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Forward to Dr Bonei

363027

THE REPUBLIC OF AMBAZONIA

Your Ref.

Our Ref.

Date

AMBAZONIAN MISSION
P O BOX 21094
KALORAMA STN
WASHINGTON DC 20009

His Excellency, the Secretary General
The United Nations
New York

Your Excellency

DECLARATION UNDER ARTICLE 36 OF THE STATUTES OF THE INTERNATIONAL COURT OF JUSTICE

I have the honour most respectfully to lodge herewith for necessary action, a declaration accepting the jurisdiction of the International Court of Justice for and on behalf of The Republic of Ambazonia alias the United Nations Trust Territory of the Southern Cameroons, filing an interpleader summons, in the Cameroun-Nigerian Border dispute on sovereignty over the Bakassi Peninsula.

Many thanks in anticipation of your cooperation.

I am, your excellency's most respectfully


Edwin Ngang

SPECIAL ASSISTANT TO THE HEAD OF STATE

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THE REPUBLIC OF AMBAZONIA

Your Ref.
Our Ref. UNSG/94/07

Date 15/5/94

IN THE CAMEROUN - NIGERIAN BORDER DISPUTE
INTERVENING PARTY DECLARATION ACCEPTING THE JURISDICTION
OF
THE INTERNATIONAL COURT OF JUSTICE

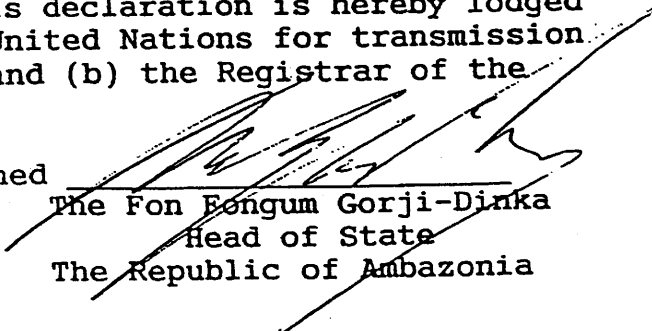
by

UNITED NATIONS TRUST TERRITORY OF THE SOUTHERN CAMEROONS alias
REPUBLIC OF AMBAZONIA

On behalf of the people and the government of the United Nations Trust Territory of the Southern Cameroons, alias The Republic of Ambazonia, (an infant Member State of the United Nations which is illegally occupied by troops of the Franco-Cameroun Alliance) I, Fon Fongum Gorji-Dinka, Ambazonian Crown Prince, by the grace of God, the traditional ruler, now on the ancestral throne of the Widikums, and solemnly recognised by the Republic of Cameroun High Court judgement No.HCB/28/92, do, in my capacity as the Head of State of the said Republic of Ambazonia, hereby declare Ambazonia's acceptance of the jurisdiction of the International Court of Justice in all disputes. This declaration shall remain in force ad infinitum but subject to review by the Ambazonian Government.

Consistent with article 36 of the Statutes of the International Court of Justice, this declaration is hereby lodged with the Secretary General of the United Nations for transmission (a) to the parties to the Statute and (b) the Registrar of the Court accordingly.

Signed


The Fon Fongum Gorji-Dinka
Head of State
The Republic of Ambazonia

To The United Nations Secretary General
New York, NY 10017 U S A

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THE REPUBLIC OF AMBAZONIA

Your Ref.

Our Ref. 145/94/07

Date 15/5/94

The Registrar
The International Court of Justice
The Hague
Dear Sir,

In re THE BAKASSI CONFLICT:
BETWEEN:
LA REPUBLIQUE DU CAMEROUN AND THE FEDERAL REPUBLIC OF NIGERIA

INTERPLEADER SUMMONS

I the undersigned, Edwin Ngang, Special Assistant to His Royal Excellency the Head of State of the Republic of Ambazonia, have been directed by Ambazonian Head of State, to, with the leave of the honourable court, file an interpleader summons, requesting the honourable International Court of Justice to adjudge and declare on the questions herein raised, and any other questions that may be incidental thereto.

JURISTIC PERSONALITY

The INTERPLEADER SUMMONS is issued by Ambazonia either as the United Nations Trust Territory of the Southern Cameroons, (an infant member state of the United Nations), or as a Non-Member state of the United Nations which is under the illegal and forcible occupation of troops of the Franco-Cameroun Military Alliance.

ISSUES FOR ADJUDICATION

1 THE QUESTION OF SOVEREIGNTY OVER THE BAKASSI PENINSULA

In addition to the facts enclosed, the Court's attention is drawn to the last sentence of paragraph 6 of the Cameroun memorial which states as follows:-

" THE CAMEROUNNESS OF THE BAKASSI PENINSULA WAS CONFIRMED BY THE RESULT OF THE U.N-SPONSORED PLEBISCITE OF 12 FEBRUARY 1961 BY WHICH THE FORMER WESTERN CAMEROUN UNDER BRITISH MANDATE OPTED TO BE PART OF CAMEROUN "

By this statement Cameroun formally acknowledges that at her independence on 1st January 1960 Bakassi was not part of the territory of Cameroun. In fact the West Coast of La Republique du Cameroun stops at the River Mongo 350 kilometres East of Bakassi.

Cameroun must herself be bound By the OAU declaration which Cameroun has aptly cited in her paragraph 7, thus: "...solemnly declares that all member countries shall endeavour to respect the borders in existence at the time of their independence"

By the said OAU SOLEMN DECLARATION Cameroun has effectively conceded that she has no locus standi in any dispute on sovereignty over the Bakassi Peninsula and accordingly should be struck out of the suit on the question of sovereignty over the Bakassi Peninsula

The other aspects which are irretrievably fatal to the Cameroun case include the following:

(a) MANDATE IN 1961?

The Court has judicial notice of the fact that the Mandate System ended with the League of Nations in the Second World War. Cameroun's allegation of a British Mandate existing any where in 1961 is palpably false.

(b) WESTERN CAMEROUN

The United Nations has never treated with any such territory as WESTERN CAMEROUN neither as a subject nor an object of international law. Accordingly the allegation that a certain WESTERN CAMEROUN opted in a U.N sponsored plebiscite to become part of Cameroun is also totally false. It is calculated to attribute to Cameroun that which the law, both municipal and international, has not and would not.

2 BREACH OF INTERNATIONAL OBLIGATION

There exist facts on which the Court would find that by error or by design the United Nation was misled into a breach of international obligations owed to Ambazonia under the United Nations Trusteeship as The Southern Cameroons A summary of the said facts is part of material herewith enclosed.

3 MAKING THE CEASEFIRE PERMANENT

The inhabitants of Ambazonia and particularly in the several fishing settlements including Bakassi continue to suffer loss of life, limb and property each time troops of the Franco-Cameroun Alliance engage those of the Federal Republic of Nigeria real or imagined, in combat. Accordingly Ambazonia requests the Court to transform the present cease fire into a permanent peace at least pending the final determination of the case.

For this purpose An Oder to Show Cause, has been filed, which is the most non-contoversial procedure requiring no pronouncement by the judges of the Court and yet it takes effect as an enforceable order of the court once the application has been served on the parties.

The parties must then comply, under pain of sanction, until a party seeking to discharge or vary the order succeeds in convincing the court to do so, in the presence, and with the participation of the other parties.

ACCEPTANCE OF THE COURTS JURISDICTION

The Republic of Ambazonia alias The United Nations Trust Territory of the Southern Cameroons, has lodged with the Secretary General of the United Nations a declaration accepting the jurisdiction of the International Court of Justice, a copy of which is herewith enclosed

DESIGNATION OF REPRESENTATIVES

The government of Ambazonia has designated His Royal Excellency Fon Fongum Gorji-Dinka as principal agent, who would be assisted by Blaise Berinyuy and Edwin Ngang all of whom are the members of the Ambazonian government. Counsels for Ambazonia would present themselves and their respective retainers subsequently.

Signed



Edwin Ngang

SPECIAL ASSISTANT TO THE HEAD OF STATE

enclosed: 1. Declaration under article 36 of the ICJ statutes
2 (a) Interpleader Summons, (b) An Order to Show Cause
(c) An Affidavit of 30 paragraphs enclosing 3 annexures as listed in paragraph 30 thereof.

All corespondence relating to this matter should be addressed to

The Ambazonian Mission
P O Box 21094
Kalorama Stn
Washington DC 20009
U.S.A.

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IN THE INTERNATIONAL COURT OF JUSTICE
HOLDEN AT THE HAGUE

SUIT No. ~~67/94~~

In Re the Bakassi Conflict:

BETWEEN:

LA REPUBLIQUE DU CAMEROUN.....CLAIMANT

AND

THE FEDERAL REPUBLIC OF NIGERIA.....COUNTER CLAIMANT

AND

THE U.N. TRUST TERRITORY OF THE SOUTHERN
CAMEROONS alias THE REPUBLIC OF AMBAZONIA.....INTERPLEADER

INTERPLEADER SUMMONS

REQUESTS: That this honourable Court adjuge and declare on:-

(a) SOVEREIGNTY OVER THE BAKASSI PENINSULA

THAT THE BAKASSI PENINSULA IS AN INTEGRAL PART OF THE TERRITORY OF THE INTERPLEADER PARTY AND SO NEITHER THE CLAIMANT NOR THE COUNTER CLAIMANT HAS SOVEREIGNTY OVER IT.

(b) NO LOCUS STANDI FOR CLAIMANT

THAT ANY BORDER DISPUTE AT THE LOCUS IN QUO IS PROPERLY A MATTER FOR THE COUNTER CLAIMANT AND THE INTERPLEADER PARTY, IN WHICH THE CLAIMANT HAS NO LOCUS STANDI AT ALL AND SHOULD ACCORDINGLY BE STRUCK OUT OF THIS LAW SUIT.

(c) MAKING THE CEASE-FIRE PERMANENT
AN ORDER TO SHOW CAUSE

THAT THE COMBATTING PARTIES SHOW CAUSE WHY THEIR FORCES BE NOT WITHDRAWN AND CONFINED WITHIN THEIR RESPECTIVE BORDERS PENDING THE FINAL DETERMINATION OF SOVEREIGNTY OVER BAKASSI PENINSULA.

(d) BREACH OF INTERNATIONAL OBLIGATIONS

THAT THE UNITED NATIONS REDRESS THE BREACH OF ITS OBLIGATIONS TO THE INTERPLEADER PARTY UNDER ARTICLE 76 OF THE CHARTER.

Dated this 15thday of May 1994

Signed Edward Ngang
for INTERPLEADER

Address for Service:

CLAIMANT c/o Camerounian Diplomatic Mission, Amaliastrass 14,
2514JC, The Hague, Netherland

COUNTER CLAIMANT c/o Nigerian Embassy, Wagnerweg 5,
The Hague, Netherland

INTERPLEADER c/o Ambazonian Mission,
POB 21094, Kalorama Stn, Washington DC 20009 USA.

IN THE INTERNATIONAL COURT OF JUSTICE
HOLDEN AT THE HAGUE

SUIT No.....

In Re the BAKASSI Conflict:

BETWEEN:

LA REPUBLIQUE DU CAMEROUN.....CLAIMANT

AND

THE FEDERAL REPUBLIC OF NIGERIA..... COUNTER CLAIMANT

AND

THE U.N TRUST TERRITORY OF THE SOUTHERN
CAMEROONS alias THE REPUBLIC OF AMBAZONIA.....INTERPLEADER

ORDER TO SHOW CAUSE

Let all parties appear before this honourable court on the
.....day of.....1994 at the hour of 10 o'clock in
the forenoon, or so soon thereafter as the business of the court
would permit the combatting claimant and counter claimant or
their representatives or counsels, to SHOW CAUSE why the following
ORDER NISI should not become absolute, that is to say:

(a) THE FORCES OF THE COMBATTING PARTIES, INCLUDING ALL
ELEMENTS OF ANY AUTHORITY WHICH IS NEITHER UNDER THE FLAG AND
COMMAND OF THE REPUBLIC OF AMBAZONIA NOR THAT OF THE UNITED
NATIONS BE URGENTLY WITHDRAWN FROM THE LAND SEA AND AIR SPACE OF
AMBAZONIA AND BE CONFINED WITHIN THEIR RESPECTIVE INTERNATIONAL
BORDERS, PENDING THE FINAL DETERMINATION OF THE CASE.

(b) THAT WITH EFFECT FROM THE NOTIFICATION OF THIS ORDER
NISI TO THE PARTIES, THE UNITED NATIONS SECRETARY GENERAL,
URGENTLY TAKES STEPS TO ENSURE COMPLIANCE AND ENLIST THE
ASSISTANCE OF U.N.MEMBER STATES OR THE SECURITY COUNCIL TO CREATE
A SECURITY UMBRELLA OVER THE GOVERNANCE OF AMBAZONIA.

(c) THAT THE PRESIDENT OF THE U. N.GENERAL ASSEMBLY MAKE
AVAILABLE TO AMBAZONIA HER SEAT AS AN ADULT MEMBER STATE.

DATED this 15th.....day of May.....1994

Signed Eduard Ngandu

Address for service:

CLAIMANT c/o The Camerounian Diplomatic Mission
Amaliastrass 14, 2514JC, The Hague, Netherland.

COUNTER CLAIMANT c/o Nigerian Embassy,
Wagnerweg 5, The Hague, Netherland

INTERPLEADER c/o Ambazonian Mission
POB 21094, Kalaroma Stn,
Washington DC 20009 USA

IN THE INTERNATIONAL COURT OF JUSTICE
HOLDEN AT THE HAGUE

SUIT No.....

In Re the BAKASSI Conflict

BETWEEN:
LA REPUBLIQUE DU CAMEROUN.....CLAIMANT
AND
THE FEDERAL REPUBLIC OF NIGERIA.....COUNTER CLAIMANT
AND
THE REPUBLIC OF AMBAZONIA alias THE U.N.)
TRUST TERRITORY OF THE SOUTHERN CAMEROONS).....INTERPLEADER

AFFIDAVIT

I Fon Fongum Gorji-Dinka adult Ambazonian, Barrister-at-law of the Supreme Court of Great Britain, Solicitor and Advocate of the Supreme Court of La Republique du Cameroun, President emeritus of the Cameroun Bar Association, and the Doyen of the indeginous legal practitioners within the Central African sub- region, do state on my honour as follows:

1 That the claimant, la Republique du Cameroun, by a solemn judicial act of her High Court cited in paragraph 2 below formalized her recognition of the Interpleading Republic of Ambazonia (United Nations Trust Territory of the Southern Cameroons) as SOVEREIGN and the Fon Fongum Gorji-Dinka as the Head of State of the said Ambazonia.

2 That the said judicial act was the out come of the High Court of Cameroun law suit HCB/28/,

- (1) The State of the Southern Cameroons alias the Republic of Ambazonia
- (2) His Royal Excellency Fon Fongum Gorji-Dinka
- (3) Blaise Berinyuy

AGAINST

- (1) The State of la Republique du Cameroun
- (2) His Excellency Paul Biya

(Ref. High Court of la Republique du Cameroun HCB/28/92 reported in the Douala based Camerounian News Paper LE MESSENGER of 10 February 1993)

3 That it being a judgement on the juristic status of Ambazonia (which Cameroun's illegal occupation of the country had put in doubt within the international community), it is a JUDGEMENT IN REM and is binding, not only on the parties and their privies, but also on the world at large.

4 That an expulsion order by the said High Court required

all persons whose presence in Ambazonia derives authority from Cameroun to quit the territory of Ambazonia.

5 That the Camerounian authorities have failed to implement the said court order, claiming that neighbouring Nigeria has plans to overrun and annex Ambazonia or a part thereof.

6. That the international borders separating Ambazonia from Nigeria, on the one hand, and separating Ambazonia from Cameroun on the other hand, were established by the League of Nations in 1919/1920, upheld by the United Nations, and adopted by the parties to this suit, when each attained independence.

7 That the West Coast of la Republique du Cameroun ends at the River Mongo which is about 350 kilometres East of the Bakassi Peninsula as shown in the map of la Republique du Cameroun at her independence on 1st January 1960 (see annexure AZ/ICJ/01)

8 That the Federal Republic of Nigeria on her part became independent on the 1st October 1960 and also became a member state of the United Nations that same year.

9 That while the said Cameroun and Nigeria had become full Members States of the United Nations, Ambazonia was still the United Nations Trust Territory of the Southern Cameroons.

10 That on the 11 February 1961 the United Nations conducted a plebiscite in the said Trust Territory on its future, in which the inhabitants of Ambazonia, including those in the Bakassi Peninsula took part in the voting.

11. That this being an acknowledgement by the United Nations that The Southern Cameroons (Ambazonia) is neither part of Nigeria nor part of Cameroun, the legal rules of ESTOPPEL preclude any Member State, or Organ of the United Nations (including the International Court of Justice) from alleging today that the Bakassi peninsula is not an intergral part of Ambazonia.

12 That there is a great wall of difference between a nation's SOVEREIGNTY, which is inherent and inalienable, and a nation's GOVERNMENT, which can be alienated by (a) Conquest (b) Colonial administration, & (c) International Administration

13 That the legal effect of the alienation of the government of a nation, is that the nation is physically prevented from free and independent exercise of her sovereignty, but her sovereignty remains inherent and inalienable.

14 That a clear case of the recognition of the distinction between sovereignty and government was demonstrated when the second World War Allies acknowledged France which was then under German occupation, as still a sovereign nation, and treated as the Head of State of France, a certain Charles de Gualle who was then a French refugee in London, instead of the French General Petain who was then heading the French government under German Occupation.

15 That according to international law, once a nation has internationally recognised borders then sovereignty automatically attaches to that nation as surely as human rights attach to a human being at birth.

16. That any nation challenging Ambazonia's Sovereignty over the Bakassi peninsula cannot at all be countenanced by any court

of law until a treaty by which Ambazonia ceded Bakassi to that nation is tendered in evidence.

17 That at the trial of this matter Ambazonia would request the court to adjudge and declare as follows:

- (a) The trusteeship status of The Southern Cameroons within the United Nations being analogous to the status of an infant within the family, then once the Southern Cameroons independence was formalized by the promulgation of the SOUTHERN CAMEROON CONSTITUTION ORDER-IN-COUNCIL on 1st October 1960, the state became ipso facto an adult member of the United Nations just as an infant automatically becomes an adult member of the family upon attaining adulthood.

IT WAS THEREFORE A BREACH OF AN INTERNATIONAL OBLIGATION FOR THE UNITED NATIONS TO HAVE FAILED SO FAR TO GIVE A SEAT TO THE SOUTHERN CAMEROONS (AMBAZONIA) AS AN ADULT MEMBER STATE OF THE UNITED NATIONS

- (b) That having formalized the independence of the territory by promulgating the Southern Cameroon Constitution, the objective of Trusteeship as stated in article 76(b) of the United Nations Charter, INDEPENDENCE, had been achieved. Accordingly THE TRUSTEESHIP ADMINISTRATION CEASED TO BE VALID.

ALL ACTS THEREAFTER OTHER THAN GIVING A SEAT TO AMBAZONIA AT THE UNITED NATIONS AS AN ADULT MEMBER STATE WERE TOTALLY OUTSIDE THE AMBIT OF THE ARTICLE 76(b). THEY WERE ULTRA VIRES AND ACCORDINGLY NULL AND VOID AB INITIO, AND OF NO LEGAL EFFECT WHATEVER. namely:

- (1) Keeping the Territory still under a Trusteeship which was terminated by operation of the law.
- (2) Compelling Ambazonia, under threat of totally abolishing her independence and merging her into Nigeria unless Ambazonian accepted the alternative of giving the United Nations a mandate to join their country and la Republique du Cameroun into a Confederacy of Sovereign States.
- (3) Conducting a plebiscite in the territory in violation of Ambazonian independence on those imposed TWO ALTERNATIVES
- (4) Backing out of the very terms specified in the alternative which the inhabitants of Ambazonia opted for in the imposed plebiscite.
- (5) Arranging for troops of the Franco-Cameroun Alliance to illegally occupy Ambazonia to this day.

18 That the United Nations perpetuated Britain's role as its administering agents even after the promulgation of the independent Southern Cameroon constitution on 1st October 1960 up to the 1st October 1961. But instead of leaving the independent

Ambazonia alone, or at worst, letting her come under the direct U.N. administration to which Ambazonia had thus automatically reverted, for the purpose of implementing the proposed confederacy troops of the Franco-Cameroun alliance swept into and occupied Ambazonia right to this day.

19 That the departing British Officials insisted that this illegal Franco-Cameroun occupation of AMBAZONIA was an interim United Nations arrangement to protect Ambazonia from an imagined invasion from anti-French UPC guerrillas who were then ravaging la Republique du Cameroun.

20 That(a) it is by this ILLEGAL AND FORCIBLE OCCUPATION that troops of the Franco-Cameroun alliance have been operating in Ambazonia right to Bakassi where they provoked the present Cameroun-Nigeria military confrontation.

(b)it is by this illegal and forcible occupation that Cameroun now bases her claim of sovereignty over the Bakassi peninsula.

21 That Sovereignty being inalienable, cannot and will never pass from Ambazonia to the Franco-Cameroun alliance. And that is why in the law suit cited in paragraph 2 above the Cameroun government conceded to the Cameroun High Court proceedings formalizing the legal recognition of Ambazonian sovereignty as well as ordering Cameroun to withdraw all elements of this illegal occupation.

22 That from the foregoing Cameroun has no evidence to sustain her claim of sovereignty over Bakassi and this accounts for why Cameroun has had to resort to advancing such myths as:

(a) That a certain " WESTERN CAMEROOUN opted to become part of la Republique du Cameroun.

Yet Cameroun knows that the United Nations has never treated with any such thing as a WESTERN CAMEROUN, neither as an object nor as a subject of international law.

or (b) That there is a certain CAMEROUNESS by which a territory can be identified which would thus entitle Cameroun to exercise sovereignty over same.

Yet Cameroun knows that the word Cameroun is the French spelling for the Portuguese word Cameros meaning, shrimps or crey fish (locally called, Njanga) whose abundance identified the area in Portugues navigational maps as Rios des Cameroes (the rivers of crey fish) making Germany name her entire ptotectorate Kamerun.

23 That to advance such myths and fictions for lack of facts and law to sustain a claim before such a court of law as high as the Interntional Court of Justice, is eloquent proof, of the characteristic arrogance and contempt which has been the practice and constant study of Franco-Cameroun authorities towards Organs of Justice, the sovereignty of other nations, or the priciples of international law.and the comity of nations.

24 That I have reason to believe that unless the International Court of Justice avails itself of the non-controversial procedure of AN ORDER TO SHOW CAUSE a full scale war would be triggered off either (a) by miscalculations (b) by a careless shot from the gun of a trigger-happy drunken soldier or gendarme or (c) by the deliberate gun shot of the

agent of an arms dealer bent on provoking war.

25. That the responsibility for such an escalation would be that of this honourable court for, failing to avail itself of the most uncontroversial method of transforming the present cease fire into permanent peace in the area

26 That consistent with the declaration of the parties to abide by the decision of the International Court of Justice the parties would comply with the Order to Show Cause which places on each party the onus to show why their combat-ready troops be not withdrawn and confined within their respective undisputed international borders pending the final determination of the question of sovereignty over the Bakassi peninsula.

29 That the foregoing is without prejudice to subsequent oral and written representations which Ambazonia would advance to enable the court properly adjudicate on the issues and the questions specifically raised or naturally arising from the case itself.

30 That Ambazonia herewith encloses :-

- (a) Annexure AZ/ICJ/01..Scetch map of la Republique du du Cameroun.
- (b) Annexure AZ/ICJ/02, History of borders fixed for
 - A...1884-1916 Berlin Conference to World War 1
 - B...1916-1919 Extinction of Kamerun
 - C...1,2,3, The League-of-Nations-created states
 - D...An enlargement of C1 (note the Bakassi Peninsula).
- (c) Annexure AZ/ICJ/03 The Franco-Cameroun AND the Nigerian troops positions

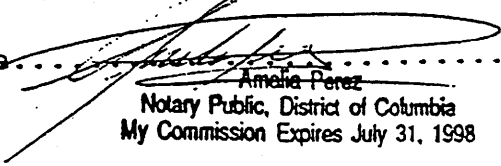
(d) A SIGNED UNDERTAKING ON AMBAZONIA'S PART TO BE BOUND BY THE DECISION OF THE INTERNATIONAL COURT OF JUSTICE

That I swear to the above believing same to be true to the best of my knowledge and in support of the Interpleader Summons as well as the Order to Show Cause..

Signed.....

 Fongum Gorji-Dinka
 DEPONENT

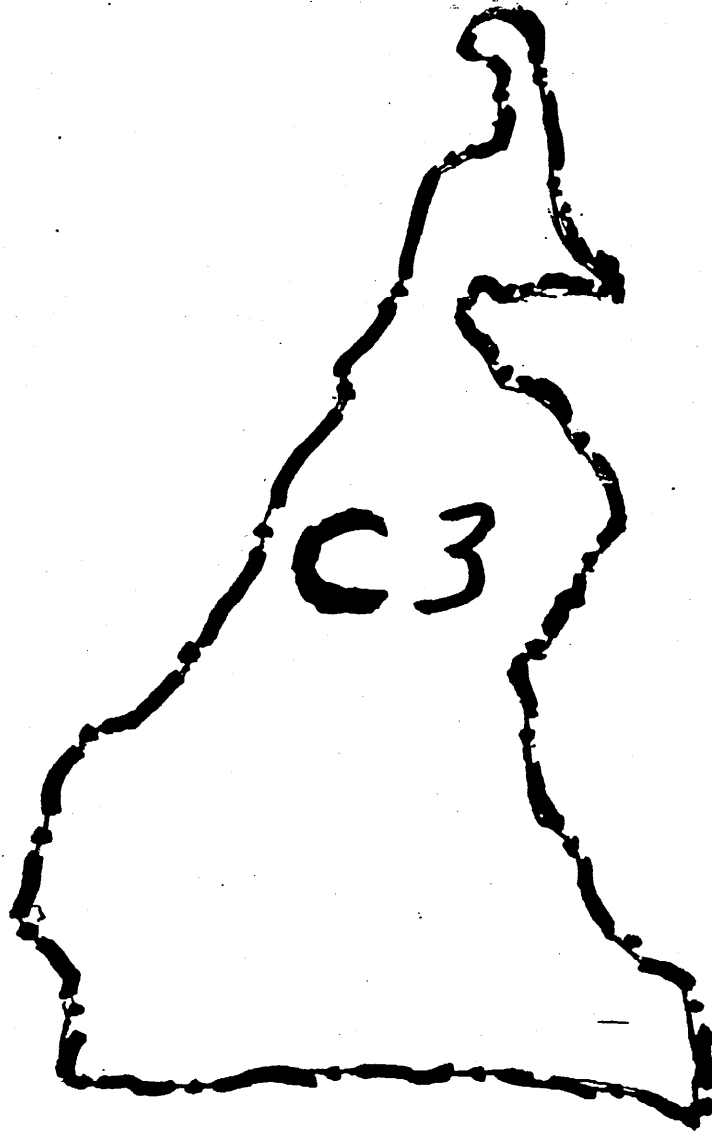
Sworn to at Washington, DC this 16th day of May 1994

Before me.....

 Notary Public, District of Columbia
 My Commission Expires July 31, 1998

Commissioner for Oaths/Notary Public -

CAMEROUN borders
at independence 1/1/60

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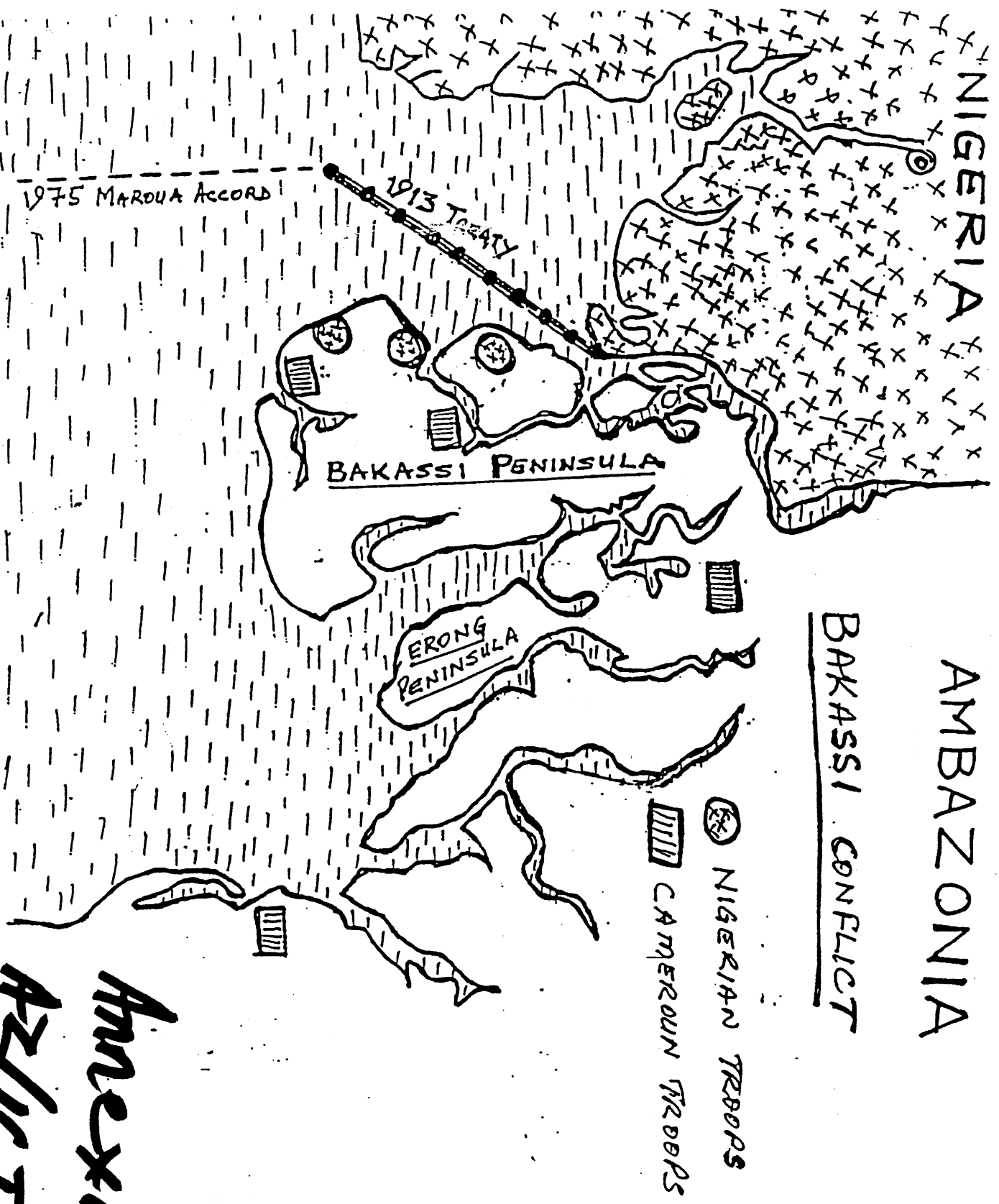


Annexure

AZ/ICT/01

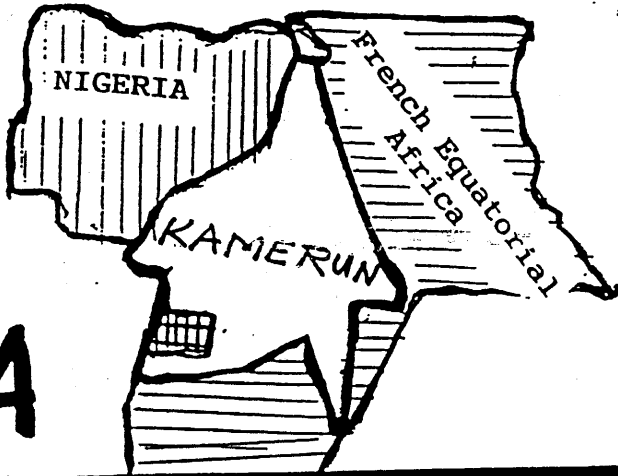
AMBAZONIA

BAKASSI CONFLICT



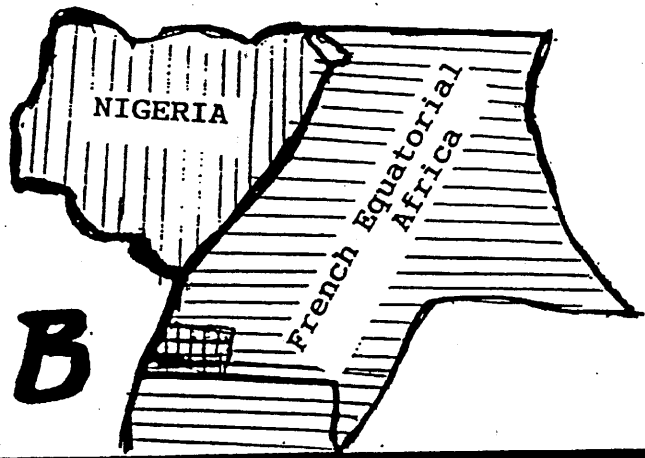
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A2/ICT/03*

1884 - 1916



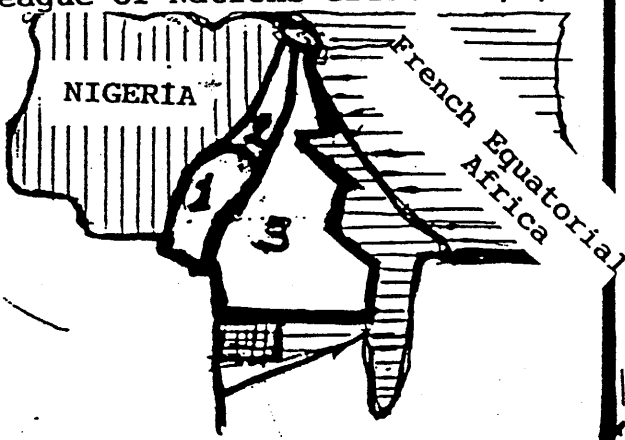
A

1916 - 1919 Kamerun extinct



B

1919 League of Nations creates 1,2,3



C

NIGERIA

AMBAZONIA

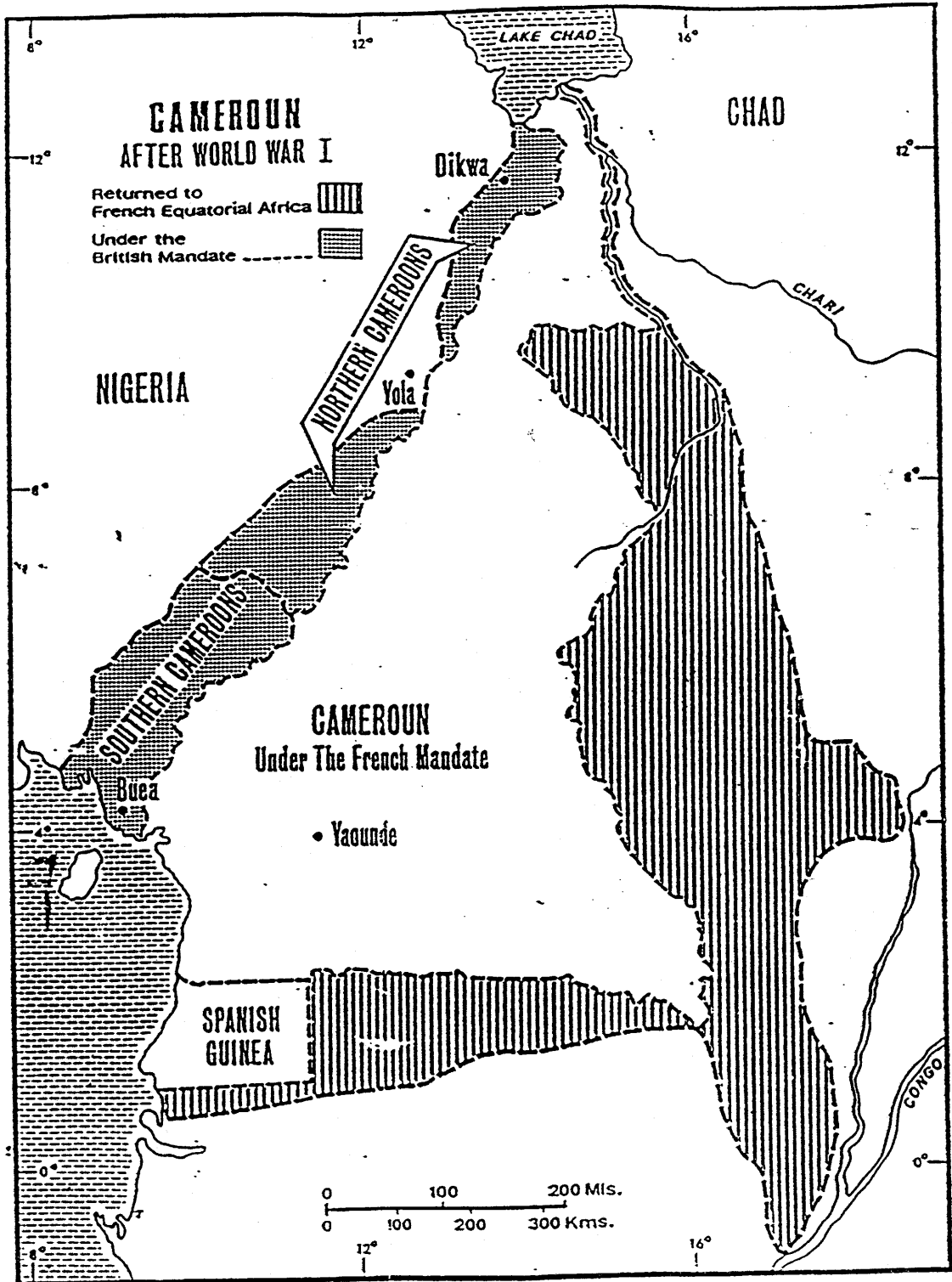
CAMEROUN

C1

C3

INTERNATIONAL BORDERS as at 1. June 1961

Innexe
A7/11



3. Cameroun after World War I (after Mveng, op. cit., p. 360)