

**NIGERIA-CAMEROON ENTANGLEMENT IN THE BAKASSI PENINSULA
1980 – 2008: A STUDY IN DIPLOMACY AND CONFLICT RESOLUTION**

BY

**ABRAHAM OJIEFO EDOWEKU
ART1901057**

**DEPARTMENT OF HISTORY AND INTERNATIONAL STUDIES
FACULTY OF ARTS
UNIVERSITY OF BENIN
BENIN, CITY**

JUNE, 2024

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**A RESEARCH PROJECT PRESENTED TO THE DEPARTMENT OF HISTORY
AND INTERNATIONAL STUDIES, FACULTY OF ARTS, UNIVERSITY OF
BENIN, BENIN CITY, EDO STATE IN PARTIAL FULFILMENT OF THE
REQUIREMENTS FOR THE AWARD OF BACHELOR OF ARTS IN (HISTORY
ANDNINTERNATIONAL STUDIES), INTERNATIONAL STUDIES AND
DIPLOMACY.**

JUNE, 2024

CERTIFICATION

This is to certify this research project was carried out by **Abraham Ojiefu EDOWEKU** in the Department of History and International Studies, University of Benin, under my supervision.

Mr. F. E. Osarhiemen
(Project Supervisor)

Dr. Frank Ikponmwosa
(Head of Department)

Date:

Date:

DEDICATION

This project is dedicated to God Almighty for His support and guidance throughout my stay in the University from 100 level to my finals as well as my Parents Mr. and Mrs. Edoweku for their love, prayers and support throughout my years of schooling in the University of Benin.

ACKNOWLEDGEMENTS

My profound gratitude goes to Almighty God for his grace, protection, and infinite mercy that have been seeing me through my course of study till now.

My sincere gratitude goes to my project supervisor, Mr. Felix Osarhiemen for his guidance and patience towards ensuring that this work comes out perfect, may the Almighty God bless you and your family.

I want to sincerely appreciate my Parents, Mr. & Mrs. Edoweku and most especially my dearly beloved brother Mr. John Osemudiamhen for their financial, moral and spiritual support all through this study in Uniben. To my very special Uncle Mr. Jude Daudau and my lovely siblings Mr. Augustine Edoweku, Mr. David Edoweku, Mrs. Gloria Idemudia, Mr. Osegie Edoweku, Mrs. Esther Ehimhen, Mrs Favour Osas and Bro Isaiah Ubong Bassey I would not have done this without them, I am grateful.

Also, to my wonderful Lecturers, Prof. Eddy Erhagbe, Prof, J. I. Osagie, Prof. O. Benson Osadolor, Prof. E.A. Ifidon, Dr. D.O. Iweze, Dr. Frank Ikponwonsa Dr. F. E. Osarhiemen, Dr. E. Toby, Dr. (Mrs.) I. O. Osemwengie, Dr. W. E. Orukpe, Mr. Daniel Orobator, my esteemed Course Adviser, Dr. Charles Osarumwense for their direct and indirect influence on me throughout the course of my study and stay in Uniben.

To my friends Uche Augustine Faith Ekpедoho, Victor Osehon, Loveth Enoruwa, Feargod Muehanosa, Charles Aigbedion, Favour Osasogie, Nosakhere, Favour, Sonia, Elliott, Chioma, Peace Ene, Duke, Abdul'azeez, Babayem, Oshobugie Daniel, Munachimso Godwin, Daniel Idika, Gift Uba thank you for your love and support throughout my years of schooling in Uniben.

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CHAPTER ONE

BACKGROUND TO THE STUDY

Introduction

In the intricate web of international relations, diplomacy stands as the cornerstone of peaceful coexistence and conflict resolution among nations. Its significance is magnified when navigating territorial disputes, where the stakes are not only geopolitical but also deeply rooted in historical, cultural, and economic contexts. The Nigeria and Cameroon Bakassi Peninsula Crisis exemplifies the complex dynamics inherent in such disputes, offering a compelling case study of the role diplomacy plays in resolving conflicts over contested territories.

Situated in the Gulf of Guinea, the Bakassi Peninsula has been a flashpoint of contention between Nigeria and Cameroon for decades. The strategic importance of the region, abundant in natural resources and maritime access, has fueled competing claims, exacerbating tensions and leading to sporadic outbreaks of violence. Against this backdrop, diplomatic efforts have been deployed, albeit with varying degrees of success, to address the underlying grievances and seek a durable resolution to the dispute. This research study aims to dissect the intricate layers of diplomacy employed in the Nigeria and Cameroon Bakassi Peninsula Crisis, shedding light on the strategies, challenges, and outcomes of these efforts. By delving into the historical context, legal frameworks, and

geopolitical interests at play, it seeks to offer valuable insights into the complex nature of territorial disputes and the pivotal role of diplomacy in their resolution.

To understand the genesis of the Bakassi Peninsula Crisis, one must delve into the historical narratives of colonialism and post-colonial nation-building in West Africa. The arbitrary borders drawn by European powers during the Scramble for Africa laid the foundation for territorial disputes that continue to haunt the region to this day. Both Nigeria and Cameroon, former colonies of Britain and France respectively, inherited these contested borders upon gaining independence, setting the stage for friction over territorial sovereignty.

The Bakassi Peninsula, initially inhabited by the indigenous Bakassi people, found itself at the center of this geopolitical tug-of-war. Despite being predominantly populated by Nigerians, the peninsula was placed under Cameroonian administration by colonial authorities, a decision that sowed the seeds of discord between the two neighboring nations. Over the years, this simmering tension escalated as both countries asserted their claims to the territory, leading to a protracted dispute marked by diplomatic maneuvering and occasional outbreaks of violence.¹

At the heart of the Nigeria and Cameroon Bakassi Peninsula Crisis lies the question of legal validity and adherence to international law. Both nations have invoked various legal instruments and arbitration mechanisms in support of their respective claims, adding a layer of complexity to the diplomatic landscape. The 1913 Anglo-German Treaty,

the 1975 Maroua Declaration, and the 2002 International Court of Justice (ICJ) ruling are among the key legal frameworks that have shaped the discourse surrounding the dispute. The ICJ ruling, in particular, holds significant weight in determining the status of the Bakassi Peninsula. In its judgment, the court affirmed Cameroon's sovereignty over the territory, prompting a flurry of diplomatic activity aimed at implementing the verdict while addressing the concerns of the affected populations. However, the legal intricacies and practical implications of the ruling have posed formidable challenges to the diplomatic process, underscoring the need for nuanced and pragmatic approaches to conflict resolution.²

Beyond the legal realm, the Nigeria and Cameroon Bakassi Peninsula Crisis is also intricately linked to broader geopolitical interests and regional dynamics. The strategic significance of the Gulf of Guinea, as a hub of maritime trade and energy resources, has drawn the attention of regional and global powers alike, shaping their stance on the dispute. Nigeria's status as a regional powerhouse, coupled with its economic interests in the Bakassi Peninsula, adds another layer of complexity to the diplomatic calculus.

Moreover, the involvement of international actors, including the United Nations, the African Union, and bilateral partners, further complicates the diplomatic landscape. Each entity brings its own set of interests and priorities to the table, influencing the trajectory of negotiations and the eventual outcome of the crisis. Navigating these

competing agendas requires skillful diplomacy and a delicate balancing act to ensure that the interests of all stakeholders are adequately addressed. In summary, the Nigeria and Cameroon Bakassi Peninsula Crisis serves as a poignant reminder of the intricate interplay between diplomacy, territorial disputes, and geopolitical interests. As both nations continue to grapple with the legacy of colonialism and assert their sovereignty over contested territories, the role of diplomacy becomes increasingly paramount in finding mutually acceptable solutions to complex geopolitical challenges. By examining the case study in detail, we gain valuable insights into the strategies, pitfalls, and potential pathways towards peaceful resolution in the face of entrenched conflicts.

Aim and objectives

The aim of this essay is to analyze the role of diplomacy in resolving the Nigeria and Cameroon Bakassi Peninsula Crisis, offering insights into the strategies, challenges, and outcomes of diplomatic efforts in territorial disputes. While the objectives of the study includes:

1. To examine the historical context of the Bakassi Peninsula Crisis, tracing its origins and the factors contributing to the dispute between Nigeria and Cameroon.
2. To evaluate the legal frameworks and international law pertinent to the dispute, including the 2002 International Court of Justice ruling and its implications for the sovereignty of the Bakassi Peninsula.

3. To explore the geopolitical interests and regional dynamics influencing the diplomatic landscape, including the involvement of international actors and the strategic importance of the Gulf of Guinea.
4. To analyze the strategies and approaches employed by both Nigeria and Cameroon in diplomatic negotiations, assessing their effectiveness in addressing the underlying grievances and achieving a sustainable resolution.
5. To discuss the challenges and obstacles encountered in the diplomatic process, such as the complexities of implementing legal judgments and reconciling competing interests of stakeholders.

Scope of Study

This study focuses on analyzing the Nigeria and Cameroon Bakassi Peninsula Crisis through the lens of diplomacy in conflict resolution. It encompasses examining the historical origins, legal frameworks, geopolitical dynamics, and diplomatic strategies employed in addressing the dispute. The study aims to provide a comprehensive understanding of the complexities surrounding the crisis and offers insights into potential pathways for peaceful resolution.

Methodology

This research project will be carried out using both the historical research method and the narrative approach. The research is qualitative in nature, involving the use of both

primary sources and secondary data as source of information. For the primary sources, the focus will be on archival materials, and secondary data which will be obtained from journals, reports, articles, newspapers, textbooks, conference papers, thesis and dissertation, and various online publications related to the subject matter under consideration

Literature Review

"Implications of the Bakassi conflict resolution for Cameroon" by Francis Baye.³

This paper sketches a conceptual framework of international conflict dynamics and resolution, examines the geopolitics of the Bakassi dispute between Nigeria and Cameroon, and outlines socio-economic implications of its peaceful settlement. Neglect and subsequent discovery of oil deposits subjected the Bakassi Peninsula to claims and counter-claims for sovereignty, military occupation and recourse to the International Court of Justice (ICJ). The ICJ's ruling in 2002 in favour of Cameroon, although based on sound historical evidence, faced implementation difficulties. However, following mediation by the United Nations (UN) Secretary-General, good faith by protagonists, the Green-tree Agreement and subsequent instruments, Nigeria completed the withdrawal of its military, police and administration from the Bakassi Peninsula by 14 August 2008. Putting aside disruptive activities by social movements, the entire process could be viewed as a model in peaceful resolution of border conflicts. Implications of the settlement anchor on expenditure-reducing and expenditure-switching effects, wealth-

generating effects, and enhanced cross-border activities. Infrastructural developments and effective presence are considered.

"International Boundary Conflict in Africa" by Fatsah Ouguergouz,⁴ examines the complex and contentious issue of the Bakassi peninsula which has been a long-standing source of conflict between Nigeria and Cameroon. The author of this book delves into the historical background of the dispute, tracing its root back to the colonial era when the region was under British and German control. Ouguergouz highlights the legal aspects of the conflict, exploring how international law and border demarcation process have influenced the competing claims of both countries over the Bakassi peninsula. He also discusses the role of the international court of Justice in adjudicating the dispute and the implications of its ruling on the sovereignty of the region.

Furthermore, the author examines the geopolitical dimensions of the crisis, considering how factors such as resource wealth, strategic interests and the ethnic tensions have exacerbated the conflict between Nigeria and Cameroon over the Bakassi Peninsula.

Natural Resources and Nigeria-Cameroon Bakassi Peninsula Border Conflict", by Chijioke Francis Onyebukwa, Gabriel Tiobo Wose Kinge.⁵ Natural resource endowment is a major determinant of the national economy, politics and international relations posture of every sovereign state. The importance of natural resources in Africa cannot be over-emphasised considering that the resource base of each state is a major

factor in funding and sustaining the diplomacy between the country and another. This chapter presents the place of the contested Bakassi Peninsula in the Nigerian-Cameroonian diplomatic relations. It found that the mineral rich peninsula was shared out to suit colonial interests of the Nigerian and Cameroonian administrators, which manifested as a major problem of diplomacy between Nigeria and Cameroon that pushed them on the path of crisis.

“Oil and Conflict in Africa: The Political Economy of Resource Wealth” by Paul Collier and Anke Hoeffler.⁶ The authors discuss the Bakassi Peninsula conflict as a case study on how oil resources can exacerbate existing tensions and fuel conflicts and between different groups or countries competition for control over these valuable resources. They analyze how the competition for access to oil in the the Bakassi peninsula has influenced political dynamics, territorial disputes and power struggles between Nigeria and Cameroon, the two main countries involved in the conflict over the region.

Moreover, Collier and Hoeffler examine the economic implications of the conflict, such as how the potential revenue from the oil extraction in the Bakassi Peninsula has heightened the stakes for both parties and influenced their strategic decisions and bargaining positions in negotiations to resolve the dispute.

“Why nations fight: The causes of the Nigeria–Cameroon Bakassi Peninsula conflict” by Obasesam Okoi.⁷ This article examines the conditions under which state

leaders chose to make territorial issues a point of contention using the Nigeria–Cameroon Bakassi Peninsula conflict as an empirical case. Drawing on the theoretical insights of neoclassical realism, the article surveys evidence from the importance of domestic political and economic conditions to the relevance of cultural and historical factors as well as from territorial and geopolitical issues to contend that the Nigeria–Cameroon conflict emerged from three theoretical logics: the territorial logic of aggression, the geostrategic logic of aggression, and the diversionary logic of aggression. The qualitative evidence is synthesized to enhance greater understanding of the domestic and international linkages that connect petroleum with territory and aggressive foreign policy.

*"Resolution of international disputes through preventive diplomacy by the United Nations: Case study of the Cameroon v. Nigeria case", by Bayo Ojo.*⁸ This work focuses on exploring the Bakassi dispute as a case study in the application of preventive diplomacy by the United Nations to prevent the escalation of a dispute. It discusses the preventive diplomacy efforts by the United Nations after the Bakassi Decision, this was an example of the flexible and creative tool of preventive diplomacy. A separate agreement for the purpose of working out modalities for the withdrawal of Nigerian troops from the Bakassi Peninsula was not in the original concept of implementation of the judgment. The Agreement established a Follow-up Committee with the mandate to monitor its implementation with the assistance of the United Nations Observers of the Mixed Commission. The Follow-up Committee and the UN Observer Team of the

Cameroon - Nigeria Mixed Commission harmonized a unified visit each time a visit was to be made to the affected area.

"Pathways to Peace in International Relations, A perspective on the Bakassi Peninsula Conflict" by Williams Zartman,⁹ provides a comprehensive analysis of conflict resolution, strategies and mechanism and one of the conflicts he delves into is the Bakassi Peninsula dispute between Nigeria and Cameroon. Zartman's approach to presenting this conflict involves several key elements, which are historical context outlining the historical background of the Bakassi Peninsula, tracing its root back to the colonial times when the territory was under British and German control. He highlights how the arbitrary colonial boundaries drawn without considering local ethnic or territorial dynamics laid the foundation for future disputes. The author goes on to give an indepth analysis of the interests at play for both Nigeria and Cameroon in claiming sovereignty over the Bakassi Peninsula. Zartman explores factors such as access to natural resources, strategic maritime positioning and domestic political considerations that influenced each country's stance on the issue. The book also examines the power dynamics between Nigeria and Cameroon within the broader context of regional politics in West Africa. It discusses how asymmetries in power capabilities, diplomatic leverage and international support have shaped the negotiation strategies adopted by both countries in seeking a resolution to the conflict.

Zartman goes further to explain the conflict resolution strategies drawing on his expertise in negotiation theory by proposing various pathways to peace for resolving the Bakassi Peninsula dispute. He emphasizes the importance of principled negotiation, confidence-building measures, third party mediation and creative problem-solving techniques as essential tool for reaching a sustainable agreement. The author, throughout his analysis of the Bakassi Peninsula conflict extracts valuable lessons that can be applied more broadly to international relations and conflict resolution efforts. He also underscores the importance of dialogue, compromise and mutual understanding in overcoming entrenched disputes and fostering lasting peace.

“Nigeria and its Neighbors” Peacemaking and Conflict Resolution in West Africa” by Augustine A. Ikelegbe,¹⁰ provides an in-depth analysis of the causes, dynamics and resolution of the crisis. He notes that the dispute began in 1884 when Germany colonized the area as part of its Cameroon territory, but it was not until after Nigeria's independence in 1960 that tensions between Nigeria and Cameroon over Bakassi begin to intensify. Ikelegbe explains that one of the main causes of the crisis was the ambiguous boundary delineation between Nigeria and Cameroon, which left the status of Bakassi uncertain. He also highlights the role of external actors particularly China which provided military support to Cameroon during the crisis. Nigeria military on the other hand received support from neighbouring countries such as Equatorial Guinea and Gabon.

The author also discusses the various attempt at conflict resolution, including diplomatic efforts by regional organization such as ECOWAS and the African Union (AU) as well as direct negotiation between Nigeria and Cameroon. However, it was the ICJ's ruling in 2002 that led to the peaceful resolution of the crisis. Ikelegbe notes that while there were initial protests and resistance from some Nigerian groups both countries eventually accepted the ruling and implemented its provisions.

"The Cameroon-Nigeria Border Dispute. Management and Resolution, 1981-2011: Management and Resolution, 1981-2011" by Hilary V Lukong.¹¹ At independence, Cameroon and Nigeria adhered to the OAU principle of *uti possedetis juris* by inheriting the colonial administrative borders whose delineation in some parts was either imperfect or not demarcated or both. The two countries tried to correct these anomalies. But such efforts were later thwarted by incessant geostrategic reckoning, dilatory, and diversionary tactics in the seventies and eighties that persisted and resurfaced in the nineties with a more determined posture. On two occasions, the border conflict almost boiled over to a full-scale war. First, in May 1981 when there was the exchange of fire between Cameroonian and Nigerian coast guards and second, in February 1994 when Nigeria marched her troops into Cameroon's Bakassi Peninsula. Elsewhere in Africa, border incidents like these have often degenerated into war. But Cameroon and Nigeria together with the international community managed these protracted incidents from escalating into

war. This book examines the part played by the disputing parties, Cameroon and Nigeria; the mediation, conciliatory and adjudicatory role of third parties; regional and international organisations, in the process of the resolution of the border dispute from 1981-2011. The study situates the nature and dynamics of the dispute historically, and comprehensively explores in detail its causes, settlement and resolution.

"The Cameroon and Nigeria negotiation process over the contested oil rich Bakassi Peninsula", by Tarlebba Nicholas and Sam Baroni.¹² This paper is aimed at exploring the negotiation process between Cameroon and Nigeria over the resourcerich Bakassi Peninsula located along the Gulf of Guinea. Although relations between neighboring Cameroon and Nigeria have been strained over issues relating to their 1.600-kilometer land boundary, extending from the Lake Chad Basin to the Bakassi peninsula and going as far as the maritime boundary in the Gulf of Guinea, Negotiation has helped create a workable solution for both countries. Among the issues involved are rights over the oil-rich land and sea reserves as well as the fate of the local populace of the region.

CHAPTER OUTLINE

CHAPTER ONE: BACKGROUND TO THE STUDY.

CHAPTER TWO: HISTORICAL ANALYSIS OF THE BAKASSI PENINSULA CONFLICT.

CHAPTER THREE: INTERNATIONAL RESPONSE TO THE BAKASSI PENINSULA CONFLICT.

CHAPTER FOUR: AFTERMATH OF THE BAKASSI PENINSULA CONFLICT.

CHAPTER FIVE: CONCLUSION.

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CHAPTER TWO

HISTORICAL ANALYSIS OF THE BAKASSI PENINSULA CONFLICT

The Bakassi Peninsula conflict although erupting in the late 20th century, it holds its historical narratives to colonialism and post-colonial nation-building in West Africa. The arbitrary borders drawn by European powers during the Scramble for Africa laid the foundation for territorial disputes that continue to haunt the region to this day. Both Nigeria and Cameroon, former colonies of Britain and France respectively, inherited these contested borders upon gaining independence, setting the stage for friction over territorial sovereignty.

The Bakassi Peninsula, initially inhabited by the indigenous Bakassi people, found itself at the center of this geopolitical tug-of-war. Despite being predominantly populated by Nigerians, the peninsula was placed under Cameroonian administration by colonial authorities, a decision that sowed the seeds of discord between the two neighboring nations. Over the years, this simmering tension escalated as both countries asserted their claims to the territory, leading to a protracted dispute marked by diplomatic maneuvering and occasional outbreaks of violence.¹

There is a general agreement among historians that ethnic conflicts have been the core course of bloodshed in Europe and the mediterranean world. The deep scars that these conflicts leave on people and nations are often obscured in historical account that, more often than not glorify conquest and ignore aggression. Though ethnic conflicts have defined the European society for centuries, Africa was spared this problem until the Europeans decided to treat the continent as a free - for all real estate.² European colonial rule in Africa left behind the same wars as their balkanization schemes had left Europe. The African nations were divided by the imperialists, territories were battered amongst them, and economic life was shattered owing to the fact that as a result of the balkanization some nations were divided from their farms, rivers, markets etc, that served as sources of livelihood. Today, there are over a hundred ethnic conflicts in Africa, some of them are as a result of old-fashioned land dispute, while others are products of artificially drawn International borders that divided ethnic groups, and others have the

struggle for crude oil and other natural resources in the mix. The Bakassi Peninsula conflict falls into all of the above causes.

The Bakassi Peninsula claimed by both Nigeria and Cameroon is an extension of the Calabar territory in Nigeria that spreads into the Atlantic Ocean with latitude of 4° 25' and 5° 10' north of the equator and a longitude of 8° 30' and 9° 8' to the east of the Greenwich Meridian but to the Cameroonians, the Bakassi is an access route to the Rio Del Rey and parts of their South West Provinces. The Bakassi Peninsula can also be described as a swampy mangrove six hundred - square mile (one - thousand square kilometre) area that juts into the Gulf of Guinea - a region that may contain more than 24 billion barrels of crude oil (about 10 percent of the world's known oil and gas reserves).³ The peninsula alone is estimated to contain more than ten barrels of crude oil. The kingdom of Bakassi was founded around 1450 by the Efik people, who later became an integral part of the Old Calabar kingdom.⁴ The coastal native populations are originally from the Old Calabar empire, primarily the Efik, Ibibio, and Oron groups, who controlled the fishing grounds and camps along Bakassi and an adjacent peninsula as well as the estuaries of the rivers there.⁵ They established and marked their suzerainty over these water spaces and camps by giving them names, thus marking their rights to them.⁶ In other words, the peninsula was peopled by groups whose origins are traceable to locations in present-day Nigeria, who, from precolonial times, had allegiance to local chiefs, based in what later became Nigeria.

On 10th September 1884, Britain signed a treaty of protection with the Kings and chiefs of old Calabar. As was the practice, the British used this treaty as a means to exercise their control over the entire territory of Old Calabar, including the Bakassi Peninsula. This protectorate agreement with an African kingdom has no specified or well spelt out boundaries. Germany and Britain further signed an Anglo-German treaty which made Bakassi peninsula an international boundary. This treaty was signed on the 29th of April and 16th of June in 1885 respectively. This document was made to be an arrangement between Britain and Germany to cover their individual areas of influence to avoid encroachment.⁷ With the Anglo-German treaty of 1885, Britain accepted the right river bank of the Rio-del Rey as the new boundary and Germany on the other hand demanded a trade-off. As at the period of signing the 1885 treaty, Rio del Rey River was the demarcating line between Nigeria and Cameroon. This therefore placed the Bakassi Peninsula under the British Administration in Nigeria. After a year of signing the treaty of 1885, there was a further need to revisit the boundary due to dissatisfaction of the Germans and this gave birth to the 1886 treaty. The 1886 treaty was an added agreement to the 1885 treaty. This treaty sought to adjust the border which was put initially at the Riondel Rey River. The boundary was further put at a point from the East of the river and down to Yola in the North. After four years, the Anglo-German agreement was revisited. The 1890 agreement emphasized the boundary inland from the Gulf of Guinea to a point at the head of Rio del Rey. The German Colonial On 15 October 1893, Britain and Germany agreed to define their boundaries in Africa with no input from the indigenous

people. This was followed by subsequent agreement on 9th March 1906 that covered all British and German territories stretching from Yola to lake Chad.⁸ Further detailed agreements were continuously reached between Britain and Germany on the question of their borders, from Yola to lake Chad. The first such agreement involved a settlement of the frontier between Nigeria and the Cameroons signed in London on March 11, 1913. The second agreement addressed the precise demarcation of the English - German boundary between Niger and Kameroun (as the Germans referred to the territory) from Yola to Cross River and was signed at Obokum on 12 April 1913. The Germans were interested in shrimp fishing and extracted as an assurance from Britain that it would not expand eastwards. For Britain, an uninterrupted and secure sea-lane access to the key trading post of Calabar was the primary interest. In exchange for Germany's cooperation not to threaten Britain's access to Calabar, Britain conceded in the Oboko agreement the Bakassi peninsula to the Germans. This was achieved without resistance of the ruler (Obong). British and German maps from 1914 show the Bakassi Peninsula located in "Kameroun".⁹

The preceding summary of British and German arrangements remained until the outbreak of the First World War in 1914. In 1916, Britain invaded German Kameroun, at the end of the war, German territories were all shared between Britain and France according to the provisions of the Versailles Treaty of settlement, under the auspices of the Paris Peace Convention, thus, the Cameroons became British and French mandate

Territories. The boundary between British Cameroon and France Cameroon was defined by the French -British Declaration of 10 July 1918 signed by Viscount Milner, the British secretary of state for the colonies, and Henry Simon, the French minister for the colonies. Under the terms of agreement, Bakassi and the rest of British Cameroon was placed under the British mandate and administered as part of Nigeria, but the two-river merged into a single entity. We can say at this point, that the 1913 border was maintained.

Again, the events of the Second World War also presented a need for further arrangements. This time, at the end of the war, the French and British League mandates were taken over by a United Nations Trusteeship design in 1946. This new UN arrangement re-ratified the earlier agreed borders as enunciated by hitherto Anglo-German and Anglo-French settlements. In both these cases, maps from that period show the Bakassi area was within the British Cameroons and not the Colony of Nigeria.¹⁰

The results of the back-and-forth terms of the treaties and agreements on the Bakassi region, has left the contending crisis as to the country with the legal rights to claiming the territory. It is seen from the pre-1913 agreement that the Bakassi Peninsula was administered as part of British possessions. However, going by the 1913 settlement between Britain and Germany, the area of Bakassi effectively came under German control. As a result of the war of 1914, Germany was relieved of the territories she controlled in Africa including the control of the Bakassi territory and as such the 1913 agreement could not be ratified, in the process, allowing the British to add adjoining parts of

German territory of Cameroon and administer them as part and parcel of colonial Nigeria up to 1960. It is under this view that Nigerian commentators opine that the 1913 Anglo-German Treaty is not binding on Nigeria.¹¹ As a matter of fact, Akinjide. R, who is a one time Minister of Justice in Nigeria argued that the Anglo-German Treaty was not binding since the Order-in-Council of November 22, 1913, which came into force on January 1, 1914, amalgamating the Northern and Southern Protectorates into a single Protectorate of Nigeria, came into being after the Treaty.¹² Moreover, it is also argued that the Treaty lapsed with the War and that under the terms of the Versailles settlement as provided for in Article 289, Britain ought to have made effort to revive pre-war bilateral Treaties with Germany, since Britain took no steps to do so then in the terminology of Article 289 it was and remained abrogated, and therefore Cameroon could not succeed to the Treaty.¹³ A plausible as these arguments may sound, the fact of the principle of *Uti Possidetis*, in International Law, which relates to the sanctity of colonial boundaries, a principle which the OAU (AU) Charter adopted in 1963 suggests that Cameroon has a right to succeed to the treaty, especially when considered against the understanding that France, replaced Germany as the colonial Over-Lord of the Cameroons, and agreed other settlements with Britain on their common borders after the two wars, up to 1960. These are the 1929-1930 Thomson-Marchand Declaration, to which the UK and France agreed and made detailed delimitations of the interstate border and the 1931 Henderson-Fleuriu exchange of diplomatic notes, which made the earlier declaration an international agreement at Law.¹⁴ Therefore, suggestions that Britain ought to have revived pre-war treaties with Germany

are not tenable, for, she actually did arrive at new agreements, but with France instead. These various claims and counter claims left unresolved metamorphosed into the conflict between Nigeria and Cameroon as to the legal administrator of the peninsula.

Nigeria achieved independence on October 1, 1960, and in 1961, a UN ordered plebiscite was held to “determine the wishes of the people living in Northern and Southern Cameroons” regarding their national affiliation and identity. The result, which favoured reunification of Southern Cameroons with the former French Cameroons, effectively restored the Nigeria-Cameroon boundary to the Anglo-German division in 1913. Nigeria’s leaders, ostensibly to stave off Cameroon’s dissatisfaction over the loss of Northern Cameroons in an earlier referendum, voted in support of the outcome at the UN General Assembly. Subsequently, in the early 1960s, Nigeria acknowledged that Bakassi was not part of Nigeria. Until 1975, when General Yakubu Gowon was overthrown in a coup, Bakassi was not an issue between the two countries, as they both acknowledged Cameroonian control over the peninsula. Since 1971, there has been a stalemate between Nigeria and Cameroon over the delimitation of maritime boundaries. The Kano agreement of 1 September 1974 was an attempt to resolve the issue of maritime boundaries. It recognized the lawfulness of oil operations carried out in the West of the corridor by Nigeria and to the east of Cameroon. Bakassi and its surrounding waters was to the east of the corridor.¹⁵ By 1975, Nigeria and Cameroon signed another maritime border agreement. Both Gowon and Ahidjo on behalf of their respective countries, agreed

to extend the maritime boundary beyond the limit of the maritime boundary adopted by both countries in the Yaounde II Declaration of 1971. However, in late 1975, a military coup overthrew General Gowon without the agreement having been ratified by the Nigerian parliament. To justify the coup, General Murtala Mohammed, who led the action, alleged, among other things, that Gowon had given up Bakassi to Cameroon.¹⁶ Mohammed's regime decided to renege on the Maroua Declaration, igniting the crisis.

In the 1980s and early 1990s, the Bakassi peninsula was a subject of protracted dispute and armed conflict between Cameroon and Nigeria. The first outbreak of hostilities occurred in 1981, when war nearly broke out between the two countries. Disputes continued intermittently thereafter and reached a tipping point in the early 1990s, when fatalities and destruction of property occurred. On December 21, 1993, Nigeria's armed forces crossed into Cameroon's border at the mouth of the Akwayafe River and took over Bakassi. In response, Cameroon took the matter to the International Court of Justice on March 29, 1994. Although natural resources may have been the cause of the dispute, they were rarely mentioned. However, many observers believed that the sudden interest in the long-neglected area was related to the recent discovery of substantial oil deposits and potential oil reserves near the region.¹⁷ The discovery of oil and other natural resources triggered hostility and attention from both countries and their allies, leading to tension, arguments, violent clashes, and even deaths. The newly developed interest in the peninsula thus led to suspicion and mistrust among the inhabitants of the

region. To Nigeria and Cameroon, the conflict started as a result of the scramble for crude oil, whereas the indigenous population there felt it was the result of the separation of families and tribes from their ancestral ties due to the scramble for Africa. In essence, the conflict was typified by the large deposits of petroleum and natural gas that triggered hostilities and military confrontations.¹⁸

As the conflict climbed its way into the table of the International Court of Justice, Nigeria put forth 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. This view by Nigeria was anchored on the notion that the 1884 Treaty of protection between Britain and the Kings and Chiefs of Old Calabar did not entitle the British Monarch to alienate the territory of the Efik (indigenous) Kingdom, without the approval of the Efik King and Chiefs as landowners.¹⁹ 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, 1975.²⁰ 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 Cameroon territory. 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.

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CHAPTER THREE

INTERNATIONAL RESPONSE TO THE BAKASSI PENINSULA CONFLICT

Introduction

Before 1975, the Bakassi peninsula was not an issue of controversy between Nigeria and Cameroon. On 1 January 1960 and 1 October 1960, Nigeria and Cameroon respectively became independent nations. For French Cameroon, there was an exchange of note from France with other supporting documents showing its colonial boundaries as defined by previous colonial agreement and likewise the same was done for Nigeria by Britain.¹ The disputed Bakassi was within Southern Cameroon and administrative maps of Nigeria used in schools and governmental offices reflected Bakassi inside Cameroon. By 1961, a year after the independence of both countries, the general assembly of the United Nations authorized a plebiscite to be carried out on 11 February. The plebiscite was for the indigenous people of the Bakassi to decide if they wish to achieve independence by joining the independent Federation of Nigeria or if they wish to achieve independence by joining the independent Republic of Cameroon. All efforts made by the Sarduana of Sokoto and the premier of the Northern region by providing some basic amenities yielded much fruit in the 1961 plebiscite. The result of the plebiscite in the Northern and Southern Cameroon was certified by the United Nations and the International Court of Justice. Southern Cameroon became independent by joining Cameroon while Northern Cameroon voted in favour of independence with Nigeria. It is

interesting to note that twenty-one polling units were made available at the Bakassi Peninsula which was situated at the Southern Cameroon. At these polling units, seventy-three percent of the people living there voted to achieve independence by merging with the independent Republic. The Nigerian Government gave approval and accepted the 1961 plebiscite result by sending out a diplomatic note with a supporting document of a map to the Cameroonian Government in 1962. After the diplomatic note, Nigeria took another step by opening an Embassy in Yaoundé with a consulate in Buea which operated as the capital of Southern Cameroon.²

After the plebiscite periods, both states felt it was of great necessity for further boundary adjustment. The northern region had little problems in its course of demarcation due to its terrain. The northern area had farmers and herdsmen who overtime ventured into Cameroon in search of fertile land and grassland and oftentimes paid nominal taxes to the Cameroonian authorities. In 1966, Major General Aguiyi Ironsi came into power in Nigeria via a military coup. At the time of his rule, he decided to respect all agreements made by the former Balewa administration. It is worthy to note that from the Tafawa Balewa era to the General Aguiyi Ironsi's regime up to the end of the Nigeria Civil War, the Bakassi peninsula was administered as part of Cameroon. At the end of the Nigerian civil war, the military government of General Yakubu Gowon of Nigeria, and Ahmadou Ahidjo of Cameroun had signed series of agreements between 1971 - 1974 as regarding maritime boundary. Negotiations that took place in 1971 amongst them were the

Ngoh/Coker agreement which took place in Lagos and also the Yaoundé II Declaration. The outcome of the Yaoundé II meeting gave full recognition to March 11, 1913, Anglo - German agreement and then went further to use the borderline that was delimited in that particular agreement. The Ngoh/Coker line was a declaration that marked the maritime boundary between Nigeria and Cameroon, and it was carried out by two experts, Chief Oluwole Coker of Nigeria and Mr Ngoh of Cameroon to definitely demarcate the offshore of both countries.³ In 1974, there was The Kano agreement between General Gowon and Ahidjo, which was an attempt to resolve the issue of maritime boundaries. It recognized the lawfulness of oil operations carried out in the West of the corridor by Nigeria and to the east of Cameroon. Bakassi and its surrounding waters was to the east of the corridor.⁴ By 1975, Nigeria and Cameroon signed another maritime border agreement. Both Gowon and Ahidjo on behalf of their respective countries, agreed to extend the maritime boundary beyond the limit of the maritime boundary adopted by both countries in the Yaounde II Declaration of 1971. However, in late 1975, a military coup overthrew General Gowon without the agreement having been ratified by the Nigerian parliament. The new government led by General Murtala Mohammed was not pleased with the agreements between General Gowon and Ahidjo, claiming that among other things, that Gowon had given up Bakassi to Cameroon.⁵

Mohammed's regime decided to renege on the Maroua Declaration, igniting the crisis between both countries. Mohammed rejected the Maroua agreement of 1975, and

questioned its authenticity on the basis that it was not ratified by the Supreme Military Council which served as Nigerian Legislature and whose consent under the constitution at that time was necessary for a treaty in such a manner between Nigeria and a foreign state to be considered valid.⁶ General Murtala also in the course of questioning the ownership of the Bakassi Peninsula made Nigerians to believe that the disputed territory was given as a show of gratitude to Cameroon for her role played during the Nigerian Civil war. Murtala also at that time was threatening to go to war over the contestation of the Bakassi Peninsula but his regime was short-lived as he died in an unsuccessful coup which enthroned General Olusegun Obasanjo as the Head of State in 1976.⁷ During the peak of the territorial dispute, the first atlas ever published by Nigeria showed the Bakassi Peninsula as not being part of Nigeria.

Tensions and anxiety gradually surfaced between Nigeria and Cameroon over the issue of sovereignty of the Bakassi peninsula from late 1970s to 1981, with the first of such numerous conflicts between Nigeria and Cameroon occurring on the 16th of May in 1981. At that time, Nigerian boats were on patrol when they were attacked leaving some Nigerians injured and others dead. Cameroon negated the need for an apology, and this further tainted their relationship. However in the same year, Cameroon offered to pay reparations and this somewhat eased the tension and Nigeria's Head of State, President Alhaji Shehu Shagari was applauded for deploying peaceful means in resolving the conflict.⁸ To checkmate future crisis, Nigerian troops were deployed to the Bakassi region

to stop the persistent attitude of the Cameroonian gendarmes from reoccurring. The Bakassi Peninsula still experienced various disputes in small scale but in 1987 some Cameroonian soldiers attacked Borno state which was also a disputed area at that time and due to this incident, Nigerian forces moved into Darak, a locality in the Hile-Halfa subdivision. In 1989, the Nigerian flag was hoisted at Jabane which is some kilometres into the Cameroonian territory and at that time the army commander in charge of the Cameroon saw the flag and removed it but this act did not escalate the conflict over the Bakassi but created a tensed environment. Also in the same year, some Nigerian custom officials on border patrol duties were charged for trespassing into Cameroon and in 1990 a group of fishermen were attacked in a maritime dispute in the maritime fishing port of Nyangassa in the Bakassi Peninsula.⁹ Nevertheless, on the orders of the President Ibrahim Babaginda in 1991 maps were printed in an attempt to show that the Bakassi Peninsula is located within the Nigerian territory.

In 1993, General Sani Abacha became the Head of State, he created administrative establishments like hospitals and schools in Bakassi. That same year, Bakassi Peninsula still had a tensed atmosphere with Cameroonian gendarmes assaulting the local people to pay tax due to her claim of ownership of the area. It did not end with tax assault, but Nigerian civilians were either attacked or killed and this led the Head of State to deploy soldiers to the region giving the conflict a new outlook between military personnels from both countries.¹⁰

From 18th to 19th February, the Cameroonian soldiers battled the Nigerian soldiers that were sent to the Peninsula by the Head of State, General Sani Abacha and this led to notable loss of lives and properties between both nations, but President Paul Biya was ready for a peaceful settlement, therefore he beckoned on Nigeria for a response. After waiting for a response from the Nigerian side and none was forthcoming, the Cameroon government filed a lawsuit against the Nigerian government in the International Court of Justice in Hague thereby giving the border dispute an international perspective. General Sani Abacha was not ready to compromise over the sovereignty of the Bakassi Peninsula and so with the agitation for more local government councils, amongst other creations, he created the Etug and the Bakassi local government councils with other ad hoc administrative bodies on the peninsula and this further fueled the conflict.¹¹ Therefore, the Bakassi local government was created to make it be a part of Nigeria in reality and constitutionally by law.

From the period of 1998 to 2002, the ICJ declared its capability in handling the border dispute between both countries and thus, a duration of twenty-one months which was later reduced to nine months was given to Nigeria to provide her strong argument in respect to the dispute and then the hearing in full began in 2002. Apprehensive of the consequences of the rejection of the ruling by either country, Kofi Annan, the then Secretary General of the United Nations, met the presidents of Nigeria and Cameroon, Olusegun Obasanjo and Paul Biya, in Paris on September 5, 2002, to discuss the

anticipated ICJ verdict. The heads of state agreed to respect and implement the forthcoming judgment and to create an implementation mechanism. 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 UN.”¹²

On October 10, 2002, the International Court of Justice issued a key ruling on the land and maritime boundary between Nigeria and Cameroon. The court ordered Nigeria to “expeditiously” pull its officials, troops, and police from the richly endowed Bakassi Peninsula, bringing an end to the lingering conflict that had engulfed Nigeria and Cameroon. Also, in the same ruling, the ICJ ordered Cameroon to swiftly withdraw its administration and military and police forces from some region in lake Chad.¹³ The ICJ held that the 1913 English - German treaty effectively handed Bakassi to Germany. The ICJ declined to enforce the provisions of Articles 18 through 22 of the agreement of 1913, which establishes the Nigeria holds on original title that considers it to be earlier in time and therefore superior to Cameroon claim. On the contrary, the ICJ seemed to agree with Cameroon's legal strategy against Nigeria, which effectively addresses the legal principle that new law supersedes old law. Cameroon's case adequately and eagerly reflected that from the period leading to its independence in 1961 and since then and till the early 1990's, Nigeria, by its actions or omissions or through statements emanating from its officials and legal experts had consented to Cameroon sovereignty in the Bakassi

Peninsula. The question of English - German treaty triggered the central issue of the entire case, which Nigeria argued rather unsuccessfully - the time worn legal maxim "He who hath not cannot give" (*Nemo dat quod no habet*). Simply put, what authority did Great Britain have to give away Bakassi? Nigeria maintained that it is trite that one cannot pass the title of something he doesn't have. Accordingly, it argues that Great Britain had neither the right nor the capacity to cede its territory, that such transfer was invalid, null, and void, and that Great Britain was obviously in breach of its obligations to the kings and Chiefs and people of Calabar, with an obligation to protect them and not to alienate their land. In response, the ICJ pierced together provisions of the Foreign Jurisdiction Acts of 1890, which state that irrespective of whether the jurisdiction is acquired by treaty, capitulation, grant, usage, sufferance, or other lawful means, it may be held and exercised in as ample a manner as if it were acquired by cession or conquest of territory. In effect, any jurisdiction available to Great Britain in a country under its protection was indistinguishable in legal effect from territories acquired by conquest. Consequently, the English - German treaty acquired validity on the strength of the Foreign Jurisdiction Acts of 1890.¹⁴ The ICJ concluded that regardless of how valid and how old the title, and how clear the display of their sovereignty and degree of organization, the people of Old Calabar and Bakassi were deemed as colonies and vassal states under the suzerainty of Great Britain.

Although 90% of the inhabitants on the peninsula consider themselves Nigerians, the ICJ ruled in favour of Cameroon, and in regard to this percentage of population seeing themselves as Nigerians coincided to the grounds of Cameroon formal undertaking to continue to afford protection to Nigerians living in the Bakassi Peninsula. The ICJ further stated that the implementation of the judgement should afford parties a beneficial opportunity to cooperate in the interest of the population concerned.¹⁵

Overtly, Nigeria was in no terms satisfied with the ICJ ruling and there was a rejection of it by the Nigerian government. However, the United Nations Secretary General, Kofi Annan who had hitherto the judgement of the case met with both leaders of the countries in Paris to accept the decision of the Court was keen on seeing that the dispute was resolved. He again moved to ensure that both countries respect and adhere to the decisions of the ICJ through series of negotiations post - ICJ ruling. Koffi Annan intensified his mediation efforts, giving birth to yet another meeting between the Cameroonian and Nigerian leaders in Geneva on November 15, 2002. During this meeting, the two leaders agreed to ask Annan to establish a mixed commission comprising representatives of Cameroon, Nigeria, and the UN to consider ways of implementing the ICJ ruling and moving the process forward.¹⁶ When it became difficult to implement the ICJ ruling, owing to certain technicalities, the UN secretary-general formed the Cameroon-Nigeria Mixed Commission (CNMC) for facilitative mediation

and appointed his special envoy for West Africa, Ahmedou Ould-Abdallah, as its chair.

The Cameroon-Nigeria Mixed Commission was to discuss the following issues:

- Demarcation of the border between the two countries;
- Withdrawal of civil administration, military, and police forces and the transfer of authority along the border; demilitarization of the Bakassi peninsula;
- Protection of the rights of the affected populations in both countries; development of projects to promote joint economic ventures and cross-border cooperation;
- The reactivation of the Lake Chad Basin Commission (LCBC).¹⁷

Koffi Annan brokered a final deal, known as the Greentree Agreement, between the two presidents at Greentree, New York, on June 12, 2006, which formalized the implementation of the ICJ's ruling by establishing the methods of withdrawal and the transfer of authority in the Bakassi peninsula. The signing ceremony was attended by representatives of France, the United States, and Great Britain, and the CNMC was charged with the responsibility of ensuring compliance with the agreement's terms. In the agreement, Nigeria agreed to recognize Cameroon's sovereignty over the disputed area as well as the boundary decided by the court. In addition, Nigeria agreed to withdraw its troops. Cameroon guaranteed Nigerian nationals in the Bakassi peninsula fundamental human rights and freedoms in all dimensions and spheres of life. On August 14, 2008, Nigeria withdrew its troops from Bakassi and activated its civilian police force to

maintain the peace and security of Nigerian residents in the region. Despite this progress, periodic conflicts were recurrent phenomena in the area.¹⁸

Following the final phase of the handover on August 14, 2013, the British high commissioner to Cameroon, Bharat Joshi, who was also chair of the European Union to Cameroon, called on other nations to emulate the “shining examples of Cameroon and Nigeria in conflict resolution.” While commending the leaders of both countries, the British diplomat noted, “The end of the remarkable peace process was an example on how to settle border conflicts.”¹⁹

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CHAPTER FOUR

AFTERMATH OF THE RESOLUTION OF THE BAKASSI PENINSULA CRISIS

Introduction

By the ruling of the International Court of Justice, the Bakassi Peninsula region was won by Cameroon as it's legal sovereignty. The ruling which took place on October 10, 2002, after years of lingering conflicts wasn't readily accepted by Nigeria. The court ordered Nigeria to "expeditiously" pull its officials, troops, and police from the richly endowed Bakassi Peninsula,¹ much to her disappointment and disapproval. There was the possibility that Nigeria would go against the resolution of the ICJ further extending the conflicts. At this point, the United Nations Secretary General, Koffi Annan had to step in

to ensure both countries adhere to the ruling of the International Court. Koffi Annan brokered a final deal, known as the Greentree Agreement, between the two presidents at Greentree, New York, on June 12, 2006, which formalized the implementation of the ICJ's ruling by establishing the methods of withdrawal and the transfer of authority in the Bakassi peninsula. The signing ceremony was attended by representatives of France, the United States, and Great Britain, and the CNMC was charged with the responsibility of ensuring compliance with the agreement's terms. In the agreement, Nigeria agreed to recognize Cameroon's sovereignty over the disputed area as well as the boundary decided by the court. In addition, Nigeria agreed to withdraw its troops. Cameroon guaranteed Nigerian nationals in the Bakassi peninsula fundamental human rights and freedoms in all dimensions and spheres of life. On August 14, 2008, Nigeria withdrew its troops from Bakassi and activated its civilian police force to maintain the peace and security of Nigerian residents in the region.² This Chapter focuses on the nature of the relationship of both nations following the final resolution of the conflict.

As earlier mentioned, the transfer of sovereignty from Nigeria to Cameroon in 2008, signalled the formal end of the dispute. However, there have been unsettlement in the region followed by sporadic armed conflicts between the Bakassi and Cameroonian gendarmes. First, over 12,000 Bakassi residents chose to leave the area and move to Nigerian territory. The Nigerian government found a place to resettle the refugees in Cross River State, but in doing so they displaced other Nigerian citizens. The

accommodations for the refugees were not sufficient, with 172 housing units for 12,000 people, leaving many homeless.³ The Bakassi people also suffered a loss of cultural way of life, as the fishermen and their families were moved to a landlocked area where their skills could not be used. Second, Nigeria had to relinquish significant oil wells to Cameroon, negatively impacting its economy. Economically, the Bakassi ruling come as a big boost to Cameroon's crude oil output. Cameroon the fifth largest producer of oil, was witnessing a steady decline in production levels: eighty - seven thousand barrels per day in 2000, eighty thousand in 2001, seventy - eight thousand in 2002, seventy - four thousand in 2003, seventy - two thousand in 2004, and sixty - eight thousand in 2005.⁴ Cameroon's nature fields are exhausted, and new discoveries continue to diminish. However, with the ICJ decision that compelled Nigeria to transfer the Bakassi Peninsula to Cameroon, it's declining crude oil output could be reversed within a few years. Cameroon's predicted crude oil would reach 150,000 by 2010, thus unleashing a vista of possibilities in Cameroon.⁵ There is no doubt that ownership of the Peninsula has implications for offshore oil rights, especially at a time when volatility in the middle east has increased. With the Bakassi Peninsula now under Cameroonian sovereignty, alongside the Chad - Cameroon oil pipeline and it's export terminus at Kribi. Cameroon suddenly emerges with the potential to become a notable oil transport center with the capacity to attract investment from foreign oil companies, which of course puts Nigeria on the loose end as she had an oil producing region from her grasp. A loss which will not be taken keenly. Although the ICJ ruling, the Mixed Commission, and the Green Tree

Agreement have those who choose to stay behind in Bakassi had ill-feelings toward the Nigerian government and started political movements in an attempt to secede the region from both countries, such as the Bakassi Movement for the Self-Sovereignty of the Peninsula, and the Movement for the Emancipation of the Niger Delta. In July 2006, there was a strong resistance by the Bakassi Movement for Self-Determination in response to the 2002 ICJ verdict and the 2006 Greentree Agreement. A string of attacks was launched against Cameroonian troops in parts of Bakassi in 2007. In the first attack on November 12, 2007, twenty-one Cameroonian soldiers were killed by unknown gunmen wearing uniforms in speedboats. The attack was claimed by the previously unknown Liberators of the Southern Cameroon People.⁶ In early June 2008, six Cameroonians, including five soldiers and a local administrator, were killed. Then on July 13, 2008, three Cameroonian soldiers were injured in yet another attack.⁷ A rebel group in the Niger Delta region of Nigeria accused the government of selling out their land to Cameroon and intensified terrorist activities in the country. They also extended attacks to the Cameroonian side of the border, kidnapping high-profile public figures. In October 2008, armed pirates under Ebi Dari, the Bakassi Freedom Fighters (BFF) militia group commander, seized a vessel and kidnapped ten crewmembers, including six French nationals, two Cameroonians, one Senegalese, and one Tunisian. They threatened to kill all hostages if talks over the sovereignty over Bakassi were not restarted.⁸ Prior to the transfer of power to Cameroon on August 14, 2008, in the Nigerian city of Calabar, the BFF announced a merger with the Niger Delta Defense and Security Council (NDDSC)

with the intention of setting Bakassi “ablaze” and crippling its economy if the handover went through.⁹

Gunmen with the BFF in a canoe killed a police officer off Bakassi in December 2009.¹⁰ In February 2011, two Cameroonian soldiers were killed and eleven others were declared missing. The BFF vowed that Bakassi would find no peace under Cameroon’s rule. In August 2012, the Bakassi Self Determination Front announced that it had established a pirate radio station and a flag for the autonomous territory of Bakassi and threatened a major disruption in the area. Then on October 2, 2012, a group known as the Free Bakassi Association initiated legal proceedings in Nigeria’s Federal High Court in Abuja to compel the government to resume full control of the peninsula.¹¹ These sporadic attacks from rebels made the Cameroonian government deploy forces to maintain law and order in the peninsula. There was a new outflow of refugees from Bakassi into Nigeria following attacks and violence against inhabitants in March 2013.¹² The attacks, provoked by misunderstanding over fishing rights and tax payments, led to the deaths of five people, and seventeen others went missing. In addition, 1,700 people were displaced from Efut Obot Ikot village and adjoining settlements in the peninsula.¹³ This attack and related outcry in Nigeria prompted the visit of the then Nigeria's president, Goodluck Jonathan, to Cameroon in June of 2013 to assure the affected people of Nigeria's commitment to safeguarding their interests.¹⁴ In April 2013, in the wake of the recent crisis, the Nigerian government began the process of establishing two forward operational

military bases in the New Bakassi Local Government area in Nigeria to stop the killing of Nigerian citizens. The purpose of the military base is to demonstrate Nigeria's readiness to deploy its forces to defend its population on the peninsula. The Nigerian president also visited Cameroon in June 2013 to reassure Nigerian residents of the preparedness of the country to defend its citizens anywhere. In Cameroon, officials view these attacks as the work of terrorists groups and have mobilized forces to counteract their activities. This violence is not over; the Bakassi dispute is alive and well and may escalate yet again into another round of conflicts.

As shown in the previous discussion, the debates over the fate of Bakassi continue, despite the fact that the ten-year appeal window allowed by the ICJ closed on October 10, 2012. Within Nigeria, there were heightened agitations for an appeal as the prospect of the loss of the peninsula became inevitable. Civil society groups, opposition political parties, and prominent Bakassi indigenes, among other interested parties, led the call for reclamation. Thus, the largely Nigerian population in the Bakassi peninsula and the anglophone Cameroonian secessionist movement have continued to robustly contest the 2002 ICJ verdict and the 2006 Greentree Agreement. Nigerian inhabitants contend that the ruling fails to take into account their overwhelming desire to remain Nigerian citizens, and they strongly resist the idea of becoming incorporated into the Republic of Cameroon. Chairman of the Senate Committee on Rules and Business, Senator Ita Enang, called for a review of the ICJ judgment, saying in August 2012, "The ruling was a denial of the

fundamental rights of Bakassi indigenes who are truly Nigerians and not Cameroonians.”¹⁵ He called on the federal government to immediately institute action against the judgment to ensure that the Bakassi peninsula is handed back to Nigeria.¹⁶ Anglophone Cameroonian secessionist movements, on the other hand, argue that the Bakassi peninsula should never have been a point of issue between Nigeria and Cameroon because the territory is part of Southern Cameroons.¹⁷ Some Bakassi leaders threatened to seek independence on July 9, 2006, if Nigeria renounced sovereignty, calling themselves the Democratic Republic of Bakassi. This group was reportedly made up of militants under the aegis of the Southern Cameroons People’s Organisation (SCAPO), the Bakassi Movement for Self-Determination (BAMOSD), and the Movement for the Emancipation of the Niger Delta (MEND).¹⁸

It is at this point clearly obvious that the UN mediation efforts as posited by Secretary General Koffi Annan settled the Bakassi boundary dispute, but did not fully resolve the conflict or the broader questions that it generated. As mediation relies on the expressed voluntary consent of the disputants, compliance with the outcome of the process should also be voluntary. In other words, mediators should not resort to the use of force to enforce compliance with a mediated settlement. The post-mediation clashes show that the negotiations leading to the settlement were not “owned” by the disputants.¹⁹ One of the major issues with the resolution of the Cameroon-Nigeria dispute over Bakassi was the exclusion of important interested parties. The terms of the settlement (the Greentree

Agreement) required Nigerian nationals to either remain in Bakassi and be integrated into Cameroon or to relocate and be resettled in Nigeria. Many chose to relocate, as they claim they are Nigerian and would not become Cameroonian under any guise. Those that chose to resettle in Nigeria were then faced with the issue of integrating into their new communities. Settling in the New Bakassi Local Government area, they are viewed as outsiders who have come to share the already insufficient resources of the local community.²⁰ As the friction between the two groups over access to resources deepens, conflict and violence often ensue. Indeed, those that chose to leave experience some form of deprivation, as they have no access to fishing, which was previously their main source of income, because their new home is far from the sea. They have also been deprived of relief materials and are marginalized and oppressed by the local population. In Cameroon, the Nigerian citizens who opted to remain faced the challenge of adjusting to their new status and face suspicion.²¹

However, in spite of the post resolution clashes and disturbances still occurring, Nigeria and Cameroon have had somewhat friendly relations in several areas especially in the face of terrorism, a common evil.²² Over the past decade, Cameroon and Nigeria have undertaken bilateral and multilateral cooperation in the fight against terrorist group Boko Haram. In Boko Haram's early years, Paul Biya, the then Cameroonian President took the view that it was "a domestic Nigerian issue".²³ After 2010, however, the

insurgency spilled over from Nigeria into the Lake Chad basin, including the underdeveloped Far North of Cameroon, which has served as a recruitment ground for Boko Haram, as well as a refuge from Nigerian security services.²⁴ There were several Boko Haram kidnappings in Cameroon, including of foreign nationals and of the wife of Cameroon's deputy prime minister. The exodus of refugees from Nigeria became a humanitarian and security risk, and, as attacks inside Cameroon escalated, Cameroonians were also displaced – 170,000 by 2017. Cross-border livestock theft has also increased: the World Bank estimates that, between 2013 and 2018, Boko Haram stole from Cameroonians at least 17,000 heads of cattle (worth around US\$6 million) for sale in Nigeria.²⁵

Nigeria often accused Cameroon of not doing enough to fight Boko Haram insurgents even though the terrorist group frequently crosses into Cameroonian territory.³⁸ Cameroon has been attacked several times by Boko Haram. In May 2014, in the wake of the Chibok School girls kidnapping, in a twist of irony, Boko Haram's atrocities brought Cameroon and Nigeria closer. since mid-2014 Cameroon adopted a much more active stance, deploying its first contingent of troops to the Nigerian border in May of that year.²⁶ In declaration after declaration, leaders of both countries vowed to destroy the organization. They coordinated surveillance, shared intelligence, and increased patrols of the region. Presidents Buhari and Biya met repeatedly to discuss and coordinate strategies in boosting diplomatic ties. In 2015, at a meeting in Yaoundé, the

leaders rededicated themselves to the complete dissolution of Boko Haram. This kind of game theory approach is required moving forward towards enhancing bilateral interstate relations between Nigeria and Cameroon. There remain concerns that Nigeria and Cameroon continue to engage in a spirit of “mutual suspicion”, undermining communication between them.²⁷ Nonetheless, security cooperation appears to have improved relations between the two countries and their heads of state, including through a series of regular bilateral meetings from around 2012. Perhaps evincing these closer ties, at a bilateral meeting in 2021, the Cameroonian Minister for Territorial Administration, Atanga Nji Paul, reassured Nigeria of Biya's "determination never to allow his territory to be used as training grounds for terrorists against a friendly and brotherly country like Nigeria".²⁸

On 28 February 2012 in Abuja, Nigeria and Cameroon signed an agreement to establish the Cameroon–Nigeria Trans-Border Security Committee, intended to deepen cooperation on border security and on issues relating to terrorism, weapons smuggling, and illegal migration.²⁹ It meets twice a year, with the countries taking turns to host. The first session was held on 6–8 November 2013 in Yaoundé, and the eighth session on 24–26 August 2021 in Abuja.³⁰ In 2014, Cameroon joined the Multi-National Joint Task Force, established by Nigeria and comprising the Lake Chad countries (and Benin). This followed a Lake Chad Basin Commission summit held in Paris in May 2014, at the invitation of French President Francois Hollande, at which Biya announced the states'

intention to "declare war" ("*declarer la guerre*") against Boko Haram. The task force seeks to enhance regional counter-terrorism cooperation, particularly in the fight against Boko Haram, and including by coordinating patrols, coordinating border surveillance, and pooling intelligence Challenges Militating against Bilateralism and Inter-State Relations between Nigeria and Cameroon.

Other than the struggle over the oil producing region of Bakassi, the challenges militating against bilateralism and inter-state relations between Nigeria and Cameroon also includes The Ambazonia crisis. The Ambazonia secessionist threat in the Anglophone regions of Southern Cameroon continues to fuel social tension in Cameroon with untoward impacts on Nigeria-Cameroon bilateral relations.³¹ The crisis in the Anglophone regions (Northwest and Southwest) of Cameroon started in October 2016 with protests by teachers and lawyers. It further escalated into an armed insurrection at the end of 2017 and has since degenerated into a conflict. The conflict has killed at least 1,850 people since September 2017 and several displaced persons from the conflict regions have fled to the West region and Littoral region of Cameroon for safety.³² It has caused social and humanitarian crises in the Anglophone regions as many schools especially in the rural areas have remained largely shut since the escalation of the conflict; over 170 villages have been destroyed; 530,000 people have been internally displaced and 35,000 have sought refuge in neighbouring Nigeria.³³ The armed conflict in former British administered Southern Cameroons poses direct threats to Nigeria-Cameroon

relations bearing in mind the security and diplomatic implications. Attention has been drawn to the possible radicalisation of border communities in neighbouring Nigeria, cross border movement of separatist fighters from Cameroon, proliferation of Small Arms and Light Weapons (SALWs) and influx of refugees into the country among others. The United Nations High Commissioner for Refugees reported that over 30,000 Cameroonians have fled from the crisis into Nigeria, since September, 2017.³⁴ Majority of these refugees are hosted in Akwa-Ibom, Cross-River, Benue and Taraba States. There are also concerns that the Ambazonia crisis would have grave consequences for the region. So far, the Nigerian Government has refrained from supporting the Southern Cameroons pro-Ambazonia struggle for independence bearing in mind the growing rapprochement between both countries.³⁵ The Nigerian public opinion is against the increased influence of France and Cameroon in crushing the Ambazonia.

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CHAPTER FIVE

CONCLUSION

This Research Work has been able to examine the Nigeria - Cameroon relations with the focus on the issues surrounding the control of the Bakassi Peninsula region. The quest for sole proprietorship of the oil producing region has been a bone of contention between both countries. This research work has been able to look into the causes, escalation and steps towards peaceful reconciliation of the conflict.

The research work first of all looks at the historical background of the conflict. Situated in the Gulf of Guinea, the Bakassi Peninsula has been a flashpoint of contention between Nigeria and Cameroon for decades. The strategic importance of the region, abundant in natural resources and maritime access, has fuelled competing claims, exacerbating tensions and leading to sporadic outbreaks of violence. The Bakassi Peninsula, initially inhabited by the indigenous Bakassi people, found itself at the center of this geopolitical tug-of-war. Despite being predominantly populated by Nigerians, the peninsula was placed under Cameroonian administration by colonial authorities, a decision that sowed the seeds of discord between the two neighboring nations. Over the

years, this simmering tension escalated as both countries asserted their claims to the territory, leading to a protracted dispute marked by diplomatic maneuvering and occasional outbreaks of violence.¹ The arbitrary borders drawn by European powers during the Scramble for Africa laid the foundation for territorial disputes that continue to haunt the region to this day. Both Nigeria and Cameroon, former colonies of Britain and France respectively, inherited these contested borders upon gaining independence, setting the stage for friction over territorial sovereignty.

The Bakassi Peninsula claimed by both Nigeria and Cameroon is an extension of the Calabar territory in Nigeria that spreads into the Atlantic Ocean with latitude of 4° 25' and 5° 10' north of the equator and a longitude of 8° 30' and 9° 8' to the east of the Greenwich Meridian but to the Cameroonians, the Bakassi is an access route to the Rio Del Rey and parts of their South West Provinces. The Bakassi Peninsula can also be described as a swampy mangrove six hundred - square mile (one - thousand square kilometre) area that juts into the Gulf of Guinea - a region that may contain more than 24 billion barrels of crude oil (about 10 percent of the world's known oil and gas reserves).² The kingdom of Bakassi was founded around 1450 by the Efik people, who later became an integral part of the Old Calabar kingdom.³ The coastal native populations are originally from the Old Calabar empire, primarily the Efik, Ibibio, and Oron groups, who controlled the fishing grounds and camps along Bakassi and an adjacent peninsula as well as the estuaries of the rivers there.⁴ They established and marked their suzerainty over

these water spaces and camps by giving them names, thus marking their rights to them.⁵ In other words, the peninsula was peopled by groups whose origins are traceable to locations in present-day Nigeria, who, from precolonial times, had allegiance to local chiefs, based in what later became Nigeria. During the period of colonialism 1884, Britain signed a treaty of protection with the Kings and chiefs of old Calabar. As was the practice, the British used this treaty as a means to exercise their control over the entire territory of Old Calabar, including the Bakassi Peninsula. Britain and Germany thereafter had skirmishes over the region. Several negotiations did take place between both countries in a bid to resolve the crisis arising from their claims and counter claims. The results of the back-and-forth terms of the treaties and agreements on the Bakassi region, has left the contending crisis as to the country with the legal rights to claiming the territory. It is seen from the pre-1913 agreement that the Bakassi Peninsula was administered as part of British possessions. However, going by the 1913 settlement between Britain and Germany, the area of Bakassi effectively came under German control. The first and second war affected the 1913 agreements by both countries. These various claims and counter claims left unresolved metamorphosed into the conflict between Nigeria and Cameroon as to the legal administrator of the peninsula. Nigeria achieved independence on October 1, 1960, and in 1961, a UN ordered plebiscite was held to “determine the wishes of the people living in Northern and Southern Cameroons” regarding their national affiliation and identity. The result, which favored reunification of Southern Cameroons with the former French Cameroons, effectively restored the Nigeria-

Cameroon boundary to the Anglo-German division in 1913. The control of the Bakassi Peninsula region was not really an issue until the 1970's and it thereafter escalated until it became an arbitrary issues in the International Court of Justice on the application by Cameroon.

In 1966, Major General Aguiyi Ironsi came into power in Nigeria via a military coup. At the time of his rule, he decided to respect all agreements made by the former Balewa administration. It is worthy to note that from the Tafawa Balewa era to the General Aguiyi Ironsi's regime up to the end of the Nigeria Civil War, the Bakassi peninsula was administered as part of Cameroon. At the end of the Nigerian civil war, the military government of General Yakubu Gowon of Nigeria, and Ahmadou Ahidjo of Cameroun had signed series of agreements between 1971 - 1974 as regarding maritime boundary. Negotiations that took place in 1971 amongst them were the Ngoh/Coker agreement which took place in Lagos and also the Yaoundé II Declaration.⁶ General Murtala Mohammed's regime decided to renege on the Maroua Declaration, igniting the crisis between both countries. Mohammed rejected the Maroua agreement of 1975, and questioned its authenticity on the basis that it was not ratified by the Supreme Military Council which served as Nigerian Legislature and whose consent under the constitution at that time was necessary for a treaty in such a manner between Nigeria and a foreign state to be considered valid.⁷ Tensions and clashes continued on both sides. From 18 to

19 February 1993, the Cameroonian soldiers battled the Nigerian soldiers that were sent to the Peninsula by the Head of State, General Sani Abacha and this led to notable loss of lives and properties between both nations, but President Paul Biya was ready for a peaceful settlement, therefore he beckoned on Nigeria for a response. After waiting for a response from the Nigerian side and none was forthcoming, the Cameroon government filed a lawsuit against the Nigerian government in the International Court of Justice in Hague thereby giving the border dispute an international perspective.

On October 10, 2002, the International Court of Justice issued a key ruling on the land and maritime boundary between Nigeria and Cameroon. The court ordered Nigeria to “expeditiously” pull its officials, troops, and police from the richly endowed Bakassi Peninsula, bringing an end to the lingering conflict that had engulfed Nigeria and Cameroon. Although 90% of the inhabitants on the peninsula consider themselves Nigerians, the ICJ ruled in favour of Cameroon, and in regards to this percentage of population seeing themselves as Nigerians coincided to the grounds of Cameroon formal undertaking to continue to afford protection to Nigerians living in the Bakassi Peninsula. The ICJ further stated that the implementation of the judgement should afford parties a beneficial opportunity to cooperate in the interest of the population concerned.⁸

Overtly, Nigeria was in no terms satisfied with the ICJ ruling and there was a rejection of it by the Nigerian government. However, the United Nations Secretary General, Kofi Annan who had hitherto the judgement of the case met with both leaders of

the countries in Paris to accept the decision of the Court was keen on seeing that the dispute was resolved. He again moved to ensure that both countries respect and adhere to the decisions of the ICJ through series of negotiations post - ICJ ruling. Koffi Annan intensified his mediation efforts, giving birth to yet another meeting between the Cameroonian and Nigerian leaders in Geneva on November 15, 2002. During this meeting, the two leaders agreed to ask Annan to establish a mixed commission comprising representatives of Cameroon, Nigeria, and the UN to consider ways of implementing the ICJ ruling and moving the process forward.⁹ When it became difficult to implement the ICJ ruling, owing to certain technicalities, the UN secretary-general formed the Cameroon-Nigeria Mixed Commission (CNMC) for facilitative mediation and appointed his special envoy for West Africa. Koffi Annan brokered a final deal, known as the Greentree Agreement, between the two presidents at Greentree, New York, on June 12, 2006, which formalized the implementation of the ICJ's ruling by establishing the methods of withdrawal and the transfer of authority in the Bakassi peninsula. The signing ceremony was attended by representatives of France, the United States, and Great Britain, and the CNMC was charged with the responsibility of ensuring compliance with the agreement's terms. In the agreement, Nigeria agreed to recognize Cameroon's sovereignty over the disputed area as well as the boundary decided by the court. In addition, Nigeria agreed to withdraw its troops. Cameroon guaranteed Nigerian nationals in the Bakassi peninsula fundamental human rights and freedoms in all dimensions and spheres of life. On August 14, 2008, Nigeria withdrew its troops from

Bakassi and activated its civilian police force to maintain the peace and security of Nigerian residents in the region. Despite this progress, periodic conflicts were recurrent phenomena in the area.¹⁰

Finally, the research work looks at the aftermath of the resolution of the conflict. The transfer of sovereignty from Nigeria to Cameroon in 2008, signalled the formal end of the dispute. However, there have been unsettlement in the region followed by sporadic armed conflicts between the Bakassi and Cameroonian gendarmes. First, over 12,000 Bakassi residents chose to leave the area and move to Nigerian territory. The Nigerian government found a place to resettle the refugees in Cross River State, but in doing so they displaced other Nigerian citizens. The accommodations for the refugees were not sufficient, with 172 housing units for 12,000 people, leaving many homeless.¹¹ The Bakassi people also suffered a loss of cultural way of life, as the fishermen and their families were moved to a landlocked area where their skills could not be used. Second, Nigeria had to relinquish significant oil wells to Cameroon, negatively impacting its economy. Economically, the Bakassi ruling come as a big boost to Cameroon's crude oil output. Those who choose to stay behind in Bakassi had ill-feelings toward the Nigerian government and started political movements in an attempt to secede the region from both countries, such as the Bakassi Movement for the Self-Sovereignty of the Peninsula, and the Movement for the Emancipation of the Niger Delta. However, in spite of the post resolution clashes and disturbances still occurring, Nigeria and Cameroon have had

somewhat friendly relations in several areas especially in the face of terrorism, a common evil.¹² The research work ends with an outlook on other factors militating against bilateralism and inter - state relations between both countries with the focus being the Ambazonia crisis.

The Nigeria - Cameroon relationship no doubt is one that is strained due to the conflicts surrounding the control of the oil Bakassi region. However, they have been cordial relations between both countries especially in the face of terrorism. Indeed, they ought to be a way forward for both countries which can be achieved through the following processes:

- Keeping Political and Diplomatic Outreach Open:

Keeping political and diplomatic outreach open between Nigeria and Cameroon would address the crisis between both countries. This is aimed at pursuing political and diplomatic outreach to Cameroon regarding to contending issues. It also aims at preparing the diplomatic channel for use as last resort so as to resolve the issue amicably between the two countries.

- Introduction of Permanent Residence

Introduction of permanent residence for people from both countries who have settled permanently in their alternate countries could be so accepted and treated as citizens of the affected country. This would lead to the abolition of illegal, harassment by security agents

and exorbitant taxation as is the case suffered by the Bakassi fishermen along the Cameroonian border. Where necessary, the level of taxation would be reasonable and affordable and not discriminatory. By this token, Cameroon will continue to offer protection to Nigerians living in the Bakassi Peninsula and in the Lake Chad, area now ceded to Cameroon. The same treatment would be meted to the Cameroonians who by the ICJ ruling now find themselves in Nigeria.

- Improvement in Security Cooperation

Improvement in security cooperation between Nigeria and Cameroon would assist in reducing tension and engendering bilateralism and inter-state relations. This could be enhanced by the teaching of the French language in military/security establishments in Nigeria and English in Cameroon. It would enable both security and consular officials to effectively educate and interpret government policies to the people. Also, the cooperation would go a long way in reducing border check points and enhance great border development in both countries.

Furthermore, security agencies of both countries could improve co-operation in areas of crimes, intelligence gathering, custom duties, and surveillance of territorial waters, control of immigration and a greater patrol of the border due to its porous nature. Additionally, the containment of illegal cross border activities would enhance bilateral relations between Nigeria and Cameroon. This would also assist in ameliorating the problem of cross border activities such as smuggling and piracy which are concentrated

on the coastal borders. These illegal activities would be checked if the security cooperation between Nigeria and Cameroon is improved towards enhancing bilateral interstate relations of both countries.

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