

WORKSHOP FOR THE PROMOTION OF SUSTAINABLE DEVELOPMENT OF  
AFRICA'S DEEP SEABED RESOURCES IN SUPPORT OF AFRICA'S BLUE  
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Content and achievements of UNCLOS and  
its significance for African States

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# OUTLINE

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INTRODUCTION

PRE- THIRD UNITED  
NATIONS  
CONFERENCE ON  
THE LAW OF THE  
SEA (UNCLOS III)

DECOLONISATION  
OF AFRICAN  
STATES

ARVID PARDO'S  
SPEECH 1967

UNCLOS III: 1973-  
1982

POST UNCLOS III

AFRICA: LAW OF  
THE SEA AND  
REGIONAL  
INITIATIVES

CONCLUSION





# INTRODUCTION

- Vital nature of Seas, Oceans, as well as internal waters such as rivers, lakes etc
- SDG 14: Conserve and sustainably use the oceans, seas and marine resources
- Africa – an ‘Island Continent’



# PRE- THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA (UNCLOS III)

- Exclusive Law of the Sea – Eurocentrism
- 1930 Hague Conference
- 1958 UNCLOS I
- Four Geneva Conventions
- Some unresolved outstanding issues such as breadth of territorial sea, outer limits of CS
- No real interest in deep seabed beyond national jurisdiction
- Limited African participation because of colonialism



# PRE- THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA (UNCLOS III)(2)

- 1960 UNCLOS II
  - No Convention adopted
  - Again, limited participation by African States due to colonialism
- Decolonization of African States
  - Independence
  - Succession to 1958 Geneva Conventions
  - Some concerns by Africa States



# PRE- THIRD UNITED NATIONS CONFERENCE ON THE LAW OF THE SEA (UNCLOS III)(3)

- Arvid Pardo UN General Assembly Speech 1967
- African mobilization on the development of a 'new' law of the sea
  - 1971
    - ✓ 16<sup>th</sup> Session of OAU Council of Ministers issued first resolution on the law of the sea on problems of the sea-bed
    - ✓ 17<sup>th</sup> Session of OAU Council of Ministers issued two more resolutions relevant to the sea
      - ❖ Permanent sovereignty over natural resources (this includes also those found in seabed within national jurisdiction)
      - ❖ Sovereignty of African States over fishery resources
  - 1972
    - ✓ 19<sup>th</sup> Session of OAU Council of Ministers – current law of the sea not in the interest of Africa States and need for common African voice



# UNCLOS III: 1973 - 1982

Extensive involvement of a huge number of stakeholders, including a significant number of African States.

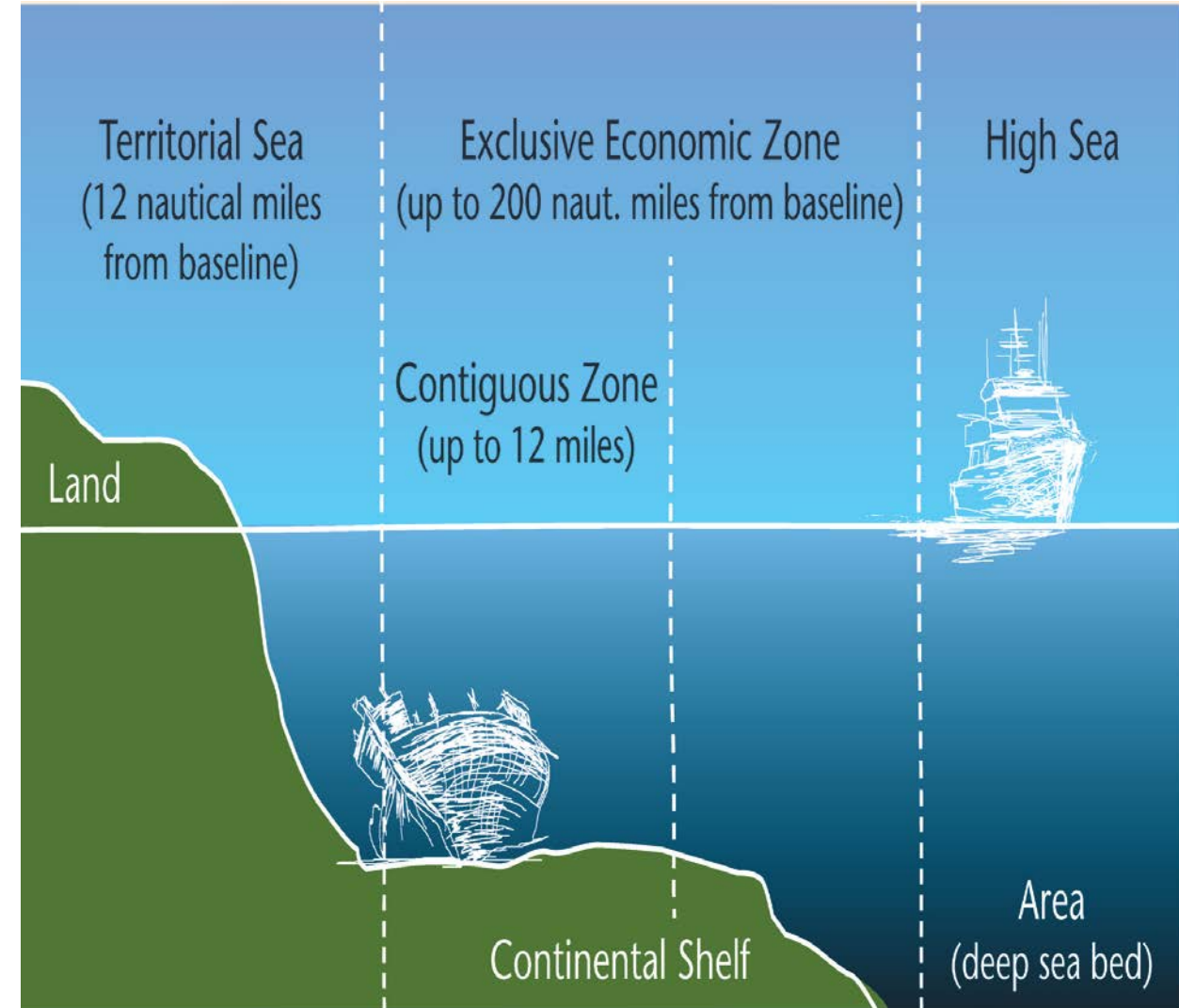
Negotiations covered various aspects of law of the sea, including existing and new maritime zones, protection of the environment, transfer of technology, marine scientific research, transit passage etc

Active involvement of Africa States. For e.g. OAU Declaration on the Law of the Sea 1974



# POST UNCLOS III

- Adoption of LOSC 82- resolves outstanding issues such as breadth of the territorial sea, outer limits of CS, introduces new maritime zones, such as the EEZ, as well as Area as CHM
- Implementation Agreements – 1994 and 1995 Agreements
- Coming into force of LOSC 82 and Implementation Agreements, with a number of African States as Parties





# POST UNCLOS III(2)



- ISA and Africa Group
- ISA Exploration contracts and Africa
- ISA Draft Exploitation Regulations and Africa
- For e.g., Informal Working Group on Inspection, Compliance and Enforcement
- BBNJ and Africa



# AFRICA: LAW OF THE SEA AND REGIONAL INITIATIVES

Maritime Security Codes of Conduct. For e.g. Djibouti Code of Conduct 2009, as amended by the Jeddah Code of Conduct 2017; Yaoundé Code of Conduct 2013

2050 Africa's Integrated Maritime Strategy 2014

African Charter on Maritime Security, and Safety and Development in Africa (Lome Charter) 2016 and draft annexes

African Blue Economy Strategy 2018

Sub-regional Strategies. For e.g., Ecowas Integrated Maritime Strategy 2014

National Integrated Maritime Strategies





**CONCLUDING THOUGHTS**



**THANK YOU  
DIOLCH**