



INTERNATIONAL COURT OF JUSTICE

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Communiqué
unofficial
for immediate release

No. 98/25
1 July 1998

**Case concerning Land and Maritime Boundary
between Cameroon and Nigeria
(Cameroon v. Nigeria)**

Nigeria to file its Counter-Memorial by 31 March 1999

THE HAGUE, 1 July 1998. The International Court of Justice (ICJ), the principal judicial organ of the United Nations, fixed 31 March 1999 as the time-limit for the filing of the Counter-Memorial of Nigeria in the case instituted against it by Cameroon concerning their land and maritime boundary.

The decision follows the Judgment of 11 June 1998 by which the Court declared that it had jurisdiction to deal with the merits of the dispute and found that Cameroon's claims were admissible. The time-limit was fixed by an Order of 30 June 1998, after ascertaining the views of the Parties. The subsequent procedure has been reserved for further decision.

The contentious proceedings before the Court consist of two parts: written and oral. During the first phase, written pleadings are exchanged. In the above-mentioned case, the Applicant (Cameroon) had already filed a Memorial on the merits before the Respondent (Nigeria) challenged the Court's jurisdiction. Taking into account the Judgment of 11 June 1998, the Court had to fix a time-limit for the filing of a Counter-Memorial by Nigeria. The Court may authorize a Reply by the Applicant and a Rejoinder by the Respondent. Upon the closure of the written pleadings, public sittings are organized. The Court then delivers a Judgment on the merits.

History of the dispute

On 29 March 1994, Cameroon filed an application instituting proceedings against Nigeria in a dispute concerning the question of sovereignty over the Bakassi Peninsula, which it claimed was in part militarily occupied by Nigeria, and requested the Court to determine the course of the maritime frontier between the two States in so far as that frontier had not already been established by the Maroua Declaration signed by the Cameroonian and Nigerian Heads of State in 1975.

As a basis for the jurisdiction of the Court, Cameroon referred to the declarations made by both States by which they accept that jurisdiction as compulsory (Article 36, paragraph 2, of the Statute of the Court).

In an additional application filed on 6 June 1994, Cameroon extended the case to a further dispute with Nigeria over "a part of the territory of Cameroon in the area of Lake Chad", which it claimed was also occupied by Nigeria. Cameroon asked the Court to specify definitively the frontier between itself and Nigeria from Lake Chad to the sea, to enjoin the withdrawal of Nigerian troops from Cameroonian territory and to determine reparation for the material and non-material damage inflicted.

On 13 December 1995, Nigeria raised preliminary objections to the jurisdiction of the Court and to the admissibility of Cameroon's claims. The proceedings on the merits were accordingly suspended, by virtue of Article 79, paragraph 3, of the Rules of the Court. By an Order of 10 January 1996, the then President of the Court, Judge Mohammed Bedjaoui, taking into account the views expressed by the Parties, fixed 15 May 1996 as the time-limit within which Cameroon had to present a written statement of its observations and submissions on the preliminary objections raised by Nigeria. That statement was filed within the prescribed time-limit.

On 12 February 1996, Cameroon requested the Court to indicate provisional measures after "serious armed incidents" had taken place between Cameroonian and Nigerian forces in the Bakassi Peninsula. Public hearings were held between 5 and 8 March 1996, and on 15 March 1996, the Court delivered an Order indicating that "both Parties should ensure that no action of any kind, and particularly no action by their armed forces, is taken which might prejudice the rights of the other in respect of whatever judgment the Court may render in the case, or which might aggravate or extend the dispute before it". The ICJ also ruled that they "should observe the agreement reached between the Ministers of Foreign Affairs in Kara, Togo, on 17 February 1996, for the cessation of all hostilities in the Bakassi Peninsula".

In a Judgment of 11 June 1998, the Court rejected seven preliminary objections raised by Nigeria and declared that an eighth one would have to be settled during the proceedings on the merits. It also asserted that it had jurisdiction in the case and found Cameroon's claims admissible.

Website of the Court: <http://www.icj-cij.org>

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