

AGREEMENT BETWEEN THE REPUBLIC OF CAMEROON AND THE FEDERAL REPUBLIC OF NIGERIA CONCERNING THE MODALITIES OF WITHDRAWAL IN THE BAKASSI PENINSULA

The Republic of Cameroon (hereinafter referred to as "Cameroon") and the Federal Republic of Nigeria (hereinafter referred to as "Nigeria"),

Reaffirming their willingness to peacefully implement the judgement of the International Court of Justice,

Commending the Secretary-General of the United Nations for his efforts made in this respect in organizing the tripartite summits and establishing the Cameroon-Nigeria Mixed Commission,

Considering that the question of the withdrawal from and transfer of authority over Bakassi Peninsula should be treated in a forward-looking spirit of goodwill in order to open new prospects for cooperation between the two countries after decades of difficult bilateral relations,

Determined to encourage the consolidation of confidence and peace between their two countries for the well-being of their peoples and for stability in the sub region,

Have decided to conclude the present accord.

Article 1

Nigeria recognizes the sovereignty of Cameroon over the Bakassi Peninsula in accordance with the judgment of the International Court of Justice of 10 October 2002 in the matter of the *Land and Maritime Boundary between Cameroon and Nigeria*. Cameroon and Nigeria recognize the land and maritime boundary between the two countries as delineated by the court and commit themselves to continuing process of implementation already begun.

Article 2

Nigeria agrees to withdraw all its armed forces from the Bakassi Peninsula within sixty days of the date of the signing of this agreement. If exceptional circumstances so require, the secretary-general of the

United Nations may extend the period, as necessary, for a further period not exceeding a total of thirty days. This withdrawal shall be conducted in accordance with the modalities envisaged in Annex I to this Agreement.

Article 3

1. Cameroon, after the transfer of authority to it by Nigeria, guarantees to Nigeria nationals living in the Bakassi Peninsula the exercise of the fundamental rights and freedoms enshrined in international human rights law and in other relevant provisions of international law.
2. In particular, Cameroon shall :
 - a) Not force Nigerian nationals living in the Bakassi Peninsula to leave the zone or to change their nationality ;
 - b) Respect their culture, language and believes ;
 - c) Respect their right to continue their agricultural and fishing activities ;
 - d) Protect their property and their customary land rights ;
 - e) Not levy in any discriminatory manner any taxes and other dues on Nigeria nationals living the Zone ; and
 - f) Take every necessary measure to protect Nigerian nationals living in the Zone from any harassment or harm.

Article 4

Annex I and the map contained in annex II to this agreement shall constitute an integral part thereof. No part of this Agreement shall be interpreted as a renunciation by Cameroon of its sovereignty over any part of its territory.

Article 5

This Agreement shall be implemented in good faith by the Parties with the good offices of the Secretary-General of the United Nations, if necessary, and shall be witnessed by the united nations, the federal republic of Germany, the French republic, the united Kingdom of Great Britain and Northern Ireland and the united states of America.

Article 6

1. A follow-up committee to monitor the implementation of this Agreement is hereby established. It shall be composed of representatives of Cameroon, Nigeria, the United Nations and the witness States. The committee shall monitor the implementation of the agreement by the parties with the assistance of the United Nations observers of the Mixed commission.
2. The Follow-up committee shall settle any dispute regarding the interpretation and implementation of this Agreement.
3. The activities of the follow-up Committee shall cease at the end of the period of the special transitional regime provided for in paragraph 4 of Annex I to this agreement.

Article 7

This Agreement shall in no way be construed as an interpretation or modification of the judgment of the International court of justice of 10 October 2002, for which the agreement only sets out the modalities of implementation.

Article 8

This Agreement is concluded in English and French, both texts being equally authentic.

Done at Greentree, New York, on 12 June 2006

ANNEX I

Zone in question of the Bakassi peninsula

1. In order to prepare the Nigeria nationals living in the zone in question of the Bakassi peninsula (hereinafter "the Zone") for the transfer of authority to Cameroon, the zone shall temporarily be subject to a special status as laid down in this annex.

For the purpose of this annex, the details of the delimitation of the zone are set out in the attached map (annex II).

2. (a) Cameroon shall allow Nigeria to keep its civil administration and a police force necessary for the maintenance of law and order in the Zone for a non-renewable period of two years from the time of the withdrawal of the Nigerian forces. At the end of this period, Nigeria shall withdraw its administration and its police force and Cameroon shall take over the administration of the Zone.

(b) The United Nations and the witness states shall be invited to attend the ceremony of the transfer of authority.

3. For the duration of this period, Nigeria shall :
 - a) Not conduct or allow the conduct of any activities in the Zone which would prejudice Cameroon's peace or security ;
 - b) Take every necessary measure, under the supervision of the United Nations observers of the Cameroon-Nigeria Mixed Commission, to stop any transfer or influx of its nationals into the zone ;
 - c) Not engage in any activity in the Zone which would complicate or hinder the transfer of authority to Cameroon ;
 - d) Equip its force in the Zone with only the light equipment strictly necessary for the maintenance of law and order and for personal defence ;
 - e) Guarantee to Cameroonian nationals wishing to return to their village in the Zone the exercise of their rights ;

- f) Not conduct or continue the exploitation of natural resources in the sub-soil of the Zone, or to engage in any other activity harmful to the environment ;
 - g) Take every necessary measure to prevent any change in land-property rights ; and
 - h) Not position any armed forces in the Zone.
4. Following the transfer of authority over the Zone to Cameroon, the latter shall apply to the Zone a special transitional regime for a non-renewable period of five years.

In the application of the special transitional regime, Cameroon shall

- a) Facilitate the exercise of the rights of Nigerian nationals living in the Zone and access by Nigerian civil authorities to the Nigerian population living in the Zone ;
 - b) Not apply its customs or immigration laws to Nigerian nationals living in the Zone on their direct return from Nigeria for the purpose of exercising their activities ;
 - c) Allow officers and uniformed personnel of the Nigerian police access to the Zone, in cooperation with the Cameroonian police, with the minimum of formalities when dealing with inquiries into crimes and offences or other incidents exclusively concerning Nigerian nationals ; and
 - d) Allow innocent passage in the territorial waters of the Zone to civilian ships sailing under the Nigerian flag, consistent with the provisions of this agreement, to the exclusion of Nigerian warships.
5. At the end of the special transitional regime, Cameroon shall fully exercise its rights of sovereignty over the Zone.
6. In accordance with paragraph 4 of this Annex, any acquisition of land in the Zone by Nigerian nationals not resident in the zone at the time of the signature of this Agreement shall be perfected only in accordance with the laws and regulations of Cameroon.