**The Scramble for the Wider Territory of Ambazonia: The Reason for Nigeria/Cameroon Maritime Boundary Dispute**

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**Abstract**

*The colonization and the subsequent balkanization of African territories by Europeans resulted in battering and shattering of the economic life of Africans. The colonization and misrule of Africans by colonial masters left behind scars resulting in more than one hundred ethnic conflicts across many African countries. The conflicts stem from land disputes and most of the land disputes are products of artificially drawn international borders which divide ethnic groups and some land have oil rich resources. To this end, this paper will attempt an appraisal of the relevant instruments and historical background of the Nigeria – Cameroon maritime boundary dispute as well as the factors responsible for the disputes. The paper will also try to identify the main reason for the conflict between the two countries which is the scramble for the wider territory of Ambazonia, an oil rich region lying between Nigeria and Cameroon*.

**Key Words:** Nigeria Cameroun border dispute, Ambazonia, Oil Revenue, Bakassi peninsula

1. **Introduction**

There is the general agreement among historians that ethnic conflicts have been the core cause of bloodshed in Europe and in the Mediterranean. The deep scars that these conflicts leave on people and nations are often obscured by historical accounts that, more often than not, glorified conquest and ignored aggression.[[3]](#footnote-3) Although, ethnic conflicts have defined European history for centuries, Africa was spared this problem until the Europeans decided to treat the continent as a free for all real estate. European colonial rule in Africa left behind the same scars as the then balkanization scheme had left in Europe.[[4]](#footnote-4)

Nations and territories were battered and divided by colonizers among themselves, and economic life was shattered. The results of colonial misrule are obvious. Today, about 103 ethnic conflicts are ongoing in the African continent.[[5]](#footnote-5) Some of them are old fashion land disputes, while others are products of artificially drawn international borders that divide ethnic groups, and still, others have oil in the mix.[[6]](#footnote-6) One of such conflicts that involve all of the above features is the dispute between Nigeria and Cameroon over the Bakassi Peninsula.[[7]](#footnote-7)

Nigeria and Cameroon are States situated on the west coast of Africa. Their land boundaries extend from Lake Chad in the north to the Bakassi Peninsula in the south. The coastlines of Nigeria and Cameroon are adjacent with a land border that reaches the sea in the south on the Gulf of Guinea.[[8]](#footnote-8) Four States border the Lake Chad: Cameroon, Chad, Niger and Nigeria. In its northern part, the land boundary between Cameroon and Nigeria passes through hot dry plains around Lake Chad, at an altitude of 300m. It then passes through mountains, cultivated high grounds or pastures, watered by various rivers and streams. The boundary then descends in stages to areas of savannah and forest until it reaches the sea.[[9]](#footnote-9)

The coastal region where the southern part of the land ends is the area of the Bakassi Peninsula. This Peninsula, situated in hollow of the Gulf of Guinea, is bounded by the River Akwayafe to the west and by the Rio del Rey to the east. It is an amphibious environment characterized by an abundance of water, fish stocks and mangrove vegetation. The Gulf of Guinea, which is concave in character at the level of the Cameroonian and Nigerian coastlines is bounded by other States, particularly by Equatorial Guinea whose Bioko Island lays opposite Nigerian and Cameroon coastlines.[[10]](#footnote-10)

The disputes between Nigeria and Cameroon with respect to their land boundary falls within a historical framework marked initially, in the nineteenth and twentieth centuries, by the actions of the European powers with a view to partitioning Africa. This was then followed changes in the status of the relevant territories under the league of Nations mandate system--then the United Nations trusteeships, and finally by the territories accession to independence.[[11]](#footnote-11) This history is reflected in a number of conventions and treaties, diplomatic exchanges, certain administrative instruments, maps of the period and various documents, which were provided to the International Court of Justice, ICJ, by the Parties.[[12]](#footnote-12) The delimitation of Nigerian – Cameroon maritime boundary is, however, an issue of more recent origin, the history of which also involves various international instruments.[[13]](#footnote-13) Lan Brownlie traces the actual demarcation of the Cameroon – Nigeria border from when the German Protectorate of Kamerun was established on the 12th July, 1884, to the time of the plebiscite of 11th February 1961 when the territories of Southern and Northern Cameroons voted separately to join Cameroon and Nigeria on different terms respectively, the learned jurist cited the following relevant treaties and agreements.[[14]](#footnote-14)

On the 10th October, 2002, at The Hague, the ICJ, delivered its judgment in the case concerning land and maritime boundary between Cameroon and Nigeria: Cameroon v. Nigeria, with Equatorial Guinea intervening.[[15]](#footnote-15) In its judgment, which was final, without appeal and binding on the parties, the Court determined the course of the boundary, from north to south, between Cameroon and Nigeria.[[16]](#footnote-16) Finally, the Court in its paragraph 316 decided to lay aside and reject Cameroon’s claim regarding state responsibility of Nigeria. It declared that, by the very fact that it had fixed the boundary in those regions according to Cameroon’s claims, the injury suffered was sufficiently addressed, and it did not consider it necessary to decide whether and to what extent Nigeria had incurred international responsibility as a result of that occupation.[[17]](#footnote-17) In the same vein, the ICJ rejected Nigeria’s counter claim.[[18]](#footnote-18)

1. **Relevant Instruments for Determining the Course of the Land and Maritime Boundary between Nigeria and Cameroun**

The whole discourse in this paper would not be placed in its proper context without a background reviewing the relevant instruments and historical accounts of Nigeria – Cameroon disputes as well as the reason(s) for the disputes. Some instruments are relevant for the purposes of determining the course of the land and maritime boundary between Nigeria and Cameroon.

* 1. **Instruments Delimiting Colonial Territories**

At the end of nineteenth and at the beginning of the twentieth century, various agreements were signed by Germany, France and Great Britain to delimit the boundaries of their respective colonial territories.[[19]](#footnote-19) Thus, the boundary between France and Great Britain was defined by the convention between those two States respecting the Delimitation of the Frontier between the British and French possessions to the east of Niger, signed in London on the 29th May, 1906, referred to as “Franco – British Convention of 1906”[[20]](#footnote-20) as supplemented by a protocol of the Same name dated the 19th February, 1910 referred as the “Franco – British Protocol of 1910”.[[21]](#footnote-21) On the other hand, the Franco - German boundary was defined by the Convention between the French Republic and Germany for the Delimitation of the Colonies of French Republic and Germany for the delimitation of the colonies of French Congo and of Cameroon and French and German Spheres of influence in the Region of Lake Chad, signed at Berlin on the 15th march, 1894, and by the Franco – German Convention Confirming the Protocol of the 9th April, 1908 defining the boundaries between the French Congo and Cameroon signed at Berlin on the 8th April, 1908, referred to as the “Franco – Germany Convention of 1908”.[[22]](#footnote-22)

The boundary between Great Britain and Germany was first defined by the Agreement between Great Britain and Germany respecting boundaries in Africa, signed at Berlin on the 15th November, 1893 and supplemented by a further Agreement on the 19th March, 1906 respecting the boundary between British and German territories from Yola to Lake Chad referred to as[[23]](#footnote-23) the “Anglo – German Agreement of 1906”. The southern part of the boundary was subsequently redefined by two Agreements concluded between Great Britain and Germany in 1913. The first of these Agreements, signed in London on the 11th March, 1913, referred to as the “Anglo – German Agreement of 11th March, 1913”concerned: (i) the settlement of the Frontier between Nigeria and the Cameroon from Yola to the sea and (ii) the regulation of navigation on the Cross River and covered some 1,100km of boundary, the second signed at Obokum on the 12th April, 1913, by Hans Detzner and W.V. Nugent representing Germany and Great Britain respectively referred to as the “Anglo – German Agreement of 12th April, 1913”, concerned the demarcation of the Anglo – German boundary between Nigeria and the Cameroons from Yola to the Cross River and included eight accompanying maps.[[24]](#footnote-24)

After the end of the First World War, all the territories belonging to Germany in the region, extending from Lake Chad to the sea, were apportioned between France and Great Britain by the Treaty of Versailles and then placed under British or French mandate by agreement with the League of Nations.[[25]](#footnote-25) Consequent upon that, there was the need to define the limits separating the mandated territories. The first instrument drawn up for that purpose was the Franco – British Declaration signed on the 10th July, 1919, by Viscount Milner the then British secretary of State for the Colonies, and Henry Simon, the then French minister for Colonies, referred to as the “Milner Simon Declaration”.[[26]](#footnote-26) With a view to clarifying that initial instrument on the 29th December, 1929 and the 31st January, 1930, Sir Graeme Thomson, Governor of the Colony and Protectorate of Nigeria and Paul Marchand commissioner de La Republique franchise au Cameroon, signed a further very detailed agreement referred to as the “Thomson – Marchand Declaration”.[[27]](#footnote-27) This Declaration was approved and incorporated in an Exchange of Notes dated the 9th January, 1931, between A. de Fleuriau, the French Ambassador in London, and Arthur Henderson – Fleuriau Exchange of Notes”.[[28]](#footnote-28)

Following the Second World War, the British and French mandates over the Cameroon were replaced by United Nations Trusteeship Agreement.[[29]](#footnote-29) The Trusteeship Agreement for the British Cameroon and the Cameroons under French administration were both approved by the United Nations General Assembly (UNGA) on the 13th December 1946. These agreements referred to the line laid down by the Milner – Simon Declaration to describe the respective territories placed under the trusteeship of the two European Powers.[[30]](#footnote-30) Pursuant to a decision taken by Great Britain on the 2nd August 1946 regarding the territories then under British mandate, namely the 1946 order in Council providing for the administration of the Nigeria Protectorate and Cameroons, the regions placed under its trusteeship were divided into two for administrative purposes, thus giving birth to the Northern Cameroons and the Southern Cameroons.[[31]](#footnote-31) The Order in Council contained a series of provisions describing the line separating these regions and provided that they would be administered from Nigeria.[[32]](#footnote-32) On the 1st January, 1960, the French Cameroons acceded to independence on the basis of the boundaries inherited from the previous period. In the same vein, Nigeria did likewise on the 1st October, 1960.[[33]](#footnote-33)

In accordance with the United Nations directives, the British Government organized separate plebiscite in the wishes of the inhabitant concerning their justice.[[34]](#footnote-34) In those plebiscites held on the 11th and 12th February, 1961, the population of the Northern Cameroons decided to achieve independence by joining the independent federation of Nigeria, while the population of the Southern Cameroon decided to achieve independence by joining the independent Republic of Cameroon.[[35]](#footnote-35) As regards the frontier in Lake Chad, on the 22nd May, 1964, the four States bordering the Lake Chad signed an agreement establishing the Lake Chad Basin Commission, referred to as “LCBC”.[[36]](#footnote-36) The LCBC inter alia prepares general regulations which will permit the full application of the principles set forth in the Conversation and its annex statute, and to ensure their effective application to exercise various powers with a view to coordinating action by the member States regarding the use of the waters of the basin.[[37]](#footnote-37) According to Article (ix) paragraph (g), one of its functions is to examine complaints and to promote the settlement of disputes.[[38]](#footnote-38) Over the years, the member States of the LCBC have conferred certain additional powers on it.[[39]](#footnote-39) Thus, following in 1983 among riparian States in the Lake Chad area, an extraordinary meeting of the LCBC was called from the 21st to 23rd July 1983 in Lagos, Nigeria on the initiative of the Heads of States concerned, in order to give it the task of dealing with certain boundary and security issues.[[40]](#footnote-40)

**2.2 Specific Instruments of Boundary and Sovereignty over Bakassi Peninsula:**

The question of the boundary in Bakassi and of sovereignty over the Peninsula also involved specific instruments. On the 10th September, 1888, Great Britain and the Kings and Chiefs of old Calabar concluded a Treaty of Protection, referred to as the “1884 Treaty”.[[41]](#footnote-41) Under that Treaty, Great Britain undertook to extend its protection to these Kings and Chiefs, who in turn agreed and promised inter alia to refrain from entering into any agreement or treaties with foreign nations or powers without prior approval of the British Government.[[42]](#footnote-42) It is also worthy to recall that shortly before the first World War, the British Government concluded two agreements with Germany, dated respectively 11th March and 12th April 1913, whose objects included the settlement of the Frontier between Nigeria and the Cameroons, from Yola to the Sea and which placed Bakassi Peninsula in German territory.[[43]](#footnote-43)

The maritime boundary between Cameroon and Nigeria was not the subject of negotiation until relatively recent time. Admittedly, apart from the Anglo – German Agreements of 11th March and 12th April, 1913, in so far as they refer to the end point of the land boundary on the coast, all the legal instruments, concerning the maritime boundary between Cameroon and Nigeria post – dated the independence of those two States.[[44]](#footnote-44) To this end, the two countries agreed to establish a joint boundary commission, which on the 14th August, 1970, at the conclusion of a meeting held in Yaoundé, Cameroon, adopted a Declaration, referred to as the “Yaoundé 1 Declaration” which Cameroon and Nigeria decided that the delimitation of the boundaries between the two countries would be carried out in three stages, the first of these being the delimitation of the maritime boundary.[[45]](#footnote-45)

The works of that Commission led to a second Declaration at Yaounde on the 4th April, 1971, referred to as the “Yaounde 11 Declaration,[[46]](#footnote-46) whereby the Heads of State of the two countries agreed to regard as their maritime boundary as far as the 3 – nautical – mile limit, a line running from a point 1 to a point 12, which they had drawn and signed on British Admiralty Chart No. 3433 annexed to that Declaration.[[47]](#footnote-47) Four years later, on the 1st June, 1975, the Heads of States of Cameroon and Nigeria signed an agreement as Maroua, Cameroon, for the partial delimitation of the maritime boundary between the two States, referred to as the Maroua Declaration.[[48]](#footnote-48) By this Declaration, they agreed to extend the line of their maritime boundary, and accordingly adopted a boundary line point designated as G,[[49]](#footnote-49)British Admiralty Chart No. 3433, marked up accordingly was likewise annexed to that Declaration.[[50]](#footnote-50)

Having briefly described the relevant legal instruments necessary for the determination of the course of the land and maritime boundary dispute between Nigeria and Cameroon, the paper will now x – ray the historical developments of this land and maritime boundary disputes.

1. **Historical Background to the Land and Maritime Dispute Between Cameroon and Nigeria**

The first noted conflict over the Cameroons and Nigeria area could be traced to the dispute between the Germans and the British over German success in signing treaties with the Cameroon Kings of Akwa Bell Town in Douala on the 14th July, 1884. The treaties, in effect, proclaimed the German Protectorate extending from the Rio Del Rey area to Gabon. This, however, angered the British consul, Hewett, whose treaties were signed late.[[51]](#footnote-51) Moreover, a dispute over the disrespect of German flag, inciting the natives to rebel against German rule, and the fact that the British explorer Hewett would preside over court cases in Douala as if Germany did not exist equally fueled tensions between the two European powers. A rebellion of the natives led to the death of one German. Even though the rebellion was crushed, it provided better reaction from Germany, which led Bismarck, in his traditional way, to demand compensation with land West of Ambas Bay to the Rio del Rey. After some hesitation, Britain complied and a new boundary line was made along the Right Bank of the Rio del Rey to its source and to extend from there to the Cross Rivers Rapids. Later, the British bargained that Germany surrender claim at St. Lucia in South Africa in Exchange for Victoria in the Cameroons.[[52]](#footnote-52)

It must be mentioned that all that while, both the British and Germans had mistakenly believed that the Rio del Rey was a river. When mapping the old Calabar, Cross River, in 1889 Captain Gref, however, discovered that:[[53]](#footnote-53)

1. The Akwayaffe River did not end in the Old Calabar River as the English maps had shown, but rather entered directly into the sea;
2. That the Rio del Rey was not a River, but a seaway, and that the Akwayaffe was connected to the Rio del Rey by channels to the east,
3. That the Ndian River on the map prepared by the English Consul Johnson is, according to Weladji, unknown to the natives of the Rio del Rey who instead call it the Ofa.

These findings provoked maneuvers from both sides in an effort to secure Ndian River on the part of the British, and to secure the acceptance of the Akwayaffe as a substitute for the nonexistent Rio del Rey, on the part of the Germans. Accordingly, Article 4 of the Anglo – German Agreement of 1890 firmly secured the findings.[[54]](#footnote-54) The importance of these findings lied in the fact that the Germans insisted that from 1885, the waterway, whether river or creek, belonged to her and the 1890 Agreement had changed nothing in this regard. And to that, the British agreed noting:[[55]](#footnote-55)

There is no doubt that under the agreement of 1885 – 86 both banks of the river were given to Germany and that from that time to 1890 she held this water way…… the resulting agreement signed on the 14th April, 1983, defined the Rio del Rey boundary with greater clarity and a pointer to things to come – neutral liked the Bakassi Peninsula dispute.

In 1901, an agreement was reached as to the proposed boundary between the protectorate of Southern Nigeria and the Colony of Kameron, between the British and the Germans.[[56]](#footnote-56) This Agreement, which was done in a meeting in Buea, Kameron, on April, 1901, was the basis of all subsequent boundary agreements – 1906, 1901 and 1915 – with minor amendments.[[57]](#footnote-57)

That Agreement stood the test of time, surviving through the World Wars and the settlements thereafter, through the period of decolonization of the fifties and sixties.[[58]](#footnote-58) Summarily, the documents revealed that all through British rule of the Cameroons and Nigeria, the boundary pillars laid by the Germans were untouched and, that any attempt at redressing the border were resisted. A clear case in point was the dispute over the Obudu Cattle Ranch.[[59]](#footnote-59) The Obudu Cattle Ranch dispute arose from a Shell Company aerial survey map, which showed that part of the Obudu Cattle Ranch was in fact, on the Cameroonian side of the border. Because a team of surveyors from Southern Cameroons, Ambazonia, was embarked on tracing the borderline of the State, the British feared that if the surveyors saw the shell map, they might use it to confirm the boundaries of Southern Cameroons. In an inward telegram to Common Wealth Relation Office, the correspondent advised that the colonial office should instruct Southern Cameroon’s Government to desist forthwith from any attempt to demarcate that boundary.[[60]](#footnote-60) That telegram provoked a series of correspondence aimed resolving the matter.

Sensitivity over the Southern Cameroons – Nigeria border arose from the fact that, in 1954, the Nigerian government single handedly, but also to its disadvantage, inaccurately redefined the border, leaving out the Obudu cattle ranch, which lays inland North of Bakassi.[[61]](#footnote-61) In attempting to instruct Southern Cameroons to desist from carrying out the survey, the British government showed preferential treatment when it failed to question why and how the Nigerian government could have made such a mistake. As later correspondence would show, irresponsibility on the part of the Nigerian government was equally responsible for triggering the squabble over the Obudu Cattle Ranch.[[62]](#footnote-62)

Still in another correspondence dated 30th May, 1961, M.L Woods blamed the Nigerian government for making unduly heavy weather over the border issue.[[63]](#footnote-63) Perhaps, this may be true of the Bakassi Peninsula dispute, for as one can clearly observe, if the Obudu Cattle ranch case was settled using the Anglo – German Treaty of 1913, can’t the Bakassi Peninsula border dispute be resolved in the like manner? Nevertheless, R. Akinjide expressed one such opinion that drums up the premise that the 1913 Anglo- German Treaty is not binding on Nigeria. In an article published by West Africa magazine in April 1994, Akinjide enumerated many treaties that were signed by the Chiefs and Kings of the Old and New Calabar area demanding British Protection ofthe Oil River Protectorate.

Akinjide further insinuated that the Anglo – German Treaty of 1913 was not a Treaty in force because since something cannot emanate from nothing, the 1913 Treaty cannot, therefore, be the judicial basis for a claim to the Bakassi Peninsula by Cameroon.[[64]](#footnote-64) However, what Akinjide has failed to question was why did the Nigerian government and the British government accepted maps of southern Cameroons, Ambazonia, which showed Bakassi as its territory and not Nigeria’s – even when the said territory was jointly administered by Britain together with Nigeria and specifically the stipulations of the Franco British Declaration of 10th July, 1919, which also for the most part, honoured the 1913 Treaty?

This brings the paper to the question why Nigerian and Cameroon suddenly find themselves fighting over Bakassi Peninsula.

1. **Reasons for the Land and Maritime Boundary Dispute Between Cameroon and Nigeria over Bakassi Peninsula**

The answer as to why Nigeria and Cameroon suddenly find themselves fighting over Bakassi seems for most part to hover around: (i) identity crises surrounding the State of Southern Cameroon, (ii) poor human rights records of Cameroon and Nigeria and (iii) dispute over wider territory of Ambazonia. These reasons are discussed below.

* 1. **Identity Crises Surrounding the State of Southern Cameroon**

The position of the Southern Cameroons Restoration Movement, SCARM, and the Ambazonia Republic Leaders has been made known on numerous occasions including their 1995 visit to the UN in demanding adult membership of the UN. Concerning Bakassi, the positions of the leaders has equally been clear that from 1919 – 1958 when Southern Cameroons was jointly administered with Nigeria, maps prepared by the Federal Ministry of Lands and Surveys in Lagos recognized the Bakassi Peninsula as being part of Ambazonia territory. They also held the view that for the short duration of the federal structure which the Cameroons adopted after the plebiscite, the Federal Cameroon Republic had Bakassi as part of its Federal Territory.[[65]](#footnote-65)

Commenting on declassified documents from the Public Records Office of the U.K., N.N. Susungi notes that in trying to forge a unification process where the Ambazonians would be integrated into an independent Republic of Cameroon, President Ahmadou Ahidjo of Cameroon, committed fatal errors that have placed the unification process in jeopardy. That had led to a situation where both Cameroon and Southern Cameroons, Ambazonia, would be better off if legally separated by the U.N. Notably, Ahidjo failed to prepare a draft constitutional document to be signed between him and John Ngu Foncha during and after the Foumbia Conference, and so there was no document to show that the unification process ever took place. Thus, the UNGA Resolution was never implemented in constitutional terms since there was no constitution signed by leaders of the two States.[[66]](#footnote-66) Finally, internationally recognized territorial boundaries are in doubt. Citing Bakassi border dispute, Susungi demands to know if under such circumstances, the Cameroon government can lay claim to sovereignty over Bakassi.[[67]](#footnote-67)

**4.2 Poor Human Rights Records of Cameroon and Nigeria**

Another explanation as to why Cameroon and Nigeria were gradually drifted to war was that both governments used the border dispute as a means of diverting attention away from their poor human rights records. In both countries, it is common to easily enumerate instances of gross human rights violation which resulted from the dire desire of the masses for genuine democracy and good neighborliness.[[68]](#footnote-68) For almost four decades of independence, Cameroon boasted of having only two Presidents. Ahmadou Ahidjo, the first President of Cameroon, ruled almost single handedly for twenty – five years. During his terms of office, detention for no crimes other than for making negative political comments was very common. Thus, Ahidjo operated many maximum security prisons in which political detainees were kept.[[69]](#footnote-69)

After Paul Biya took over power from Ahidjo, things got worse, both in terms of fundamental human rights and the national economy. The salaries of Gendarmes, and the Army almost doubled when Biya became President due to almost annual salary increment. Such behavior translated directly into that of the repressive nature of the polity in that the government clearly bought the loyalty of the forces in its bid to rig elections and crush resistance just to maintain power.[[70]](#footnote-70) Thus, the struggle to democratize Cameroon, especially since the “wind of change” of the 1990, has been a dismal failure. Democracy, at least of the type once practiced in Ambazonia, became a farfetched dream. Hundreds of casualties were recorded in trying to earn it. And as for human rights, thousands were in jail for one political offence or the other because freedom of speech was policy only on paper. A case in point concerned letters written from one of Cameroon maximum prison, BMM, in Yaounde, to the then Director of the Human Rights Defense Group, HRDG, Albert Mukong.[[71]](#footnote-71)

The main trouble with Nigeria was that of continuous and overbearing military dictatorship. More than any other country on earth, Nigeria seems to have recorded more military coups and countercoups attempts in which thousands of Nigerians died.[[72]](#footnote-72) All military regimes in Nigeria recorded gross human rights abuses, and with the exception of the Shehu Shagari’s regime, the civilian regimes are not spared of human rights abuses. Dele Giwa, a notable editor who wrote elaborately on peace between Nigeria and Cameroon, was killed by a letter bomb on the 21st October, 1986 and his death was seen and reported as a political assassination.

The prosecution of former Governor of Kaduna State, Balarabe Musa and his aid, Professor Baka Usman of the department of history in Ahmadu Bello University, Zaria, in the early 1980s and the death of Chief Mushood Abiola in prison for their struggle to democratize Nigeria were the outcome of human rights abuses. The torturous years that the Lagos – based Lawyer, Chief Gani Fawehinmi, went through, especially those many months he spent in the Maiduguri jail, Borno State for threatening to put President Babangida and his late wife, Mariam Babangida on the stand for corruption, drug trafficking and human right abuses were cases in point.[[73]](#footnote-73) Another case in point was the expulsion of the sociology Professor, Patrick Wilmot, of ABU Zaria, in 1988 and the charges trumped - upon him for being a US – Central IntelligenceAgency, CIA, spy.[[74]](#footnote-74) Perhaps the most stinking record of human rights abuses was the hanging of Ken SaroWiwa and eight others, in November 1995, for protesting the misuse of the revenues and natural resources and the attendant environmental degradation of the Niger Delta region of Nigeria, their area of origin.[[75]](#footnote-75) The last but not the least of the human rights violation in Nigeria was the brutal killing of the wife of Abiola with machine gun fire in broad day light on the street of Lagos. The deaths of Bola Ige, Chief A.K. Dikibo, Chief Marshal Harry are all instructive on this point.

The above glimpses are intended to show that the leaders of both Cameroon and Nigeria were facing serious human rights violation.

* 1. **Dispute over the Wider Territory of Ambazonia**

Further alternative explanation of the Bakassi Peninsula dispute comes from N.N. Susngi, who laments about the fanfare that surrounded the handing over of Hong Kong to China on the 1st July, 1997. In comparing the situation to the handover of Southern Cameroon to Cameroon, he opines that Southern Cameroons leaders then did not have the constitutional mandate to negotiate.[[76]](#footnote-76)

Quite to the contrary, the declassified file of London showed that London had negotiated secret deals with Yaounde, such that the Commissioner, J.O. Field, stayed in Buea on July 1961 instead of being in Foumban where the so-called negotiations were supposed to have taken place. On that account, it was clear that Britain betrayed Southern Cameroons by secretly agreeing with Ahidjo that British would create a vacuum of the territory, which President Ahidjo would then fill with his own troops.[[77]](#footnote-77)

1. **Conclusion**

The relevance of these findings to the Bakassi border dispute is clear in that not only did Nigeria charged Cameroon soldiers for being the perpetrators of acts of aggression but also, Ambazonian leaders at home and abroad held the same that same belief.[[78]](#footnote-78)Yaounde had definitely gone to war with Nigeria not because it cared about the territory and the people – Ambazonians – who truly own the Land, but because of resources they would acquire from them. Even since the faked unification, the concern of the Yaounde governments has been centered on the riches of Ambazonia, free of charge and has done nothing in return to the citizens of this ill-fated territory.[[79]](#footnote-79) This position can be verified by simply examining the revenue of the Cameroon petroleum industry and the fact that government did not account for it ever since 1977 when production started, because the resources were from a territory that it knew it illegally acquired.[[80]](#footnote-80) To the best of our knowledge, not a dime was used in the territory of Ambazonia. Coupled with these gross violations of international law at the time of the plebiscite, is the fact that since then, Ambazonia has been isolated in terms of communication. Besides, poor infrastructure, the territory was almost impossible to be reached by telephone – all other French speaking provinces of Cameroon were accessible since most of them have been equipped with modern digital systems.[[81]](#footnote-81) Thus, the Bakassi Peninsula dispute in this regard, could be seen as a dispute over the wider territory of Ambazonia and not just the Islands of the Bakassi Peninsula.

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17. Ibid. Decision of 10th October, 2002, para. 316 available on line at: cij.org/Icjwww/idockey/icn/icnjudgement.icn, judgment, 20021010. PDF. Accessed on the 15th June, 2009. [↑](#footnote-ref-17)
18. Ibid. [↑](#footnote-ref-18)
19. The European Powers, with Britain and France in the fore – front, embarked on a orgy of conquest, annexation and subjugation of African people prior to 1945. The treaty of Berlin 1885, between the European Power was concluded primarily to eliminate frictions among these powers in their commercial and colonizing activities, and to regulate the condition in certain region of Africa and to assure to all nations the advantages of free navigation of two chief rivers of Africa flowing into Atlantic. See generally I.E. Sagay, international Law and Struggle for Freedom and Welfare of man in Africa, University of IFE, Nigeria, Inaugural lecture series 57, University of Ife press, 1983, Pp.3-5 [↑](#footnote-ref-19)
20. See f. Falana of op. cit. Citing P. Guillaume, p. 118. [↑](#footnote-ref-20)
21. Ibid. [↑](#footnote-ref-21)
22. Ibid. [↑](#footnote-ref-22)
23. Ibid. [↑](#footnote-ref-23)
24. Ibid. [↑](#footnote-ref-24)
25. See Treaty of Versailles 1919. [↑](#footnote-ref-25)
26. See the Milner – Simon Declaration of 10th July, 1919. [↑](#footnote-ref-26)
27. See the Thomson – March and Declaration of 1929 and 1930. [↑](#footnote-ref-27)
28. See the Henderson – Fleuriau Exchange of Notes, 1931. [↑](#footnote-ref-28)
29. Although the trusteeship is presently defunct, it was established to supervise the trust territories created after the end of the Second World War. The last trust territories were the strategic trust territory of the Pacific islands, administrated by the US with the independence of Palau on the 1st October, 1994, the last remaining trust territory, the trusteeship council of United Nations suspended operation on the 1st November that year. See article 77 of the U.N. Charter. See generally M.N. Shaw International Law 4th ed., A Grotius Publication, Cambridge University Press 2002, p. 826. [↑](#footnote-ref-29)
30. Ibid. [↑](#footnote-ref-30)
31. See 1946 British Order in Council of 2nd August, 1946 [↑](#footnote-ref-31)
32. Ibid. [↑](#footnote-ref-32)
33. F. Falana op. cit. p. 120 [↑](#footnote-ref-33)
34. See UNGA Res. 1350 (xiii) adopted at its 13th ordinary session on the 13th March, 1959. [↑](#footnote-ref-34)
35. See UNGA Res. 1608 (xv) adopted at its 25th ordinary session of 21st April, 1961 [↑](#footnote-ref-35)
36. Cameroon, chad Niger and Nigeria. See also the convention establishing the LCBC of 22nd may, 1964. [↑](#footnote-ref-36)
37. The functions of the LCBC are laid down in art ix of the ICJ as annexed to the 1964 conventions this was also recalled by the court in its judgment of 11th jun1998, land and maritime boundary dispute between, Cameroon and Nigeria -Cameroon v Nigeria –preliminary objections, judgment ICJ reports 1998, pp. 304 -305 paras. 64 – 65 [↑](#footnote-ref-37)
38. Ibid. [↑](#footnote-ref-38)
39. Ibid. [↑](#footnote-ref-39)
40. Ibid. [↑](#footnote-ref-40)
41. See the 1884 treaty of protection between Great Britain and the kings and chiefs of old Calabar. [↑](#footnote-ref-41)
42. F. Falana op. cit. [↑](#footnote-ref-42)
43. See note 41 above. [↑](#footnote-ref-43)
44. Ibid. [↑](#footnote-ref-44)
45. See Yaounde I ‘’Declaration of 14th August, 1970 by Cameroon and Nigeria. [↑](#footnote-ref-45)
46. See Yaounde 11 Declaration of 4th April, 1971 [↑](#footnote-ref-46)
47. Ibid. [↑](#footnote-ref-47)
48. See the Maroua Declaration of 1st June, 1975 between the Heads of States of Cameroon and Nigeria. [↑](#footnote-ref-48)
49. Ibid. [↑](#footnote-ref-49)
50. Ibid. [↑](#footnote-ref-50)
51. Note should be taken of the fact that even though the Germans had signed a Treaty with the King of Bimbia on the 11th July, 1884, that the British were still able to obtain yet another Treaty on the 19th July, 1884 with the same King. Consequently, both Doula and Bimbia areas went to the Germans. See generally G. Weladji, the Cameroon – Nigeria Border (2) Cross River to the Sea”, in Abbia, vol. 29/30 1975, p. 165. I also recall the popular saying in Cameroon history of “Too late Hewett”. See ibid. [↑](#footnote-ref-51)
52. These agreements were contained in the exchange of letters dated 29th April, 1885 and 7th May, 1885. See ibid. [↑](#footnote-ref-52)
53. Ibid. pp. 174 - 175 [↑](#footnote-ref-53)
54. Ibid. [↑](#footnote-ref-54)
55. Ibid. p. 177. See also public Relation Officer, PRO, Foreign Office, FO, London. 40 No. 187 (Confidential). [↑](#footnote-ref-55)
56. This agreement reconfirmed the 29th April – 10th June, 1885; 27th July – 2nd August 1886; 1st July, 1890; 14th April, 1893 and 15th November, 1893 Agreements on the boundary lines between the Rio del Rey and the rapids of the Cross Rivers. Ibid. [↑](#footnote-ref-56)
57. Ibid. p. 178. [↑](#footnote-ref-57)
58. M. Mbuh, the Bakassi Peninsula Dispute, called from Justice M. Mbuh, International Law and Conflicts. Resolving Border and Sovereignty Disputes in Africa, Universe, INC., Pp. 7 – 6. [↑](#footnote-ref-58)
59. The dispute was dealt with through the exchange of note in which the British expressed fear of being entangled in a border dispute of the nature of the Kashmir between India and Pakistan. See Public Record Office Directorate of Overseas Surveys. Doc. Co. 554/2452(Confidential) signed B.J Greenhill, 9th May, 1961. [↑](#footnote-ref-59)
60. See telegraph No. 713 Confidential addressed to Common Wealth Relation Office, repeated Buea No. 14, Enugu No. 58 Savings, Lagos, 2nd May, 1961. [↑](#footnote-ref-60)
61. See Nigerian Proclamation No. 126 of May 1954 for details. [↑](#footnote-ref-61)
62. E.C Burr, Correspondence No. WAF441/110/01, 5th May, 1961. [↑](#footnote-ref-62)
63. M. L. Woods’s Correspondence dated 30th May, 1961. [↑](#footnote-ref-63)
64. R. Akinjide, ‘’Bakassi, whose Bakassi’’, West Africa, April, 1994. [↑](#footnote-ref-64)
65. T.A Mbah, ‘’Southern Cameroons Autonomy Bid’’, West Africa, 21st – 27th August, [↑](#footnote-ref-65)
66. See note 52 above [↑](#footnote-ref-66)
67. N.N. Susungi, ‘’Cameroon – Nigeria. The Bakassi Peninsula Conflict, Foncha and Muna did not Betray Southern Cameroons’’, available on line (a: www.africaserv.com/HISTORY/conflict.html,1999, Pp. 4 – 8, accessed on the 15th June, 2009. [↑](#footnote-ref-67)
68. This position is backed by the works of Albert Mukong (1985), and as Executive Director of the Human Rights Defense Group, HRDG, in Cameroon; Joseph Richards (1978) and Africa Confidential – all shade light on the human right records of Cameroon and Nigeria. [↑](#footnote-ref-68)
69. A. Mukong, ‘’Prisoner without Crime’’, Calvert Press, London, 1990 p. 80. See also Mungo Beti, “Hidden Truth About Cameroon”, in Gaullist Africa, Cameroon under Ahmadou Ahidjo, ed, Richard Joseph, Fourth Dimension Publishers, Enugu, 1978, p. 95. [↑](#footnote-ref-69)
70. Ibid. [↑](#footnote-ref-70)
71. Ibid. [↑](#footnote-ref-71)
72. M. Mbuh op. cit. [↑](#footnote-ref-72)
73. Ibid. [↑](#footnote-ref-73)
74. Wilmot was deeply concerned about the political future of Nigeria and predicted too often many things about the country that came true. For instance, Wilmot was critical of Babangida’s regime and the promises he made for returning Nigeria to civil rule, ‘’Even though the long run has proven Babangida wrong, in his times, Patrick Wilmot earned a 48 – hour marching order to leave Nigeria for, as Americans would say, ‘’running hismouth’’. See generally M. Mbah op. cit. [↑](#footnote-ref-74)
75. Ibid. [↑](#footnote-ref-75)
76. N.N. Susungi op. cit. see note 87 above, Pp. 3 – 4. [↑](#footnote-ref-76)
77. This explains why, to many people who grow up in Southern Cameroons, life has always been as if they live in a perpetual state of emergency – one that continues to push them into seeking political asylum in foreign countries. See ibid. [↑](#footnote-ref-77)
78. M. Mbuh op. cit. [↑](#footnote-ref-78)
79. Ibid. [↑](#footnote-ref-79)
80. The Cameroon government cannot be proud enough to say how much of these petroleum funds were invested or used to improve living conditions in Ambazonia. See generally N.N Susungi op. cit. [↑](#footnote-ref-80)
81. Ibid. [↑](#footnote-ref-81)