Bakassi Peninsula: Recourse to the law to prevent conflict

International Court of Justice and the Secretary-General’s good offices offer a peaceful way to resolve a long-simmering border dispute

The resource-rich Bakassi peninsula, and the 1,600 kilometre-long border area between Cameroon and Nigeria extending from Lake Chad to the Gulf of Guinea, is not on most people’s horizons as a strategic piece of territory. However, it has been a bone of contention between the two countries dating back to 1913, which culminated in mounting hostilities and military confrontations in the early 1990s between Cameroon and Nigeria. Today, the decision by Cameroon and Nigeria with the help of the United Nations to resolve this dispute peacefully through preventive actions and recourse to the principal judicial organ of the United Nations is an important example for resolving other disputes between States.

In 1994, Cameroon asked the International Court of Justice (ICJ), also known as the World Court, to settle a dispute over its boundary with Nigeria, especially the question of sovereignty over the Bakassi peninsula, and over islands in Lake Chad, and to specify the course of the land and maritime boundary between the two countries.

After eight years of adjudication, the Court delivered its judgment on the merits of the case on 10 October 2002, deciding, in part, that sovereignty over the Bakassi peninsula and in the disputed area in the Lake Chad region lies with Cameroon. To help implement this decision in a peaceful manner, President Paul Biya of Cameroon and President Olusegun Obasanjo of Nigeria asked the Secretary-General to set up a Cameroon-Nigeria Mixed Commission chaired by the Secretary-General’s Special Representative for West Africa, Mr. Ahmedou Ould-Abdallah, to consider "ways of following up on the ICJ ruling and moving the process forward."

The withdrawals of civilian administration, military and police forces and transfers of authority in the Lake Chad area, in December 2003, marked a significant step forward in the implementation of the ICJ judgment. Progress is being made towards the withdrawals and transfers of authority in the Land Boundary and the Bakassi peninsula. In the meantime, the parties have agreed to initiate a number of political and economic confidence-building measures, and to consider the adoption of a treaty of friendship and non-aggression between their countries. Although more remains to be achieved, this story illustrates the crucial role of multilateral measures, such as the potential of dialogue and conflict resolution offered by recourse to the ICJ. The Mixed Commission also represents a notable initiative and can be seen as an exemplary model for preventive diplomacy and a precious tool for moving from a culture of reaction to a culture of peace. The case also illustrates the importance of the good offices of the Secretary-General used to assist the parties in implementing the Court’s decision and could serve as a precedent of how to address border and other issues that may threaten peace and security.

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