



INTERNATIONAL COURT OF JUSTICE

Peace Palace, 2517 KJ The Hague. Tel.(31-70-302 23 23). Cables: Intercourt, The Hague.
Telefax (31-70-364 99 28). Telex 32323. Internet address : <http://www.icj-cij.org>

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Case concerning Land and Maritime Boundary between Cameroon and Nigeria
(Cameroon v. Nigeria)

Extension of the time-limit for the filing of Nigeria's Counter-Memorial

THE HAGUE, 5 March 1999. The International Court of Justice (ICJ) has extended by two months the time-limit for the filing of the Counter-Memorial of Nigeria in the case concerning the Land and Maritime Boundary between Cameroon and Nigeria (Cameroon v. Nigeria).

By an Order dated 3 March 1999 the Court fixed the new time-limit at 31 May 1999.

By a letter dated 23 February 1999, Nigeria, referring to the Request for Interpretation of the Court's Judgment of 11 June 1998 on Preliminary Objections, which it submitted in October 1998, (see Press Communiqué 98/34), had stated that it "[would] not be in a position to complete its Counter-Memorial until it [knew] the outcome of its Request for Interpretation".

By a letter of 24 February 1999, Cameroon, for its part, had stated that it was "resolutely opposed" to any extension of the time-limit, explaining that the Court "would create a precedent which in future would encourage parties . . . to make requests for interpretation or revision of judgments on preliminary objections".

In the reasoning to its decision, the Court stated that a request for interpretation "cannot in itself suffice to justify the extension of a time-limit" but that, given the circumstances of the case, it considered that it should grant Nigeria an extension of the time-limit.

The subsequent procedure has been reserved for further decision.

Background information

On 29 March 1994, Cameroon filed an application instituting proceedings against Nigeria in a dispute concerning the question of sovereignty over the Bakassi Peninsula, which it claimed was in part under military occupation by Nigeria, and requested the Court to determine the course of the maritime frontier between the two States in so far as that frontier had not already been established by the Maroua Declaration signed by the Cameroonian and Nigerian Heads of State in 1975.

As a basis for the jurisdiction of the Court, Cameroon referred to the declarations made by both States whereby they accept that jurisdiction as compulsory (Article 36, paragraph 2, of the Statute of the Court).

In an additional application filed on 6 June 1994, Cameroon extended the case to a further dispute with Nigeria over "a part of the territory of Cameroon in the area of Lake Chad", which it claimed was also occupied by Nigeria. Cameroon asked the Court to specify definitively the frontier between itself and Nigeria from Lake Chad to the sea, to order the withdrawal of Nigerian troops from Cameroonian territory and to determine reparation for the material and non-material damage inflicted.

On 13 December 1995, Nigeria raised preliminary objections to the jurisdiction of the Court and to the admissibility of Cameroon's claims. The proceedings on the merits were accordingly suspended, by virtue of Article 79, paragraph 3, of the Rules of the Court. By an Order of 10 January 1996, the then President of the Court, Judge Mohammed Bedjaoui, taking into account the views expressed by the Parties, fixed 15 May 1996 as the time-limit within which Cameroon had to present a written statement of its observations and submissions on the preliminary objections raised by Nigeria. That statement was filed within the prescribed time-limit.

On 12 February 1996, Cameroon requested the Court to indicate provisional measures after "serious armed incidents" had taken place between Cameroonian and Nigerian forces in the Bakassi Peninsula. Public hearings were held between 5 and 8 March 1996, and on 15 March 1996 the Court made an Order stating that "both Parties should ensure that no action of any kind, and particularly no action by their armed forces, is taken which might prejudice the rights of the other in respect of whatever judgment the Court may render in the case, or which might aggravate or extend the dispute before it". The ICJ further ruled that the Parties "should observe the agreement reached between the Ministers of Foreign Affairs in Kara, Togo, on 17 February 1996, for the cessation of all hostilities in the Bakassi Peninsula".

In a Judgment rendered on 11 June 1998, the Court rejected seven of the preliminary objections raised by Nigeria and declared that an eighth one would have to be dealt with during the proceedings on the merits. It further declared that it had jurisdiction in the case and found Cameroon's claims admissible.

By an Order dated 30 June 1998, the Court, after ascertaining the views of the Parties, fixed 31 March 1998 as the time-limit for the filing of the Counter-Memorial of Nigeria.

Website of the Court: <http://www.icj-cij.org>

Information Office

Mr. Arthur Witteveen, Secretary of the Court (tel: 31-70-302 2336)

Mrs. Laurence Blairon, Information Officer (tel: 31-70-302 2337)

E-mail: information@icj-cij.org