

**WORLD COURT'S VERDICT TOWARDS BAKASSI  
PENINSULA: PORTRAYING GAINS AND LOSSES**

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**ABSTRACT**

Border discords are one of Africa's unending vestiges of European colonialism/imperialism; the Bakassi peninsula dispute between Cameroon and Nigeria was one of such. The subsequent discovery of large deposits of natural resources in the Bakassi region made Cameroon and Nigeria to engage into claims and counterclaims, bilateral diplomacy, military skirmishes, and finally resorting to the World Court or International Court of Justice (ICJ) for judgement. After eight years of deliberations, the court finally adjudged and declared that Bakassi belongs to Cameroon, sparking widespread criticism from Nigeria. Popular opinion in Nigeria held/holds that Nigeria benefited little or nothing following the ICJ verdict of October 10, 2002 and that Cameroon gained exponentially. Thus, the premise of this paper is to outline the gains and losses of both Nigeria and Cameroon following the International Court of Justice's ruling, and to debunk the Nigerian perception of the verdict being partial and willy-nilly in nature. Using the qualitative method of research, secondary data based on previous research on the Bakassi saga was used. Using content analyses on the secondary data obtained, observations were made on what both Cameroon and Nigeria lost or gained after the World Court's verdict over the Bakassi peninsula. In its findings, this paper proffers that the gains and losses accruing to both countries are evenly distributed. This research can be a springboard for Cameroon and Nigeria to look beyond their gain and losses, and jointly carryout developmental activities in the Bakassi peninsula so as avoid future ethno-nationalistic tendencies in the area.

**1. INTRODUCTION**

The boundary and territorial disputes between Cameroon and Nigeria had been a serious threat to the relationship between both countries for more than four decades. These situations had not only caused suspicions, distrust or infractions, but has made undesirable headlines in the annals of neighbourhood of border studies (Akinyemi, 2014). Among the many disputes

(The first noted conflict over the Cameroons and Nigeria coastal 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 and Bell Town in Douala on July 14, 1884 (Pakenham, 2015) that Cameroon and Nigeria have had since independence, the Bakassi Peninsula stands out very clearly as the most serious dispute of all. Dispute along the Cameroon- Nigeria border has been a matter of historic proportions, especially along the Cross River to the sea section wherein the Bakassi Peninsula lies. The border between Cameroon and Nigeria extends from Lake Chad to the Gulf of Guinea has been an area of contention dating as far back as 1884.

The Cameroon- Nigeria Frontier alone covers approximately 1600kilometres out of the approximately 3600 kilometres which Cameroon shares with six other countries – Chad, Gabon, Central African Republic, Equatorial Guinea, Congo and Niger (Njeuma, 2002a). Nigeria and Cameroon bordered on the West by the Estuary of the Cross River, on the North by the AkpaYafe (also known as the AkpaIkang), on the East by the Rio-del estuary and on the South by the Gulf of Guinea (Akinyemi, 2014). On the other hand, the Bakassi Peninsula is situated between latitudes 4.26 and 4.5 degrees north and south of the equator and longitudes 8.30 and 9.08 degrees east and west of the Greenwich meridian located at the eastern end of the Gulf of Guinea. Found in the Ndian Division, the Bakassi Peninsula is estimated to have a population of between 150,000 and 300,000 people and has a surface area of about 826.070km<sup>2</sup> (Ebhoimen et al., 2018). It is mostly made up of the Efik, Efut, Ibibios, the Bakole people, the Barombi, the Balondo, and some Bayanui (Beckly, 2013).

The exclusive subjugating and dividing of African colonies by European powers from 1884 to 1914, caused a lot of trouble for African indigenous groups (Rouke, 2001). Most African states after independence became, and are still troubled by the legacy of trying to settle originally different indigenous groupings and make them live peacefully in a single country or to get to the same ethnic groups in different neighbouring countries. Furthermore, Ikome opines that the attainment of independence by most African countries has triggered complex disputes due to the inherited boundaries (Ikome, 2004a). These have typically consisted of disagreements over the exact position of the dividing lines between them, border claims or both. As in most of Africa, therefore, the origins of the conflict situation between Cameroon and Nigeria over the Bakassi peninsula is traced to the colonial era and post-independence political activities.

Nevertheless, most border conflicts between African states, no doubt are products of evolution and change. Cameroon-Nigeria boundary dispute, which is not an exception, could be traceable to among other crucial factors, the aftermath of the European imperialism on the continent of Africa, as the root cause. The colonialists needed raw materials for their industries and the way the African economies were organized at the time, they were not sure of steady supply of the required raw materials. This situation necessitated the quest for direct take over and control of the economy and administration of the African enclaves and states (Ocheni & Nwankwo, 2012). In other words, the emergence of many African states from colonial rule in the 1950s and 60s consequently brought grim prospects of widespread border conflict. These fears were actually borne out of the fact of, European diplomats who had only limited knowledge of our local realities, artificially forging most of the boundaries of African territories.

As earlier mentioned, the conflict between Cameroon and Nigeria was a boundary and territorial dispute, with the Bakassi standing out as a territorial dispute. The primary cause of the conflict in the region was the discovery of oil and gas. This region was considered poor, remote, marshy and having non consequential inhabitants, thus, little or no attention to it. These inhabitants, Cameroonian and Nigerian alike, even before the discovery of oil in the region lived harmoniously, although few squabbles popped up here and there (Fatile & Adejuwon, 2012). Knowledge holds that the Bakassi Peninsula harbours important deposits of oil/gas reserves which triggered hostilities and military confrontations in the early 1990s

between Cameroon and Nigeria. According to Klare, the close connection between an oil and conflict derives from three essential features of petroleum: first, its vital importance to the economic and military power of countries, second, its irregular geographical distributions and, and third, its imminent changing centre of gravity (Klare, 2007).

Prior to the Bakassi Peninsula saga, there were violent confrontations between two leading communities- Bodam and Danare. The main cause for this conflict was the fact that for some years, the people of Danare on the Nigerian side changed the traditional manner of sharing royalties accruing from companies engaged in forest exploitation. Despite local attempts to solve this conflict-which had resulted in the burning of house and the use of magical spells, it became a national phenomenon involving both countries. The efforts to settle the conflict from outside by the District Officers of Mamfe and Ikom revealed that the fundamental issue was the deficiency in the frontier. Confusion was inevitable because frontier pillars and stone cairns were now rarely visible, causing each village to fix or imagine a frontier in the place it would be. Some of these pillars were criminally removed making the problem more complex (Njeuma, 2002).

In the early 1980s and 1990s, Cameroon and Nigeria, several times almost went into a full-scale war over the Bakassi Peninsula. It was apparent that the discovery of large reserves of oil in the Bakassi Peninsula made it a centre of magnetism (Ikome, 2004). It has often been said that the wars of the future will be a reminder of the wars of the distant past, when not political ideas were the basis for conflict, but they need to survive. The third Gulf War has been seen by some as a war for oil, yet true resource wars between neighbouring nations over water and oil might not be too far away. Just how close the world has come to such conflicts shows that, the boundary dispute between Cameroon and Nigeria, which was brought to an end by the International Court of Justice in The Hague (Kirchner, 2001). Neither Cameroon nor Nigeria wanted to lose the Bakassi Peninsula, owing to the fact that both countries were in severe economic crisis. Prior to this, the government of Cameroon submitted the case to the International Court of Justice (ICJ) in 1994. Intense court sessions and proceedings led to the ICJ verdict of October 10, 2002, placing the Bakassi Peninsula under Cameroon. This eventually led to the signing of the Green Tree Accord (GTA) in June 2, 2006.

Following the ICJ verdict, there has been a general cry that Cameroon, and not Nigeria gained a lot in this decision. Anyu (2007) opined that the ICJ ruling did not break new legal ground or settle any area of confusion or controversy, but quite expectedly, it stirred the hornet's nest in Nigeria and attracted scathing criticisms from its erudite community. Some Nigerians have blamed their team at The Hague for not thoroughly debating the fact during the oral and written sessions and said that the decisions are weighty for them (Ambily, 2013; Fatile & Adejuwon, 2012). In fact, the feeling that the ICJ verdict has tampered with the sociocultural, economic and politic environment of Nigeria over the Bakassi peninsula has been ongoing. Thus, this paper seeks to portray the fact that Nigeria gained substantially in terms of having the Bakassi area with a larger amount of oil/gas reserves from the ICJ verdict of 2002 as popular account holds otherwise. Cameroon on the other hand also registered some losses in terms of having the areas in the Bakassi peninsula with smaller oil/gas reserves, as well as failing to get Nigeria pay for damages caused during their military attacks in the area. Also, this paper seeks to debunk Nigerians view of the ICJ verdict being partial. In fact, this paper asserts that the ICJ ruling of October 10, 2002 was a win/win and loss/loss phenomenon for both countries, and that the judgment of the ICJ was fair and impartial..

### **1.1. Theoretical Framework**

The purpose of a theory is to explain, analyse and predict possible future trend of events and outcomes (Akonye & Nwapi, 2019). The theoretical framework adopted in this paper are realism, the doctrine of collective security, and the doctrine of state responsibility. Realism according to Walt (1998) and Donnelly (2000) is not a single theory, but a set of propositions

which evolved over time during the cold war. Summarily, this theory stipulates that, states are principal actors in war, with other non-state actors in the international system. States always want to achieve national interest, and to acquire power which could be economic, political and social (Jothari, 2009; Akwen, 2011; Slaughter & Hale, 2011; Tomwarri, 2015). This theory is applicable in this paper because Cameroon and Nigeria showed power politics and economic interests over the Bakassi Peninsula, first through military skirmishes in the area, and the exploitation of oil and gas when the conflict was at its peak.

The second theory is the doctrine of “collective security and peaceful settlement”, promoted by the United Nations as well regional and sub-regional groupings (Pius & Ndoh, 1998) is also used in this paper. This theory seeks to confront would be aggressors with the concerted power of states determined to keep peace (Wolfers, 1959; Wainhouse, 1966; Ambily, 2013). The goal of this doctrine is to prevent war through peace procedures, though a machinery of collective security has not been satisfactory developed (Palmer & Perkins, 2004). The framework is part of Article 1 of the UN Charter that calls for “effective collective measures (machineries) for prevention and removal of threats to peace, and for the suppression for acts of aggression or breach of peace.” The Charter then established the Security Council, and ICJ to implement it (Ambily, 2013). Cameroon and Nigeria are both signatories to the UN Charter, the OAU-AU Charter, and they belong to different regional and sub-regional organisations. The conflict over the land and maritime borders termed them state aggressors, thus the need for collective security and peace settlement.

The doctrine of state responsibility is the last theory to be applied in this paper. State responsibility is an aged old principle that arises when a state commits an international wrong against another state (Brownlie, 1983; Chirwa, 2004). Any international wrongful act of a state is embedded into its international state responsibility. The International Law Commission was created in 1949 with a mandate to Draft Articles, but only did so in 2001 (Chirwa, 2004). Though this doctrine was elevated into the general principles of international law, it contains Drafted Articles which has not been adopted into a treaty, and thus not binding (Chirwa, 2004). Engström (2002) opined that though this Drafted Articles have not been adopted into a treaty, they generally provided evidence of established and developing international law. This theory is applicable in this paper because, Cameroon filed a complaint, to The Hague against Nigeria on the charge of state responsibility and the court ruled against this claim because there is no adopted treaty for state responsibility in international law.

## **1.2. The International Court of Justice and the Cameroon-Nigeria Border Dispute**

### *1.2.1. Cameroon and Nigeria at The Hague*

The International Court of Justice is the main judicial organ of the UN. Its 15 judges are elected by the General Assembly and the Security Council, voting independently and concurrently (AlHassan, 2014). In March 29, 1994, the government of Cameroon filed a case against Nigeria over skirmishes at the Bakassi peninsula. Nigeria had signed the appearance clause of the ICJ in September 2, 1965, while Cameroon signed on March 3, 1994- perhaps a move to have more legal backings after filing the case at The Hague (Achuo Kpwa, 2019). Kam-Kah (2014) opined that even before the military clashes from the 1980s and the 1990s, Cameroon and Nigeria had been clashing over their boundaries, due to the fact that some Nigerian leaders undermined the Maroua Accord. It is fair to say that Cameroon's submission of a case file at The Hague was as a result of accumulated consequences of the military clashes she suffered during them.

In its application files, Cameroon filed to the Registry of the ICJ concerning the question of sovereignty over the Bakassi Peninsula and some parts of Cameroon in the area around Lake Chad, the course of the maritime boundary between the two States beyond the line fixed

in 1975, the frontier between the two States from Lake Chad to the sea, and the accountability of Nigeria over material and non-material damaged inflicted upon them. At The Hague, Cameroon backed their application with the following documents: The Anglo-German Agreement of 11 March 1913 and 12 April 1913 (The Obokum Accord), Franco-British Declaration of 10 July 1919, Thomson-Marchand Declaration of 29 December 1929 and 31 January 1930, incorporated in the 1931 Henderson-Fleuriau Exchange of Notes, British Order in Council of 2 August 1946, Yaoundé Declarations of August 14, 1970 and April 4, 1971, The Lagos Declaration of June 21, 1971, The Kano Declaration of September 1, 1974, The Maroua Accord of 1 June 1975.

Nigeria on her part was the accused at The Hague. She filed counter memorial claims against Cameroon's claims in her application. She urged the court, in her counter claims about sovereignty of some areas in the Lake Chad based on paragraphs 3-60 of the Thomson and Marchand Declaration, confirmed by the Exchange of Letters of 9 January 1931, and section 6(1) of the British Order in Council of August 2, 1946. She also asked the court to declare Cameroon's claims of State responsibility to be unfounded in fact and law. She also counterclaimed that sovereignty over Bakassi peninsula is vested on Nigeria based on historical consolidation. At The Hague, Nigeria backed her counter claims with the following documents: the Anglo- German correspondences of the 1880s as well as the treaty of protection between the British and indigenous Kings and Chiefs of the area; Articles XV-XVII of the Anglo-German Treaty of 11 March 1913; paragraphs 3-60 of the Thomson/Marchand Declaration, confirmed by the Exchange of Letters of 9 January 1931; the Nigeria (Protectorate and Cameroons) Order in Council of 2 August 1946, section 6 (1).

After 8 years of deliberations, written and oral sessions, the court decided to give its final verdict. Prior to the ICJ verdict, Kofi Annan held a private meeting with the presidents of Cameroon and Nigeria where the ICJ verdict was privately communicated. The main reason for this meeting was to ensure that both presidents should abide by the verdict and to work together to implement it (LeFebvre, 2014). On October 10, 2002, the court gave the following rulings: ruling on the boundary in Cameroon and Nigeria in the Lake Chad was determined by the Henderson-Fleuriau Exchange of notes of 9 January, 1931; the maritime between both countries were determined by the Yaoundé II declaration and the Maroua Accord of 1971 and 1975 respectively. Sovereignty over the Bakassi peninsula, the most crucial of all, and the court ruled that sovereignty over the Bakassi Peninsula laid with the Republic of Cameroon as determined by the Anglo- German Treaty of 11 March 1913 (Baye, 2010).

### 1.2.2. *A Dive into the Reactions towards the ICJ Verdict*

There is a saying that before condemning a dog, give it a bad name. The case of the ICJ verdict was no exception within the territory of Nigeria. Anger, hate, disdain and disenfranchisement characterised the atmospheric condition in Nigeria following the ruling of the ICJ. The Nigeria press championed this reaction as seen in their numerous articles just a day after the verdict. For example, the Guardian Newspaper Nigeria coined this verdict as a "painful end to a tortuous legal battle". The Guardian Newspaper Nigeria further released public opinion over the verdict and asserted that the Bakassi indigenes rejected the ruling because Bakassi belongs to them and for Nigeria. On their front page, the Thisday Newspaper Nigeria summed up the reaction towards the verdict by captioning it as "Bakassi: ICJ Judgment, western imperialist gang-up". The Punch Newspaper Nigeria with a similar tone in an editorial described the judgment as a "Bitter pill to swallow for the government and people of Nigeria" (Fombo, 2006).

Aside from the Nigerian Press, the Nigerian Federal Government had certain grievances to share. The federal government waited fourteen days after the verdict was passed and gave a disjointed rejection. For example, Ojo Maduekwe, the then Minister of Transport saw the

judgement as French inclined, and which is total against international law and conventions. Olusegun Obasanjo who had earlier pledged to abide by the ruling, in an interview, rejected to have entered into any pact with Paul Biya in the presence of Kofi Annan. The sudden rejection and dejection of the ICJ ruling by the Nigeria government so to say, was done in accordance with the popular opinions of Nigerians as seen in the report of a security committee headed by the then Minister of Defence, Danjuma (Nna-Emeka et al., 2008). Interestingly, though the atmosphere in Nigeria was stiff following the ICJ verdict, the Nigerian government out rightly ruled out the possibility of a hostile takeover in the Bakassi peninsula, albeit military strategists in some quarters, continued to discuss the possibility of war (Fombo, 2006).

Though a euphorically inclined atmosphere as per the ICJ verdict, it is interesting to know that the reaction from Cameroon was two-pronged. The then Minister of Communication, Jacques Fame Ndong, on behalf of Cameroon, expressed the country readiness to abide by the ruling. The House Speaker of the National Assembly, Cavayé Yedje Djibril, on his part saluted and praised President Biya's tired efforts towards this pacific resolution (Fombo, 2006). The Cameroonian Press was not also left out in this victorious news. Survey reports from the Post and Cameroon Tribune Newspapers reveal that Cameroonians, especially the military corps was immensely happy for this verdict. Though there existed few sentiments here and there concerning Nigeria's readiness to abide by this ruling, there were great reassurances from the press and Cameroonian officials that Nigeria will certainly abide to the ruling of the ICJ. Surprisingly, Nigerians migrants living in Cameroon had appeared to hail the ruling because the conflict had somehow smeared relations with Cameroonian residents (Konings, 2005).

It will be fictitious to conclude that everyone in Cameroon accepted the court's ruling. Thus, there were segments of the Cameroonian population who did not support the ICJ ruling awarding Bakassi to Cameroon (Sama & Johnson-Ross, 2006). Initially, leaders of the Anglophone secessionist movements had constantly made it clear that the Southern Cameroons will not respect any agreement between the two states on the maritime border if it thus ignores the self-proclaimed State of Southern Cameroons and its peoples (Jua & Konings, 2004). Against this backlog, popular Anglophone separatist groups at that time showed their disapproval in the ICJ ruling. However, scholarly works will reveal that these Anglophone separatists had similar views concerning the rule. For example, the Southern Cameroons National Conference (SCNC) declared her desire for Nigeria to continue retaining the Bakassi peninsula, while they will seek to retrieve it from Nigeria on a later date. Also, the Southern Cameroons Peoples' Organization (SCAPO) out rightly declared chaos in the Bakassi peninsula if Southern Cameroon was not independent (Orisakwe, 2006).

To the Bakassi indigenes, the ICJ verdict has deprived them of their source of Livelihood. According to Yerima & Singh (2017) this deprivation led to the birth of militancy in the Bakassi peninsula. Konings (2005) on his part advance some reasons why these militant groups out rightly rejected the ICJ ruling and opted for strike actions. To him, these militant groups firmly believed that such a transfer would imply a complete neglect and abandonment of the peninsula, pointing out that Nigeria rather than Cameroon have been making a significant contribution to territorial development. Second, they are not prepared to subject themselves to the bondage of Cameroonian gendarmes. And, above all, they claim ownership of the Bakassi lands — a claim strongly rejected by the Cameroonian residents. Consequently, militant groups like the Bakassi Indigenes Development and Cultural Association (BIDCA), and Bakassi Self Determination Movement (BSDM) advocated for either the independence of Bakassi or ownership of the peninsula by the Nigerian government (Konings, 2005).

## 2. METHODS

The object of this research is the Bakassi peninsula, an area that was strongly contested by Cameroon and Nigeria in the 70s, 80s, and 90s until after it was resolved by the International Court of Justice. The Bakassi peninsula contains about 10 billion barrels of crude oil and other untapped resources. The meeting of two great ocean currents makes it a favourable habitat for a variety of fish and other marine wildlife to thrive in (Anyu, 2007; Shaibu et al., 2015; Amin, 2020). It is sometimes compared to Newfoundland in North America and the Scandinavian in Western Europe (Ngang, 2007). Ever since the ICJ's verdict was passed in October 10, 2002; it has witnessed strong criticism from Nigerians and lots of appraisals from Cameroon. For Nigerians, it is justice denied while for Cameroon, it is justice served. It is noteworthy here that both countries did not show genuine interest over the Bakassi peninsula until after it was revealed that the country holds vast amounts of oil reserves (Ngang, 2007), and it was always considered as a marshy, swampy land with a non-consequential population (Fatile & Adejuwon, 2012). The scramble over natural resources and other complex issues prompted Cameroon and Nigeria to almost engage in a full-scale war over the Bakassi peninsula. However, following a rigmorole, Cameroon was given the peninsula, sparking the Nigerians to believe that they have loss more while Cameroon has gained tremendously.

This paper adopts the qualitative methods and from it, historical consolidation and content analyses in terms of data collection. Content analyses, specifically the thematic analyses approach is used in this paper to examine and appreciate previous research on the Bakassi saga, and this helps to decode, understand, and identify the gains and losses accruing to both Cameroon and Nigeria following the ICJ verdict, and to portray the impartiality of the judgment. The collection of data is based on secondary sources relevant to the study; books, journal articles, blog publications, online newspaper publications, as well as unpublished works, amongst others. Molokwu et al., (2012) holds that secondary sources of data refer to a set of data gathered or authored by another person, usually gotten from another source, either in the form of documents or survey results and code book. So many authors, both Cameroonian and Nigerian, have analysed the conflict from diverse, and, in some cases, from complementary angles. These authors have discussed the reasons for the conflict, clashes between the Cameroonian and Nigerian military, others have analysed the judgment of the ICJ, and others have looked at the reaction and lapses towards this decision. One noticeable fact is that most of these authors have weighed more on the losses, than the triumphs accruing to this verdict.

**Table 1. Secondary Data**

<b>Type</b>	<b>Number consulted</b>
Books	14
Journal articles	28
Blog publications	5
Newspaper/Online publications	2
Unpublished works (thesis and dissertations)	5
<b>Total</b>	<b>54</b>

Data validity in a qualitative research method can be done either with source credibility or confirmability. The credibility criteria involves establishing that the results of qualitative research are credible or believable from the perspective of the participant in the research. Meanwhile, the confirmability criteria involves establishing validity of data on a subject based on corroboration or confirmation by others, usually renowned researchers who bring unique

perspective to the study (Trochim & Donnelly, 2001). To solidify the validity of the data used, the triangulation technique was used which involves the use of multiple data sources to develop a comprehensive understanding of phenomena (Carter et al., 2014). Specifically, the investigator triangulation approach was adopted which involves analysing data from two or more researchers who are/have participated/participating in the same phenomenon (Carter et al., 2014). Hence, the data that has been acquired from the results of previous research are collected and analysed by different revelations on the Bakassi peninsula case and the World Court judgement.

### 3. RESULTS AND DISCUSSION

#### 3.1 Nigeria's Gains and Losses

It is true that each country desires to be seen as an economic giant. Nigeria for some times now have considered as one of the economic giants of Africa (Jackson, 2019). Based on previous research, the losses Nigerians feel they have had following the ICJ verdict was based on an economic standpoint. First, the region holds a large amount of untapped natural resources. To them, a hold of such a rich area will give them an economic edge. Second, by losing the Bakassi peninsula, Nigeria will not benefit from the sales of fishing and exploitation rights in the area. The last decades, Nigeria has seen a substantial decrease in revenue gotten from oil exploitation (Shaibu et al., 2015). Moreover, Nigerians no longer benefit from tax revenue gotten from inhabitants living in the Bakassi peninsula (ICJ report, 1999: 200). Last, Nigerians have lost the control of access into the Calabar port, which is currently being developed as Nigeria's Export Processing Zone (EPZ) and the Eastern Command Headquarters of the Nigerian Navy (Konings, 2005).

Ironically, most Nigerian scholars have championed that the ICJ verdict put Nigerians at a loss rather than a gain. But few research scholars like Anene (1970) and Omoigui (2010) who further investigated on the Bakassi phenomena, have expatiated on the gains made by Nigeria following this verdict. The ICJ based their judgement on the 1913 Anglo- German Agreement, the Yaoundé II Declaration of 1971, and the Maroua Accord of 1975 (Ekpotuatin & Etemike, 2017a). According to Omoigui (2010), the errors of the 1971 Yaoundé II Declaration saw Nigeria gaining 3 nautical miles, given them more maritime territory. More so, the delimitation of the equidistance from point 12 to point G saw Nigeria gaining petroleum and polymetallic mineral deposits (Ikome, 2004). Corroborating this, Ugwuowo (2012) opined that Gowon during an interview with the Punch Newspaper said that all the agreements entered with Cameroon was to make Nigeria gain. In fact, Ajibola, a Nigerian Jury Member during the court proceedings at The Hague asserted that Nigerians finally discovered that the areas ceded to Cameroon in the Bakassi had lesser economic resources than the areas she acquired (Furtune, 2008). In reality, the ICJ ruling endorsed Nigeria's delimitation method, which kept intact all the country's existing offshore fields.

Another important aspect that showed Nigeria's gains after the ICJ verdict was the issue of state responsibility. Initially, Nigeria appeared before the World Court as a defendant. Cameroon had taken Nigeria to court for violating her territorial rights and for causing havoc in the Bakassi peninsula. State responsibility simply means a criminal charge against another country. The World Court overruled the issue of issue of state responsibility based on Nigeria's presentation at the court. If Cameroon had succeeded in securing a positive verdict over state responsibility, Nigeria would have been thrown into an endless debt payable to Cameroon. In fact, the rejection of state responsibility by the International Court of Justice during the Cameroon vs. Nigeria Land and Maritime dispute saved Nigeria from Internal Slavery to Cameroon and being in perpetual penury (Adefaka, 2012).



### 3.2 Cameroon's Gains and Losses

Based on previous research, a thorough observation at the ICJ verdict of 2002 over the Bakassi peninsula, shows categorically clear that Cameroon gained from the verdict. Economically, Cameroon gain more oil fields and she is emerging to become a notable oil transporting centre, and has attracted foreign companies. More to that, offshore oil exploitations rights serve as a fortune for her gasping economy (Anyu, 2007). With sovereignty over Bakassi bestowed on her, she now benefits from tax revenue being paid by inhabitants in the peninsula. Aside from oil and gas gains, offshore oil exploitation rights, the abundant fish and maritime wildlife in the area can become a springboard for Cameroon to become exporter of fish in Africa. Irrespective of the fact that she gained economically, she also gained politically. The ICJ verdict brought an end to the Bakassi crisis and further hostilities. Cameroon thus benefited from cost reducing effects of fighting a war, although objectively, the military might of Nigeria outweighs that of Cameroon (Baye, 2010).

All was not rosy as Cameroon inadvertently witnessed some losses following the ICJ verdict. As earlier asserted, the ICJ verdict was largely based on the 1913 Anglo- German Agreement, the Yaoundé II Declaration of 1971, and the 1975 Maroua Accord (Ekpotuatin & Etemike, 2017). These treaties/agreements saw Cameroon lose a large chunk of her maritime boundaries and most of the areas ceded to her were not as rich in natural resources as the part ceded to Nigeria. Still, Cameroon failed to secure reparations from Nigeria, making her to solely take care of the damages caused. According to Anyu (2007) Bakassi could turn out to be a nightmare to Cameroon following devastating levels of corruption in the country. Against this backdrop, the failure by Cameroon to completely resuscitate and develop the Bakassi peninsula could create another page in the Bakassi dispute. In fact, Bakassi will be a blessing if properly handled and a curse if she is wrongly handled.

### 3.3. Impartiality of the World Court's verdict

The aforementioned discoveries from previous research have revealed the underlying truth about the ICJ verdict over the Bakassi peninsula dispute. Nigeria was poignant over the loss of Bakassi while Cameroon was gleeful. However, there seem to be some over exaggeration about their losses and gains following this judgment. Nigeria opined that they lost the territory completely to Cameroon with all its economic benefits (Ekpotuatin & Etemike, 2017; Nicholas & Baroni, 2010). They did not realise that they had the juiciest part of the territory and would have lost more if the ICJ verdict would have been in their favour (Omoigui, 2010). Cameroon on her part could have gained some significant maritime territories if the World Court would have adjudged against her. The feeling of total loss on the part of Nigeria was/is mostly aggravated by scholars and the Nigerian press, and the feeling to total gain on the part of Cameroon is most aggravated by Cameroonian statesmen, using this for political popularity.

More so, Nigeria's oil resources account for about 90 percent of her foreign exchange earnings and it predominantly occurs from 10 to 41 nautical miles off the coast of Calabar. She currently has six oil tankers, and three oil refineries (Ikome, 2004; Okon-Ekpenyon, 1989). Positively, the ICJ verdict gave them the most economically rich parts of the Bakassi peninsula (Furtune, 2008; Adefaka, 2012). This could be the main reason why they did not put up much of a fight. These technocrats knew that- they will not win the case because they based their proofs on historical consolidation and cultural affinities (Duyile, 2015; Tarlebba & Baroni, 2010), secondly, they had profound knowledge that the part they have is more beneficial that the part they are fighting for.

Cameroon on her part had to contest for the area based on what they stand to achieve if they own it. Oil resources account for about 35 percent of Cameroon's foreign exchange

earnings, and for time, oil and gas production has been declining drastically (Anyu, 2007). Even before the ICJ judgment, Cameroon had been exploiting oil in the same field as Nigeria, but from the opposite site. Thus, giving away this juicy area would definitely have resulted in her only oil refinery being shutdown (Ikome, 2004). This accounts for the fact that Cameroon went before the court highly prepared (Anekwe, 2002). However, the fact that her own part of the Bakassi is not more profitable than the part that belongs to Nigeria and also having to solely take charge of the damages caused by Nigeria during the conflict reveals a big loss.

The fact still remains here that the International Court of Justice's ruling over the Bakassi peninsula dispute in October 10, 2002 brought a 50/50 percent loss and a 50/50 gain to both countries. In fact, the 50 percent gain of Nigeria is a 50 percent loss Cameroon, and 50 percent gain for Cameroon is a 50 percent loss for Nigeria. The issue here is that both countries should work together so as to ameliorate the living standards of their respective sides of the Bakassi peninsula. Nigeria and Cameroon should out rightly and objectively acknowledge what they have gained and what they have lost following the ICJ verdict. Cameroon on her part should carry out infrastructural developments on her own side of the Bakassi so as to prevent renewed violence (Ngwane, 2015). Nigeria on her part should successfully resettle, and reintegrate the Bakassi returnees so as to avoid rumbles (Dos Santos, 2014).

#### 4. CONCLUSION

Per previous research, the International Court of Justice at The Hague delivered a judgement on October 10, 2002, granting sovereignty over the Bakassi peninsula to Cameroon. The Bakassi peninsula had been a source of dispute between Cameroon and Nigeria following its rich natural resources. Following this judgement, there had/has been widespread agitations that Nigeria had/has lost an economically viable area, the entrance to the Calabar port and the huge revenue gotten from oil exploiting companies in the Bakassi area. On the other hand, it is opined that Cameroon has indeed benefited from the ICJ verdict. However, empirical analyses of facts reveal that both Cameroon and Nigeria gained and lost evenly following this judgement. The reason behind the fight over the Bakassi stems from colonialism and the discovery of oil and gas. Also, this study has debunked the Nigerian claim of the World Court's verdict being partial and willy-nilly in nature.

Thus, based on results obtain from previous research, this paper proffers some recommendations: 1. that Cameroon and Nigeria should carryout infrastructural developments in the respective sides of the Bakassi. The Bakassi region is undoubtedly the richest area to both Cameroon and Nigeria, but ironically, it is the poorest in terms of standards of living and infrastructural developments. 2. More or less, Nigerian scholars and technocrats should objectively outline the benefits they acquired following the ICJ verdict. This might just reduce the ongoing but subtle tension in the region. 3. Nigeria also has to effectively resettle and fully integrate the Bakassi returnees into the society, while Cameroon on her part should thorough check acts of aggression, extortion and maltreatment being perpetuated by the Cameroonian security forces in the Bakassi region. The aforementioned contentions can/will maintain the fact that the ICJ verdict was/is a model to settle boundary litigations between countries.

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