

NOTES FOR CONTRIBUTORS

I INTRODUCTION

The editors of *iiLwandle Zethu* ('Our Seas' in Xhosa) welcome the submission of manuscripts in English for consideration for publication, provided that the topic under discussion relates to the law of the sea, maritime law or ocean governance as it applies either in the whole African continent, in a specific African region or in one or more African States.

iiLwandle Zethu – Journal of Ocean Law and Governance in Africa (JOLGA) accepts manuscripts of four types. These are:

(a) **Articles.** Articles are the feature pieces of each issue of *JOLGA*. They provide a detailed analysis of the topic under discussion. Articles should not exceed 12 000 words (including references). Longer manuscripts will only be considered in exceptional circumstances. All references must be footnoted. Each article must be accompanied by an abstract of not more than 200 words. The abstract should summarise rather than introduce the article. In addition, the article should include appropriate keywords.

(b) **Notes.** Notes are shorter, more focused pieces. They may analyse a particular recent judgment (or judgments) of the courts or discuss any other specific issue of legal or policy interest, including issues arising in the practical application of the law of the sea, maritime law or ocean governance. Notes should be between 3 000 and 8 000 words long. Longer notes are not considered. Notes do not include an abstract. All references must be footnoted.

(c) **Updates.** Updates are brief descriptions of legal or policy developments which have taken place at the continental, regional or domestic level. Updates should not exceed 3 000 words. They do not include an abstract. All references must be footnoted.

(d) **Book reviews.** Book reviews are critical discussions of scholarly books on any topic relating directly or indirectly to the law of the sea, maritime law or ocean governance as it applies either in the whole African continent, in a specific African region or in one or more African States. Reviews should be between 2 000 and 5 000 words long. Longer reviews are not considered. All references must be footnoted.

A manuscript will be considered for publication:

- (a) only on the assurance that it has not in whole or in part or in substance been published or submitted for publication elsewhere;
 - (b) on the understanding that it may be submitted in confidence to at least two expert referees for evaluation; and
 - (c) on the understanding that the editors reserve the right to make whatever changes they consider desirable:
 - (i) to bring the manuscript into the house style of *JOLGA*;
 - (ii) to eliminate errors of typing, grammar, syntax, punctuation, spelling, idiom and the like;
 - (iii) to eliminate ambiguity, illogicality, tautology, circumlocution and redundancy;
 - (iv) to produce accuracy and coherence;
 - (v) to improve the mode of expression and style of writing;
- and

(vi) to avoid possible criminal or civil liability.

Authors are required to prepare their manuscripts very carefully to avoid the need for the editors to exercise extensively their right to make changes. In particular, authors are asked to acquaint themselves with the house style of *JOLGA*, and to check their manuscripts carefully against the guidelines that follow.

NOTE: Regrettably, a manuscript that does not accord with the house style of *JOLGA* will be returned to the author(s) immediately, with a request that the manuscript be amended to conform to the house style. The quality of the piece will normally not be assessed before this has occurred.

II HOUSE STYLE

(a) General

What follows in this document are the stylistic requirements that most commonly require the attention of the authors and editors of *JOLGA*. This document is merely a general guide as it is not possible to cover every possible referencing and stylistic issue. Where this document does not provide assistance, authors are requested to consider one of the following:

(i) to consult previous issues of *JOLGA*, and to see how a similar stylistic issue has been dealt with;

(ii) to consult the main House Style for Juta Publications which may be found at <http://lawofthesea.nmmu.ac.za/JOLGA>; or

(iii) to contact the editors for advice (the contact details may be found at <http://lawofthesea.nmmu.ac.za/JOLGA>).

(b) Matters of presentation and layout

(i) Page layout

The page should have 2.54 cm margins all round (top, bottom, left, right). Line spacing should be 1.15. The text must be right-justified. All paragraphs (including those that come after long quotations) should be indented except the very first paragraph of a piece and any paragraph appearing immediately after a heading, subheading or sub-subheading.

There is no space after each paragraph except when the paragraph is followed by a heading (in which case there must be two line spaces after the paragraph) or a subheading or subsubheading (in which case there must be one line space after the paragraph).

(ii) Font and type

A Times New Roman font is used by *JOLGA*. The text must be in 12 point font. An 11 point font must be used for all indented quotations, ie long quotations of more than 40 words, which are preceded and followed by a 6 point space. Footnotes must be in 10 point font, with line spacing being 1.00 and the text being rightjustified.

Italics are used for emphasis, for case names, names of journals and titles of books, plays, operas and films, names of ships and the titles of paintings and other works of art, as well as for web sites and other electronic references. Italics are not used for foreign words. All italics in direct quotations are reproduced, however.

(iii) Titles of articles, notes, updates and book reviews

Titles of articles are in italics, right-aligned and always in caps in 14 point font. A line is left between the title and the author's initial(s) and surname, which are not in italics, are right-aligned and in 12 point font. The author's degrees are given in a footnote to the symbol † (and, in the case of a second author, ††) and may

be followed, in a separate sentence, by acknowledgements. The author's designation and affiliation appear immediately under his or her name, in italics, 12 point font and sentence case.

Titles of notes are in caps with, if applicable, case names in italics on a separate line. A line is left between the title and the author's

initial(s) and surname, which are again in caps. The author's designation appears immediately under the name, in italics and sentence case. Degrees are not given but acknowledgements may be made in a footnote to the symbol † appearing after the author's surname.

Titles of updates are left-aligned and in bold. The first line indicates the relevant State, region or organisation in caps. The second line is in sentence case and contains the title of the update, which may be limited to the title of the relevant legal or policy instrument(s). The author's initial(s), surname, designation and affiliation are given in a footnote to the symbol †.

Titles of book reviews are left-aligned. The first line contains the title of the review in sentence case and in bold. The second line contains the reference to the book reviewed in sentence case and in the format in which the reference would appear if it were in a footnote with, in addition, the thirteen digits ISBN number. The initial(s), surname, designation and affiliation of the author of the review are given in a footnote to the symbol †.

(iv) Headings

All headings are left-aligned (other than headings of sections of *JOLGA*). Main headings are in caps and bold. The headings in articles are numbered in roman numerals (eg 'I INTRODUCTION'). Subheadings and sub-subheadings are in sentence case. (a), (b), (c) are used for subheadings, which must be in bold. (i), (ii), (iii) are used for sub-subheadings, which must be in italics. Authors should avoid, wherever possible, going beyond sub-subheadings.

(v) Lists

(a), (b), (c) should be used for a list under a main heading and (i), (ii), (iii) should be used for a list under a subheading. Bullet points should only be used under sub-subheadings. Full sentences should start with a cap and end with a full stop. Phrases must start with lower case and end with a semi-colon (and a full stop right at the end of the list).

We use 'first' (not firstly); thereafter 'secondly', 'thirdly'.

(c) Spelling, grammar and other related matters of style or convention

(i) Spelling and capital letters

JOLGA uses the 's' form of English spelling (eg recognise, emphasise, analyse, realise, organisation, but assets are 'realized'). We say 'in so far as' and not 'insofar as'; 'moneys' and never 'monies'.

Capital letters are used in all proper names (eg South Africa, Constitutional Court). They are also used in the English official title of legislation and international instruments as well as to distinguish between two different meanings of a word (eg 'Act' (the statute) and 'act' (the deed); 'Agreement' (the treaty) and 'agreement' (the act of agreeing); 'Constitution' (the supreme statute) and 'constitution' (the act of constituting); 'Convention' (the treaty) and 'convention' (the general agreement); 'Protocol' (the treaty) and 'protocol' (the formalities of a procedure); 'State' (the country) and 'state' (the condition or position)). Finally,

capital letters are used by tradition in a few other cases, such as 'Parliament' (the highest legislative body) and 'President' (the head of a State).

Please note: Caps are not used for court, appeal court, judge, judge of appeal, committee, board, council, municipality, province, premier, etc. (When in doubt, use lower case.)

Examples:

The appeal was upheld by the Supreme Court of Appeal in 2011.

It is likely that the appeal court will turn down the appeal. In terms of art 3 of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, ...

The Nelson Mandela Bay Municipality is facing a number of challenges. Nevertheless, the Municipality has recorded several successes. Likewise, most other municipalities have ...

... within the jurisdiction of the Minister of Home Affairs.

No other minister may ...

... the already-ratified Conventions could be given effect

...

... there has been a 'follow-up' agreement to the 1990 Treaty in the form of the 1998 Protocol ...

(ii) Numbers, dates, percentages, currencies

Use words for all numbers between one and twenty and for all approximations (about two hundred years, a thousand ways).

Numbers higher than twenty must be in figures.

All numbers in tables and graphs are in figures. So are legislative provisions ('par 4'), ages (5 years old), percentages (*JOLGA* uses the words 'per cent' in the text ('10.4 per cent'), and only uses the figure % in footnotes, tables and when it appears in a quote) as well as measurements, quantities and amounts (12 nm, 6 cm, 40 km, ZAR 5 million). It is advisable also to use figures where a lot of numbers appear in a piece, as a consistent style looks better. A space (not a comma) is used in large numbers, as for instance in 42 567. Where a 'rand and cents' figure is used, the cents should be connoted by a short hyphen (ZAR 456-45). For other currencies, use US\$, £, €, ¥.

A sentence should never begin with figures, ie recast the sentence or use words.

Dates and centuries: 'on the 4th of July 2008' (but 'on 4 July 2008' in Internet references and 'of 4 July 2008' in references to legal instruments); 'in the 1980s' (not 1980's – there is no apostrophe); 'in the 20th century'.

JOLGA uses the long dash – (known in the publishing trade as the 'em rule') where the author wishes either: (i) to tack a word, phrase or clause onto the end of a sentence for emphasis or (ii) to mark off a 'by the way' remark in much the same way as a parenthesis, but generally to give it greater emphasis.

Examples:

His expertise and loyalty are available – at a price.

A policy shift is necessary to protect third parties – possibly unsophisticated entrepreneurs – who enter into pre-incorporation contracts.

In other circumstances, the short hyphen - must be used.

Examples:

Jean-Jacques.

Seven-year-old boy.

(iii) Quotations

Quotations are reproduced exactly, including all original italics and original punctuation, notwithstanding that the original forms may not comply with the *JOLGA* style.

Quotations appear in single quotation marks. Quotations within quotations appear in double quotation marks. Back to single for the rare quotation within a quotation within a quotation.

Short quotations appear as part of the text. Long quotations, ie quotations of more than 40 words, are isolated from the text by being indented from both the left margin and the right margin. Whenever a quotation is introduced with a colon, the quotation itself should begin with a capital letter (using square brackets to indicate an alteration where necessary). If no colon is used, the quotation should start with lower case (using square brackets to indicate an alteration where necessary). Ellipses need not be used at the start of a quotation but must be used in the middle and at the end of a quotation to indicate missing words. We use three dots for any missing word(s). We do not include in a quotation of up to 40 words the full stop at the end of that quotation. (Thus 'right [...]'. and not 'right [...].')

(d) Requirements for referencing standard legal sources

(i) International instruments

A reference to an international instrument must include the year of adoption and official name of the instrument (if not mentioned in the text) as well as the reference to where the instrument has been published, including the *UNTS*, *ILM* and *LOS* references, if applicable. (See below for referencing style in the case where the instrument is only available on the Internet.) In addition, the reference must mention the fact that the instrument has not come into effect (if that is the case) and the status of the instrument with regard to the State(s) concerned (eg year of signature, ratification, accession, acceptance or succession). In footnotes, 'UNGA' is used instead of 'UN General Assembly' and 'UNSC' instead of 'UN Security Council'.

Examples:

1982 UN Convention on the Law of the Sea [1833 *UNTS* 3, (1982) 21 *ILM* 1245]. South Africa ratified the Convention in 1997.

2000 Constitutive Act of the African Union [2158 *UNTS* 3]. South Africa ratified the Act in 2003.

Please note: The title of a Protocol must include the title of the instrument to which the Protocol constitutes an addition (eg 'the 2008 Protocol to the Constitutive

Act of the African Union on the Statute of the African Court of Justice and Human Rights').

Please also note: Do not abbreviate the word 'section' when it is used to refer to a division within one of the seventeen parts of the UN Convention on the Law of the Sea, or to refer to any similar division within another instrument.

(ii) Cases

All case names are to appear in italics. A shortened name should be used consistently in the main text, with the full name and citation being given in a footnote the first time the case is referred to.

Additional parties are referred to using '& Another' or '& Others'.

Examples:

M/V 'Saiga' (No 2) (Saint Vincent and the Grenadines v Guinea) 1999 ITLOS Reports 10.

Broad (Pty) Ltd v Thin 2008 (4) SA 456 (SCA).

Page references (with marginal letters) may be given. Paragraph references must be provided when paragraphs are numbered. If the case is not reported in a published set of law reports (either at all, or has not as yet been published in this manner due to the decision being very recent) the author should please provide some form of citation for the purposes of reference. This could be a JOL or JDR citation, or a neutral citation used by the courts and SAFLII.

With the proliferation of electronic databases and neutral citations, there is less and less call for an author to refer to a case as being unreported. However, where it is necessary to do so, *JOLGA* uses two basic styles for unreported cases, the date being the date of judgment: '*Dlamini v Jacobs* (NPD) unreported case no 98/05 of 3 August 2006' or '*Dlamini v Jacobs* (NPD) unreported case no 98/05 (3 August 2006)'. In addition, the placement of the word 'unreported' may be varied in accordance with the structure of the sentence, eg 'in the unreported case of *Dlamini v Jacobs* (NPD) case no 98/05 of 3 August 2006 ...'.

A full set of standard case abbreviations and citations may be found in the *House Style for Juta Publications*.

(iii) Books

All the author's initials and surname must be given as they appear on the title page of the book or on the title page of the chapter

/ relevant page of the article. For instance, 'John D Smith' must appear as 'J D Smith' and not as 'John D Smith' or 'J Smith'.

In a reference the co-authors of any work (book, article, chapter, whatever) take an ampersand (eg 'J Smith & M Dlamini'). We cite up to three authors (eg 'J Smith, M Dlamini & R Pillay'). Thereafter use 'et al' (eg 'J Smith et al'). Avoid as much as possible to refer to authors in the text (rather give in a footnote whatever credit is required).

If the named persons are the authors of the book, then no more need be said. But if these are the editors, then the abbreviation (ed) or (eds) must appear after the last surname.

Book titles take the title case and appear in italics. If it is the first edition of the book, then no edition need be referred to; it will be assumed that it is the first edition. If the book is in an edition after the first, the number of the edition must appear after the title ('2 ed', '3 ed', '4 ed', not '2nd ed', '3rd ed', '4th ed').

The year of publication must appear in brackets after the title (first editions) or edition.

The precise page number where the authority was found comes next, if necessary. If the book operates by numbered paragraphs (which may be connoted either by 'par' or by '§'), then this will be a sufficient reference. If it is necessary to refer to both paragraph and page, then do so as follows: 'par 27 at 160'. This latter method should be used only where absolutely necessary. Where the reference is generally to a chapter in the book, this should be indicated by using the whole word (not 'ch').

Examples:

J D Smith & S Dlamini *Hand's Law of Arbitration* 5 ed (2006) 115.

P Q R Boberg *The Law of Delict: Aquilian Liability* (1984)
chapter 3.

(iv) Chapters in books

Where an author refers to a chapter in a book written by a specific author (most commonly in a book constituted of chapters by experts on a common theme, and which have been collected and edited by a general editor or editors), then both the chapter and the book must be referenced in full the first time the work is cited. The author must be referred to exactly as he or she was in the book, and the titles of chapters in collections are always in sentence case and roman. The book is to be cited as above.

Example:

M Bear & D Bear 'Too hot, too cold, just right?' in M Goldilocks (ed) *The Politics of Cookery* 3 ed (2004) 23-7.

Some works (especially encyclopaedias and loose-leaf books) can give problems. Try to follow this style:

A J Kerr 'Lease' in W A Joubert (founding ed) *The Law of South Africa* (1999) XIV first reissue par 164.

Joe Bloggs 'Executive government' in S Woolman et al (eds) *Constitutional Law of South Africa* 2 ed (Service 12) 6-18.

(v) Journal articles

All the author's initials and surname must appear exactly as they appear in the journal being cited (the rules apply as for books).

The title of the article must appear in sentence case, in roman, and within single inverted commas.

The year (in brackets, except where there is no volume number), the volume (where relevant), the issue (in brackets and only where page numbers start again at page 1 in each issue) and the title of the journal must be supplied. The title of the journal must be in italics.

The names of journals should only be abbreviated in the following cases:

AGR African Geographical Review

AJICL African Journal of International and Comparative Law

AJIL American Journal of International Law

AJLS African Journal of Legal Studies

AJMS African Journal of Marine Science

ASR African Security Review

AYIL African Yearbook of International Law

CILSA Comparative and International Law Journal of Southern Africa

EJIL European Journal of International Law

ICLQ International and Comparative Law Quarterly

IJMCL International Journal of Marine and Coastal Law

ILM International Legal Materials

JAL Journal of African Law

JAUS Journal of African Union Studies

JIML Journal of International Maritime Law

JMA World Maritime University Journal of Maritime Affairs

JMLC Journal of Maritime Law and Commerce

JSAS Journal of Southern African Studies

LA Law in Africa

LMLJ Loyola Maritime Law Journal

MLJ Maritime Law Journal

MP Marine Policy

OCLJ Ocean and Coastal Law Journal
OCM Ocean and Coastal Management
ODIL Ocean Development and International Law
OY Ocean Yearbook
RAAMT Revue Africaine des Affaires Maritimes et des
Transports
SAJIA South African Journal of International Affairs
SAJMS South African Journal of Marine Science
SAYIL South African Yearbook of International Law
TMLJ Tulane Maritime Law Journal
UNTS United Nations Treaty Series

The numbers of the first and last pages always need to be indicated, followed, if applicable, by the number of the page(s) being referred to.

Examples:

G Abraham 'Lines upon maps: Africa and the sanctity of African boundaries' (2007) 15 *AJICL* 61-82.

E de Coning & E Witbooi 'Towards a new "fisheries crime" paradigm: South Africa as an illustrative example' (2015) 60 *MP* 208-215 at 211.

(vi) Theses

D B Hamman *River and Maritime Boundaries between South Africa and Namibia* (unpublished PhD thesis, University of Cape Town, 1991) 134.

(vii) Newspapers

Angela Jones 'Nuclear reactor in trouble' *The Star* 24 May 2005 at 2.

(viii) White papers, etc

The White Paper on Energy Policy (GN 3007 in *GG* 19606 of 17 December 1998).

The National Policy on HIV/AIDS for Learners and Educators (published in *GG* 20372 of 10 May 1999).

(ix) Law Commission papers

South African Law Commission Issue Paper 20 (Project 123) *Protected Disclosures* (2002) par 3.

South African Law Commission Discussion Paper 107 (Project 123) *Protected Disclosures* (2004) par 56.

South African Law Commission (Project 123) *Report on Protected Disclosures* (2007).

(x) The South African Constitution

The long citation (used when referring to the Constitution for the first time) is simply 'Constitution of the Republic of South Africa, 1996'. The interim Constitution is 'the Constitution of the Republic of South Africa Act, 1993 (Act 200 of 1993)'.

(xi) Legislation

In the first reference, give the short title, number and year of a statute as follows: 'the Maritime Zones Act, 1994 (Act 15 of 1994)'. Thereafter variants may be used (eg 'the Maritime Zones Act', 'the Act', 'Act 15 of 1994').

Numbering of statutes: use 'no' not 'No', when required.

Use abbreviations for 'section', 'subsection', 'paragraph', 'subparagraph' and 'article' (but never at the start of a sentence): section = 's', subsection = 'ss', paragraph = 'par', subparagraph = 'subpar', article = 'art'. The abbreviations are the same for the plurals. Please note that the above words are not abbreviated when they are not referring to a legislative provision.

Use 'annex', 'appendix', 'chapter', 'part', 'schedule' and 'title'.

(xii) Delegated legislation

A proclamation is cited as follows: Proc R46 in GG 24567 of 31 January 2003.

Regulations are cited by referring to the notice in which they appear, eg 'the Merchant Shipping (Navigation Bridge Visibility) Regulations, 2004 (GN R1199 in GG 26878 of 15 October 2004)'. A regulation is abbreviated to reg, as in reg 5(1) (but not at the start of a sentence).

(xiii) Internet references

Wherever possible, a published and authoritative source should form the basis of a reference. When it is not possible, authors may refer to websites, provided that the authors consider carefully how authoritative the source of the information is before using it.

Where an Internet reference is to be used, it must appear as follows:

African Union 'Decision on maritime security in Africa' (AU Doc. EX/CL/Dec. 60 (III) 2003, available at [http://www.au.int/en/sites/default/files/ex%20CL%20DEC%2020%20-%2074%20\(III\)%20_E_0.pdf](http://www.au.int/en/sites/default/files/ex%20CL%20DEC%2020%20-%2074%20(III)%20_E_0.pdf), accessed on 16 September 2013).

North Atlantic Treaty Organisation *Operation Ocean Shield Fact Sheet* (2012) (available at http://www.nato.int/nato_static/assets/pdf/pdf_topics/1889-12_Factsheet_OOS_en.pdf, accessed on 17 December 2013).

Please note: the URL must appear in italics, in black, and must NOT be underlined.

When it is not possible to ascertain the date of the document or page to which one refers, '(no date)' must be used after the title of the document or page.

Where an author has accessed a published source on the Internet (eg a journal article accessed through WestLaw), the original citation should be given, and there is no need to refer to the URL. The exceptions to the above rule are newspaper articles accessed from the Internet, or resources such as law commission reports etc. from other countries, which may not be obviously or easily accessible to interested readers. For convenience, authors are strongly encouraged to give a URL reference over and above the reference to the published source.

(e) The use of footnotes

Authors are encouraged to use footnotes to elaborate on points that would otherwise clutter the main text of the contribution. The other important purpose of footnotes is to provide the relevant references without cluttering the text.

In footnotes a reference to any authoritative source (which must comply with the house style described above) is given once in full. Apply the relevant requirements for referencing standard legal sources (see (d) above).

Thereafter a book, chapter, journal article, newspaper article, law commission report, thesis will be cited by author(s) and a cross-reference (using 'op cit') to the FIRST footnote, where the full reference appeared. An abbreviated reference to the work may be used to provide further guidance where appropriate (eg several of an author's works are cited sporadically in an article).

Examples:

Smith & Dlamini op cit note 5 at 67.

Dugard *International Law* op cit note 13 at 234.

See Ali op cit note 14 at 33, who expresses

Cases are also cited using the cross-referencing method, but 'supra' is used.

Examples:

Nottebohm supra note 12 par 34.

Supra note 16 at 365G-H.

For consecutive references to the same work, 'ibid' is used with or without a page number or paragraph reference as appropriate.

Examples:

Ibid.

Ibid at 45.

Ibid par 45.

(f) Miscellaneous

A name should appear in full before any acronym is used for it. The acronym must be introduced immediately after the full name it is referring to (eg 'the Benguela Current Commission (BCC) governs ...'). (*JOLGA* uses 'LOSC' for the 1982 UN Convention on the Law of the Sea and 'UNCLOS I', 'UNCLOS II' and 'UNCLOS III' for the UN conferences on the law of the sea.) However, this does not apply, in the footnotes, to acronyms that are very well known (eg AU, BRICS, EAC, ECOWAS, EEZ, EU, FAO, ICJ, ILO, IMO, ITLOS, NGO, OAU, PCA, SADC, UN, UNEP and US or USA).

If at all possible, avoid starting a sentence with an acronym or any other kind of abbreviation.

Where an entire sentence appears in parentheses, the full stop is placed inside the second bracket. (Here an entire sentence is bracketed.)

When giving starting and ending page numbers and paragraph numbers, do not remove figures (eg '34-35' and not '34-5').