

Land and Maritime Boundary between Cameroon and Nigeria
(Cameroon v. Nigeria: Equatorial Guinea intervening)

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JUDGMENT OF 10 OCTOBER 2002 - MERITS

SUMMARY OF JUDGMENT

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THE HAGUE, 10 October 2002. The International Court of Justice (ICJ), principal judicial organ of the United Nations, has today given Judgment in the case concerning the Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria: Equatorial Guinea intervening).

In its Judgment, which is final, without appeal and binding for the Parties, the Court determines as follows the course of the boundary, from north to south, between Cameroon and Nigeria:

- In the Lake Chad area, the Court decides that the boundary is delimited by the Thomson-Marchand Declaration of 1929-1930, as incorporated in the Henderson-Fleuriu Exchange of Notes of 1931 (between Great Britain and France); it finds that the boundary starts in the lake from the Cameroon-Nigeria-Chad tripoint (whose co-ordinates it defines) and follows a straight line to the mouth of the River Ebeji as it was in 1931 (whose co-ordinates it also defines) and thence runs in a straight line to the point where the river today divides into two branches.
- Between Lake Chad and the Bakassi Peninsula, the Court confirms that the boundary is delimited by the following instruments:
 - i) from the point where the River Ebeji bifurcates, as far as Tamnyar Peak, by the Thomson-Marchand Declaration of 1929-1930 (paras. 2-60), as incorporated in the Henderson-Fleuriu Exchange of Notes of 1931;
 - ii) from Tamnyar Peak to pillar 64 referred to in Article XII of the Anglo-German Agreement of 12 April 1913, by the British Order in Council of 2 August 1946;

- iii) from pillar 64 to the Bakassi Peninsula, by the Anglo-German Agreements of 11 March and 12 April 1913.

The Court examines point by point 17 sectors of the land boundary and specifies for each one how the above-mentioned instruments are to be interpreted (paras. 91, 96, 102, 114, 119, 124, 129, 134, 139, 146, 152, 155, 160, 168, 179, 184 and 189 of the Judgment).

- In Bakassi, the Court decides that the boundary is delimited by the Anglo-German Agreement of 11 March 1913 (Arts. XVIII-XX) and that sovereignty over the Bakassi Peninsula lies with Cameroon. It decides that in this area the boundary follows the thalweg of the River Akpakorum (Akwayafe), dividing the Mangrove Islands near Ikang in the way shown on map TSGS 2240, as far as a straight line joining Bakassi Point and King Point.
- As regards the maritime boundary, the Court, having established that it has jurisdiction to address this aspect of the case -- which Nigeria had disputed --, fixes the course of the boundary between the two States' maritime areas.

In its Judgment the Court requests Nigeria expeditiously and without condition to withdraw its administration and military or police forces from the area of Lake Chad falling within Cameroonian sovereignty and from the Bakassi Peninsula. It also requests Cameroon expeditiously and without condition to withdraw any administration or military or police forces which may be present along the land boundary from Lake Chad to the Bakassi Peninsula on territories which pursuant to the Judgment fall within the sovereignty of Nigeria. The latter has the same obligation in regard to territories in that area which fall within the sovereignty of Cameroon.

The Court takes note of Cameroon's undertaking, given at the hearings, to "continue to afford protection to Nigerians living in the [Bakassi] peninsula and in the Lake Chad area".

Finally, the Court rejects Cameroon's submissions regarding the State responsibility of Nigeria. It likewise rejects Nigeria's counter-claims.

Composition of the Court

The Court was composed as follows: President Guillaume; Vice-President Shi; Judges Oda, Ranjeva, Herczegh, Fleischhauer, Koroma, Higgins, Parra-Aranguren, Kooijmans, Rezek, Al-Khasawneh, Buergenthal, Elaraby; Judges ad hoc Mbaye, Ajibola; Registrar Couvreur.

Judge Oda appends a declaration to the Judgment of the Court; Judge Ranjeva appends a separate opinion to the Judgment of the Court; Judge Herczegh appends a declaration to the Judgment of the Court; Judge Koroma appends a dissenting opinion to the Judgment of the Court; Judge Parra-Aranguren appends a separate opinion to the Judgment of the Court; Judge Rezek appends a declaration to the Judgment of the Court; Judge Al-

Khasawneh and Judge ad hoc Mbaye append separate opinions to the Judgment of the Court; Judge ad hoc Ajibola appends a dissenting opinion to the Judgment of the Court.

A fuller summary of the Judgment is given in Press Communiqué 2002/26bis, to which is annexed a summary of the judges' declarations and opinions. The full text of the Judgment, declarations and opinions, together with the press communiqués, is available on the Court's Internet site (www.icj-cij.org).

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