

**Documentary
Evidence
Supporting the
Sovereign
Rights of
British
Southern
Cameroon**

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This dossier compiles key historical documents, legal citations, and official records that substantiate the claim that the British Southern Cameroons is a distinct territorial entity with an unfulfilled right to self-determination and sovereignty, unlawfully annexed by La République du Cameroun.

I. FOUNDATIONAL UN DOCUMENTS ESTABLISHING DISTINCT STATUS

1. UN Trusteeship Agreement for British Cameroons (1946)

- **Citation:** UN Trusteeship Agreement for the Territory of the Cameroons under British Administration, approved by UN General Assembly Resolution 63 (I) on 13 December 1946.
- **Relevant Excerpt:** "The territory of the Cameroons under British administration... is administered as an integral part of Nigeria, but as a separate territory." (Article 1).
- **Significance:** Establishes the **British Southern Cameroons as a separate UN Trust Territory**, distinct from Nigeria and from French Cameroun, with its own sovereign path to be determined.

2. UNGA Resolution 1350 (XIII) – The Flawed Plebiscite Mandate (1959)

- **Citation:** UN General Assembly Resolution 1350 (XIII), "The Future of the Trust Territory of the Cameroons under British Administration," 13 March 1959.
- **Relevant Excerpt:** "Invites the Administering Authority to organize, under the supervision of the United Nations... separate plebiscites in the Northern and Southern parts of the Trust Territory... to ascertain the wishes of the inhabitants concerning their future."
- **Significance:** Confirms the **separate political identity** of Northern and Southern Cameroons by mandating separate plebiscites. Its fatal flaw was limiting options to joining Nigeria or Cameroon, violating the full scope of self-determination.

3. UNGA Resolution 1608 (XV) – Termination of Trusteeship (1961)

- **Citation:** UN General Assembly Resolution 1608 (XV), "The Future of the Trust Territory of the Cameroons under British Administration," 21 April 1961.
- **Relevant Excerpt:** "1. Decides to terminate the Trusteeship Agreement for the Cameroons under British administration... on 1 October 1961, upon its joining the Republic of Cameroon... 5. Invites the Administering Authority, the

Government of the Southern Cameroons and the Republic of Cameroon to initiate urgent discussions with a view to finalizing... the arrangements by which the agreed and declared policies of the parties concerned will be implemented."

- **Significance:** This is the critical document. It:
 - **Does not transfer sovereignty** to Cameroon; it terminates the UK's administrative role.
 - Uses the term "**joining**," implying a union of entities, not an absorption.
 - **Fails to establish a legal treaty** or binding mechanism for the union. Paragraph 5's call for "urgent discussions" was never fulfilled in a legally binding, internationally witnessed manner, leaving the union without a formal foundation.
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II. DOCUMENTS DEMONSTRATING THE ABSENCE OF A LEGAL UNION TREATY

4. British Government White Paper on Termination of Trusteeship (1961)

- **Citation:** "Cameroons (Administration): Report for 1960-61" (British Government White Paper, Cnmd. 1551, 1961).
- **Relevant Excerpt:** Details the administrative handover but contains **no text of an internationally ratified treaty of union** between the UK, Cameroon, and Southern Cameroons. The transfer is presented as an administrative act following the UN resolution.
- **Significance:** The UK, as Administering Authority, did not execute a formal instrument of cession of sovereignty. Sovereignty was not transferred; administrative responsibility merely ceased.

5. The Foumban "Constitutional Conference" Records (July 1961)

- **Source:** Archives of the Federal Republic of Cameroon; summarized in historical texts like "The Political Evolution of Cameroon" by Victor T. Le Vine.
- **Relevant Fact:** The meeting in Foumban was **not an international conference** producing a treaty. It was a domestic constitutional meeting where President Ahidjo presented a pre-drafted constitution for a new Federal Republic of Cameroon. Representatives from Southern Cameroons proposed amendments, but the document was fundamentally an internal constitution of a new state, not a treaty of union between two existing ones.

- **Significance:** No treaty was signed or deposited with the UN. The union rests on a **unilaterally imposed domestic constitution**, not on mutual international agreement.
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III. LEGAL OPINIONS & SCHOLARSHIP ON THE ILLEGALITY OF THE UNION

6. International Commission of Jurists (ICJ) Report (1964)

- **Citation:** International Commission of Jurists, "The Cameroon: From Trusteeship to Independence," The Review, No. 13, December 1964.
- **Relevant Excerpt:** "The procedure followed in the case of the Southern Cameroons appears... to have fallen short of the requirements of a full and free exercise of the right of self-determination... the United Nations should not have allowed the Trusteeship to be terminated without more adequate guarantees for the political future of the territory."
- **Significance:** Early authoritative legal opinion condemning the UN process as a violation of self-determination.

7. Legal Scholarship: Carlson Anyangwe, "The Secret of an Aborted Decolonisation" (2008)

- **Citation:** Anyangwe, Carlson. The Secret of an Aborted Decolonisation: The Declassified British Secret Files on the Southern Cameroons. Langaa RPCIG, 2008.
- **Core Argument:** Through declassified British documents, Anyangwe demonstrates that UK officials knew the territory was being railroaded into an unfavorable union, that the plebiscite questions were manipulative, and that the UN failed in its duty. He argues the **lack of a union treaty** is fatal to Cameroon's claim.

8. Legal Opinion by Professor James Thuo Gathii (2020)

- **Citation:** Gathii, James Thuo. "The International Legal Case for the Independence of Southern Cameroons (Ambazonia)." AfronomicsLaw, 2020.
 - **Core Argument:** A contemporary international law analysis concluding that the process violated jus cogens norms, that the Southern Cameroons retains a **continuing right to self-determination**, and that the use of force to suppress this right is illegal.
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IV. CONTEMPORARY INTERNATIONAL LAW CITATIONS

9. UN Declaration on the Rights of Indigenous Peoples (UNDRIP) – Analogy

- **Citation:** UN General Assembly Resolution 61/295, Articles 3 & 4.
- **Relevant Excerpt:** "Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status..." (Art 3). "Indigenous peoples have the right to autonomy or self-government..." (Art 4).
- **Significance:** While the people of Southern Cameroons are not "indigenous" in the narrow sense, they constitute a "**people**" with a distinct colonial administrative history. The principles affirm that peoples with distinct political and historical identities possess inherent rights to determine their political status.

10. ICJ Precedent: The East Timor Case (Portugal v. Australia, 1995)

- **Citation:** Case Concerning East Timor (Portugal v. Australia), Judgment, I.C.J. Reports 1995, p. 90.
- **Relevant Principle:** The ICJ affirmed that **the right to self-determination is an erga omnes obligation** (owed to the international community as a whole) and is applicable to Non-Self-Governing Territories.
- **Application:** The Southern Cameroons was a Non-Self-Governing Territory (Trust Territory) whose erga omnes right to self-determination was violated. This violation is ongoing, giving the entire international community a legal interest in its resolution.

11. ICJ Precedent: The Kosovo Advisory Opinion (2010)

- **Citation:** Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo, Advisory Opinion, I.C.J. Reports 2010, p. 403.
 - **Relevant Principle:** The Court found that **general international law contains no prohibition on declarations of independence**. It emphasized context, particularly where a people is subjected to "alien subjugation, domination or exploitation."
 - **Application:** Directly undermines Cameroon's claim that any move towards independence is inherently illegal. It legitimizes remedial independence in contexts of oppression following an illegal annexation.
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V. AFRICAN UNION HUMAN RIGHTS FINDINGS

12. African Commission on Human and Peoples' Rights: Gunme v. Cameroon (2009)

- **Citation:** Kevin Mgwanga Gunme et al. v. Cameroon, Communication 266/2003, ACHPR, May 2009.
- **Relevant Findings:** The Commission found Cameroon in violation of:
- **Article 19 (Equality of Peoples):** Due to marginalization and assimilation of Anglophones.
- **Article 20 (Right to Self-Determination):** "The people of Southern Cameroons are entitled to a distinct status different from that of the Republic of Cameroon." The Commission recommended "constructive dialogue" to address the constitutional status.
- **Significance:** The premier human rights body of the African Union has **recognized the distinct status** of the Southern Cameroons people and found their right to self-determination compromised within Cameroon. This is a binding legal finding on Cameroon.

SYNTHESIS AND LEGAL CONCLUSION

This dossier demonstrates:

1. **Distinct Identity:** The Southern Cameroons was a **separate UN Trust Territory** (Doc 1, 2).
2. **Violated Process:** Its decolonization violated the **right to self-determination**, a jus cogens norm, by denying the independence option (Doc 2, 6, 7, 10).
3. **No Legal Foundation for Union:** The UN terminated trusteeship without ensuring a legal act of union. **No treaty exists** (Doc 3, 4, 5). The union rests on a domestic constitution imposed after the fact.
4. **Continuing Right:** Under international law, a violated right to self-determination does not expire; it is **continuing and remedial** (Doc 10, 11).
5. **Contemporary Recognition:** The African Union's human rights commission has recognized the distinct status and the violation (Doc 12).

Therefore, the claim to sovereignty is based on:

- **Historical Title:** As a former UN Trust Territory with a separate, guaranteed path to independence.
- **Legal Title:** The continuing, unimplemented right to self-determination, affirmed by international law and the ACHPR.

- **Remedial Right:** The prolonged, violent denial of internal self-determination and the commission of atrocity crimes by the occupying power (La République du Cameroun) activate the right to **external self-determination (independence)** as a remedy of last resort.