).

4.3 Yaounde II Declaration of April 4, 1971

The Nigerian and Cameroonian Heads of State signed the Yaounde II Declaration on April 4, 1971 in which they agreed to:

- a. Consider as frontier the line on British Admiralty Chart no 3433 up to the three-mile limit, joining the points Sandy and Tom Shot in conformity with the Anglo-German Treaty of 1913.
- b. Adopt the Ngoh-Coker line from a point at longitude 8° 30' 40" and latitude 4° 40' 28" north of the Bakassi Peninsula, at the middle of the line joining King Point (Nigeria) to Bakassi Point (Cameroon) up to point 12 of Longitude 8° 24' 38" East and Latitude 4° 31' 26" to the East of Buoy no 3.
- c. Apply the Geneva Convention of 1958 on the Law of the Sea to the delimitation of the rest of the maritime boundary (Kamto, 2008).

However, Nigeria later rejected the Ngoh-Coker delimitation line, describing it as a “document of infamy” and a suicidal arrangement for Nigeria (Ikome, 2004). For its part, the Cameroon government felt strongly that the Nigerian contentions were unjustified, arguing rather that the Ngoh-Coker delimitation line made adequate provision for security and freedom of navigation in the Calabar and Cross River channels for ships of both countries, as defined by international treaties and conventions.

4.4 Kano Declaration of September 1, 1974

Meetings between Presidents Ahidjo and Gowon from August 30 to September 1, 1974 resulted in the signing of the Kano Declaration in an attempt to resolve the problems emanating from the Ngoh-Coker delimitation line. However, they failed to agree, and decided to call upon the United Nations to interpret the 1913 Agreement and the 1958 Geneva Convention. They also resolved that the future demarcation of the Cameroon-Nigeria border should include both the maritime and land areas as well as a two-kilometre corridor on either side of the line joining Fairway Buoy and Buoy nos 1, 2, and 3 on Admiralty Chart 3433 was declared an area of free oil prospection. However, probably because of the understanding between the two countries during the Nigerian civil war, Ahidjo and Gowon later agreed on the need for a bilateral solution of their border stalemate as opposed to involving third parties.

4.5 Maroua Declaration of June 1, 1975

Between May 31 and June 1, 1975, Presidents Ahidjo and Gowon met in Garoua and signed what became known as the Ahidjo-Gowon Agreement, or the Maroua Accord. This agreement extended the maritime boundary between Cameroon and Nigeria from point ‘12’ (Longitude 8° 24' 38") to point ‘G’, and also reaffirmed a commitment to the free movement of ships of both countries in the Calabar and Cross River channels, in line with international treaties and conventions. It marked the peak of bilateral boundary diplomacy between Cameroon and Nigeria after independence (Ikome, 2004). However, the agreement was repudiated by the Murtala Mohammed administration that replaced the Yakubu Gowon government in Nigeria on the grounds that it did not change the

prejudice suffered by Nigeria as a result of the 1971 negotiations with Cameroon. From the repudiation of the Maroua Agreement in 1975 to the onset of military hostilities over the oil-rich Bakassi Peninsula in 1994, leading to the conflict being referred to the ICJ, the two states were unable to negotiate any tangible new agreement (Issaka & Ngandu, 2008).

4.6 International Court of Justice (ICJ) Measures from 1994

Matters between Nigeria and Cameroon came to a head over the peninsula in 1993 when Nigerian troops entered and occupied the area. Following a series of further border incursions that provoked shootings from both sides in the process resulting in casualties and deaths recorded on each side. Cameroon formally on March 24, 1994 instituted a suit against Nigeria at the International Court of Justice, at the Hague, seeking an injunction for the expulsion of Nigerian troops, which it said were occupying its territory and to restrain Nigeria from laying claim to Sovereignty over the Peninsula (Aghemelo & Ibhasebhor, 2006). After a little over eight years of examining the matter, the ICJ delivered judgment on October 10, 2002, deciding that the very important issue of sovereignty over the Bakassi Peninsula rested with Cameroon and not Nigeria. The Court hinged her decision on the same old colonial agreements and settlements between Britain and Germany (Lacey & Banerjee, 2002).

4.7 Cameroon-Nigeria Mixed Commission Meetings, 2002-2007

Chaired by a Special Representative of the United Nations Secretary-General, Ahmedou Ould-Abdallah, the Mixed Commission met eighteen times between 2002 and 2007 every two months on an alternating basis in Abuja and Yaounde comprising delegations from both parties and with the following as its mandate: the demarcation of the land boundary between the two countries; the withdrawal of civil administration, military and police forces and transfer of authority in relevant areas along the boundary; the eventual demilitarization of the Bakassi peninsula; the need to protect the rights of the affected populations in both countries; the development of projects to promote joint economic ventures and cross-border cooperation; and the reactivation of the Lake Chad Basin Commission (Baye, 2010). To achieve this set mandate, the Commission went further to establish sub commissions and working groups made up of experts from both countries and the United Nations covering areas of boundary demarcation including maritime, population, civil administration and police forces, as well as complete withdrawal and transfer of authority in the Bakassi Peninsula (Eze 2007). In 2003, 2004, and 2006 the processes of withdrawal and transfer of authority as stipulated in the ICJ judgment was implemented respectively in the Lake Chad area (Naga'a, Darack, Dambore, Tchika between December 7 and December 18, 2003); along the land boundary (Ndabukura, Narki, Bourha Wango on July 13, 2004); and in the Bakassi Peninsula excluding Atabong and Abana (on August 14, 2006). The work of the Mixed Commission also led to the peaceful settlement of other aspects of the boundaries between the two parties.

4.8 Greentree Agreement as Final Measure

Brokered by the UN Secretary General and witnessed by Britain, France, Germany, and the United States, this last comprehensive agreement came out of a summit in June 2006 at Greentree, United States of America. Its task was to work out modalities for the withdrawal of Nigerian troops and transfer authority to Cameroon (Gambari, 2007). This Agreement as the basis for the final resolution of the dispute and the decisive point of compliance to the ICJs ruling of 2002 ensued that by 1 August 2006 according to the BBC, Nigeria began withdrawing her about 3,000 troops from the area in line with the provisions of this settlement to pull out troops within 90 days. This move by Nigeria set the pace for Cameroon to subsequently send in her civil administration and regain the peninsula. However, a face-saving measure in the agreement made provision for a time table for complete and final hand over in June 2008, allowing Nigeria to maintain its presence in 18 percent of the area from 2006 to 2008, and Cameroon to follow a code of conduct for the treatment of the local Nigerian population pending their resettlement (Ariye, 2015).

5. Cameroon-Nigeria Border Conflict Resolution Methods

The peaceful process of the Cameroon-Nigeria border settlement averted an impending war between Nigeria and Cameroon. For several decades, the territorial dispute between Nigeria and Cameroon continued over the region along their border known as the Bakassi Peninsula. The dispute that almost led to war in the mid-1990s, was settled by the International Court of Justice in 2002, and resulted in hand-off of the territory by Nigeria to Cameroon in 2008. Several methods were employed by the United Nations, conflicting parties, and other sovereign nations to resolve this conflict. Some of these methods included mediation, bilateral negotiations, ICT adjudication, agreements and dialogue.

5.1 Bilateral Negotiation Method

Cameroon and Nigeria's peaceful attempts at a resolution of the border conflict between them date back to 1965, when the Joint Cameroon-Nigeria Border Commission was created. It represented a bilateral attempt at pre-emptively addressing growing border unrest. The rationale for such a commission was additionally supported by the results of the 1961 Southern Cameroons plebiscite, which had been mired with controversy due to its close result and administrative procedures. While the Joint Border Commission was a bilateral preventive effort and did not involve consenting to an external mediator's or organization's interference, it led to the two states having actively participated in "numerous initiatives, including regular meetings between border authorities, the creation of several other joint border commissions, and the adoption of a number of joint declarations" (Ikome, 2004a, 13-16), which have required both the consent of the parties as well as their participation. Both conflict parties, Cameroon and Nigeria, affirmed and repeatedly reaffirmed their "commitment to renounce the use of force in their bilateral engagements and to look for peaceful means to solve frontier differences" (Lukong, 2011, 120).

5.2 Facilitation Method

The creation of the Cameroon-Nigeria Mixed Commission (CNMC) confirmed the parties' willingness and consent to preventive action. The CNMC was formed in November 2002 by the United Nations Secretary-General, as a result of the explicit request of the leaders of both parties of the conflict. The CNMC was headed by the Special Representative of the Secretary General for West Africa and the Sahel. The primary objective of the CNMC was to "facilitate the implementation of the October 10, 2002 judgment of the ICJ on the Cameroon-Nigeria boundary dispute" (Marková, 2021). The conflict parties' explicit consent to the form of preventive action which the CNMC embodies was critical to its effectiveness. The parties' request for the CNMC lend it credibility and dispel potential arguments of its forced acceptance, as well as claims of external interference resembling neocolonialism. To facilitate the activities of the Mixed Commission, the United Nations established a support team based in Dakar. In addition to technical and logistical assistance, this United Nations team also provides substantive support to the Mixed Commission and to the two sub-commissions and working groups. The United Nations civilian observers of the Mixed Commission were both actively involved in monitoring the situation along the land boundary from the Lake Chad to the Bakassi Peninsula, and the demarcation activities contributing to strengthening the confidence of the population and facilitating the entire transition process (Eze, 2008).

5.3 Mediation Method

The United Nations Secretary-General, Kofi Annan, used his good offices to mediate the Cameroon-Nigeria border conflict, and to designated his Special Representative for West Africa, Ahmedou Ould-Abdallah, Chairman of the Cameroon-Nigeria Mixed Commission to facilitate the peace process. Weeks before the ICJ judgment, the Secretary General invited Presidents Paul Biya of Cameroon and Olusegun Obasanjo of Nigeria to meet with him on September 5, 2002, in Paris. The two presidents agreed to respect and implement the anticipated ICJ decision, and to establish an implementation mechanism. According to Eze, they also agreed on the "need for confidence building measures, including the eventual demilitarization of the peninsula, with the possibility of international observers to monitor the withdrawal of all troops" with the support of the United Nations. After the ICJ judgment, the Secretary-General facilitated a further meeting between both presidents in Geneva on November 15, 2002. In a joint communiqué, the two leaders agreed to ask the Secretary-General to establish a mixed commission of Cameroon, Nigeria, and the United Nations "to consider ways of following up on the ICJ ruling and moving the process forward" (Ibid.). The Secretary General designated his Special Representative for West Africa, Ahmedou Ould-Abdallah, Chairman of the Cameroon-Nigeria Mixed Commission. In a joint communiqué issued after the January 31, 2004 Tripartite Summit in Geneva, the Secretary-General and two presidents welcomed the adoption of a comprehensive work plan up to 2005, and also welcomed the smooth withdrawal of civilian administration and military and police forces in the Lake Chad area, where a transfer of authority took place in December 2003. They noted that the area has remained calm since then.

5.4 Agreement Method

This was the final and most successful method applied to resolve the Cameroon-Nigeria conflict over the disputed Bakassi Peninsula. The method was activated through an initiative by the United Nations Secretary-General who invited Presidents Paul Biya of Cameroon and Olusegun Obasanjo of Nigeria to a meeting at Greentree, New York, on June 12, 2006, in order to discuss a draft resolution on the issue of withdrawal from and transfer of authority in the Bakassi Peninsula. The Greentree meeting marked a decisive turning point in this process, with an Agreement signed by the Cameroonian and Nigerian Heads of State, with the United Nations Secretary-General, Germany, the United States, France, and the UK as witnesses (United Nations, 2006a). According to this historic Agreement, Nigeria fully recognized the sovereignty of Cameroon over the Bakassi Peninsula, made the commitment of withdrawing its armed forces from the entire Peninsula within a time limit of sixty days with effect from the date of the signature of the Agreement, and of transferring to Cameroon authority over almost the totality of the Peninsula, with the exception of an area of about 20 percent placed under the Nigerian administration for a two year period. Cameroon, for its part, undertook to respect the rights of the Nigerian population living in the Peninsula and to grant them some facilities, in particular in matters of customs and movement between the Bakassi Peninsula and Nigeria. This special regime was to last for seven years with effect from the date of signature of the Agreement. Besides, the Greentree Agreement set up a follow-up commission, comprised of representatives from the two parties, the United Nations, and the four witness nations mentioned above, under the chairmanship of the Representative of the United Nations Secretary General, Sir Kieran Prendergast. To President Biya, the implementation of the agreement “will certainly open a new era of confidence, peace and cooperation between Nigeria and Cameroon” (Kamto, 2008). while to President Obasanjo, “Today’s Greentree Accord should be a landmark in the peaceful resolution of disputes” (Ibid). The Greentree Agreement is therefore, indisputably a major historic benchmark in the peaceful settlement of disputes in Africa and the world at large (United Nations, 2006b).

6. Conclusion

The Cameroon-Nigeria border conflict over the Bakassi Peninsula has demonstrated that nations do not have to resort to armed conflict to resolve disputes. It has also illustrated that the political will of Presidents Paul Biya and Olusegun Obasanjo, the United Nations machinery of the Secretary-General, Kofi Annan and the procedures for peaceful resolution of conflicts can and do work. From good offices, to judicial resolution and the post-judicial Mixed Commission, one can see a well-ordered pattern of conflict resolution, peacemaking, peacebuilding, and ultimately prevention. The parties in conflict successfully overcame all considerations and prejudices, rebuilt confidence that was disrupted between Cameroon and Nigeria by resorting to dynamic direct contacts between the two Heads of State and by demonstrating tokens of confidence which gradually eliminated suspicions on the one hand, and on the other hand, reassured experts from both countries that, through good faith, political will, and commitment of political authorities,

bloody conflicts can indeed be avoided. It should also be borne in mind that that a judicial decision by the ICJ would alone have been insufficient to curb the deep tensions the border dispute had generated between the two countries. The commitment of the concerned Heads of State to implement different conflict prevention measures and conflict resolution methods, the continued role played by the United Nations to promote a peaceful settlement of the dispute, in particular the Secretary-General's good offices, as well as the support of key international partners, greatly contributed to the peaceful settlement of the conflict over the Bakassi Peninsula. In fact, the successful resolution of the land and maritime border conflict between Nigeria and Cameroon provides hope that balanced solutions may be found for other African boundary issues born of colonialism. The study recommends the alternative disputes resolution measures and methods applied by Cameroon and Nigerian governments and the international community as the best model for dialogue and mediation of armed border conflicts in Africa.

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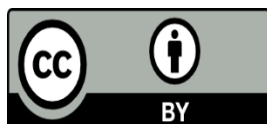
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