

**Case concerning the *Land and Maritime Boundary between Cameroon and Nigeria*
(*Cameroon v. Nigeria: Equatorial Guinea intervening*)**

**Statement to the press by President Guillaume
The Hague, 10 October 2002**

1. The Court has just delivered its Judgment in the case concerning the *Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening)*. As you have seen, this Judgment is a long one, exceeding 150 pages. Thus, it might be helpful if I provide you with a brief summary.

2. 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 moreover rejected the theory of historical consolidation put forward by Nigeria and accordingly refused to take into account the *effectivités* relied upon by Nigeria. It ruled that, in the absence of acquiescence by Cameroon, these *effectivités* could not prevail over Cameroon's conventional titles.

Accordingly, the Court decided that, pursuant to the Anglo-German Agreement of 11 March 1913, sovereignty over Bakassi lies with Cameroon. Similarly, the Court fixed the boundary in the Lake Chad area in accordance with the Henderson-Fleuriau Exchange of Notes of 9 January 1931 between France and Great Britain and rejected Nigeria's claims to the Darak area and the neighbouring villages.

3. Further, the Court drew an extremely precise boundary between the two States. In this respect, in Lake Chad it reached the same conclusions as the Lake Chad Basin Commission.

As requested by Nigeria, it then turned to 17 sectors of the land boundary between Lake Chad and pillar 64. In many cases, the solutions adopted in this respect are favourable to Nigeria. This is so for the Kerawa River, the Mandara Mountains, the Maio Senche, Jimbare and Sapeo, between Namberu and Banglang, and in respect of the boundary between the Akbang River and Mount Tosso. The adopted solutions are closer to Cameroon's positions in respect of the Kohom River, the area between Mount Kuli and Bourha, the village of Kotcha, the Hambere Range area and the Sama River. The Court adopted intermediate or neutral positions in respect of Limani, the sources of the Tsikakiri, the course from Beacon No. 6 to Wamni Budungo, at Tipsan, and from the Hambere Range to the Mburi River.

Finally, the Court indicated the precise course of the boundary channel of the Akwayafe to the west of the Bakassi Peninsula.

4. The Court also fixed the maritime boundary between the two States. Here, the Court, accepting Cameroon's contention, began by upholding the validity of the Declarations of Yaoundé II and Maroua, pursuant to which the Heads of State of Nigeria and Cameroon had in 1971 and 1975 agreed upon the maritime boundary between the two countries from the mouth of the Akwayafe to a point G situated at 8° 22' 19" longitude east and 4° 17' 00" latitude north.

Next, in respect of the maritime boundary further out to sea, the Court essentially endorsed the delimitation method advocated by Nigeria. As the line of delimitation, it adopted the equidistance line between Cameroon and Nigeria, which in its view produced an equitable result in this case as between the two States, namely a loxodrome having an azimuth of 187° 52' 27".

Noting, however, that the line so adopted was likely rapidly to encroach on rights of Equatorial Guinea, the Court confined itself to indicating its direction without fixing the Cameroon/Nigeria/Equatorial Guinea tripoint.

The delimitation thus effected for the most part respects existing oil installations. It preserves Equatorial Guinea's rights, as well as those of Cameroon and Nigeria in regard to their delimitation with Equatorial Guinea.

5. Drawing the consequences of its determination of the land boundary, the Court first held that Nigeria is under an obligation expeditiously and without condition to withdraw its administration and its military and police forces from the Bakassi Peninsula, and from the Lake Chad area falling within the sovereignty of Cameroon.

The Court further decided that Cameroon, for its part, is under an obligation expeditiously and without condition to withdraw any administration or military or police forces which may be present on Nigerian territory along the land boundary between Lake Chad and Bakassi. Nigeria bears the same obligation in respect of any territory in this sector which falls within the sovereignty of Cameroon.

In the reasoning of its Judgment, the Court further noted that the implementation of the Judgment would afford the Parties a beneficial opportunity to co-operate in the interests of the populations concerned, in order notably to enable them to continue to have access to educational and health services comparable to those they currently enjoy. Such co-operation, the Court added, would be especially helpful, with a view to the maintenance of security, during the withdrawal of the Nigerian administration and military and police forces.

6. The Court also took note of the commitment undertaken at the hearings by Cameroon that, "faithful to its traditional policy of hospitality and tolerance", Cameroon would "continue to afford protection to Nigerians living in the Bakassi Peninsula and in the Lake Chad area".

7. Finally, the Court rejected Cameroon's submissions seeking to have Nigeria ordered to repair the injury suffered by Cameroon, in particular as a result of the occupation of Bakassi. In this respect, the Court noted that Cameroon had secured recognition of its sovereignty over the peninsula and the disputed area of Lake Chad. It found that the injury suffered by Cameroon by reason of the Nigerian occupation was sufficiently addressed by the very fact of that recognition and of the evacuation of those territories.

It also rejected, for lack of proof, the submissions of Cameroon concerning the implementation of its Order of 15 March 1996 indicating provisional measures and those relating to various border incidents complained of by the two Parties.

8. In sum, the Court finds in favour of Cameroon in respect of Bakassi and Lake Chad. Its Judgment also settles the other issues concerning the land boundary. It places each of the Parties under an obligation to evacuate the areas falling within the sovereignty of the other, and to do so expeditiously and without condition, and at the same time issues a call for co-operation. It fixes the maritime boundary beyond the territorial sea in accordance with the method advocated by Nigeria. Finally, it rejects both Parties' submissions concerning responsibility.

9. I would add that the Court was happy to learn that the Heads of State of Cameroon and Nigeria met on 5 September last in the presence of the United Nations Secretary-General. It welcomed the result of that meeting and hopes that the Judgment which it has delivered today will contribute to friendly relations between the two brother countries.