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EDITORIAL NOTE

Originally published as *Iilwandle Zethu: Journal of Ocean Law and Governance in Africa* (JOLGA), the journal was renamed in 2020 to *Amalwandle Ethu: Journal of Ocean Law and Governance in Africa* (JOGA) to better reflect its broad focus on ocean governance across the continent.

This 2025 edition begins a new chapter in the journal's history, with the South African International Maritime Institute (SAIMI) firmly committed to strengthening JOGA as the premier platform for African ocean governance scholarship. The 2025 edition of JOGA marks the resumption of publication following a transitional period. This brief hiatus allowed SAIMI to assume editorial stewardship and implement restructuring to maintain the highest standards of scholarly publishing.

With over 90% of their imports and exports conducted by sea, a combined population higher than that of Europe and comparable to that of China and India (20% of which depend on marine living resources for their nutritional security), a coastline of approximately 35 000 km and a combined exclusive economic zone of more than 13 million km², African coastal and island States are meant to make a major contribution to the governance of the world's oceans. Indeed, close to 40 States line up the whole southern coast of the Mediterranean Sea, about two-thirds of the eastern shores of the Atlantic Ocean, as well as the whole Western Indian Ocean. In addition, Africa constitutes the landmass nearest to Antarctica in a substantial part of the Earth's circumference.

With such a large ocean jurisdiction, effective governance is critical but will be challenging given the size and complexity of Africa's oceans. Yet, the continent has not until now had a significant impact on the law of the sea and ocean governance commensurate with its size and location. There are various reasons for this state of affairs. One of them is that African States did not have the opportunity to participate in the development of the law of the sea and ocean governance until about 60 years ago. Since then, African States made a major contribution to the negotiations leading to the adoption of the UN Convention on the Law of the Sea in 1982, as well as to its coming into force in 1994. Nevertheless, until recently and with few exceptions, maritime affairs were low priorities among the national, regional, and continental developmental challenges. As a result, the average level of participation of African States in the relevant major international instruments and organisations is disappointingly low; the number and nature of, and access to,

regional and domestic legal and policy materials are frustratingly limited; and the growth of indigenous expertise and scholarship is painfully stunted.

Over the past decade, escalating maritime security crises in the Gulf of Guinea and the Horn of Africa elevated ocean governance to the forefront of the continental political agenda. This heightened awareness prompted the African Union (AU) Assembly to mandate the AU Commission in 2009 to develop a comprehensive ocean strategy, culminating in the adoption of the 2050 Africa's Integrated Maritime Strategy (AIMS 2050) in 2014. While ambitious, AIMS 2050 explicitly acknowledges the persistent gaps in ocean governance, marine law, maritime law, and management of conflicting uses and users of ocean space and resources. Consequently, the Strategy underscores the critical need for the systematic ratification and domestication of relevant international instruments. It emphasises the harmonisation of regulatory frameworks and calls for innovative management systems to ensure effective implementation.

To achieve these objectives, the Strategy urges the AU and its member states to spearhead a continental assessment of maritime governance. Concurrently, stakeholders are tasked with advancing the ratification and enforcement of key international treaties—most notably the 2009 Revised African Maritime Transport Charter—while bolstering flag State obligations, port State control memoranda of understanding, and the Djibouti Code of Conduct. Furthermore, the AU and its member states are expected to cultivate inter-regional and international partnerships to enhance information sharing and the prosecution of maritime crimes. Strategic priorities also include researching the viability of the Combined Exclusive Maritime Zone of Africa (CEMZA), evaluating current maritime domain awareness, and advancing capacity-building initiatives for ocean governance and environmental protection.

The above are technically complex assignments that do require a wide range of interventions. Ocean governance aims to integrate governance frameworks for the sustainable growth of the ocean economy, maximising socio-economic benefits while ensuring adequate ocean environmental protection and economic growth. Ocean governance is extremely complex as it involves state sovereignty, resource development, international commerce, environmental protection, and military activities. As such, issues arise around the management of conflicting uses and users of ocean space and resources. Addressing these issues via governance will require both horizontal and vertical governance. But perhaps the more essential intervention is the publication of a scientific journal where African practitioners and scholars in marine law,

Editorial Note

maritime law, and ocean governance can keep each other aware of developments, share their research findings, and build a community of knowledge focusing on the specificities, priorities, challenges, and opportunities of the African continent. That is what the *Journal of Ocean Governance in Africa* aims to achieve.

We are grateful to Juta & Company for making it possible to publish the Journal on African soil in compliance with the highest global standards. We are also grateful for the widespread support that this initiative has received from our colleagues in other parts of the globe.

We dedicate this Volume 3, 2025 of the journal to our sister, the late Ms Sindiswa Carol Nhlumayo, who headed the South African Maritime Safety Authority's Centre for Maritime Excellence and made an outstanding contribution on the continent to the increasing profile of the maritime sector in general, and women within the sector in particular.

PIRACY AND THE SUSTAINABLE DEVELOPMENT OF COASTAL AND MARINE TOURISM IN NIGERIA

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Coastal and marine tourism (CMT) plays a significant role in the sustainable development of littoral States. However, piracy, among other illegal activities on the sea, threatens its sustainable development. Specifically, Nigeria is a coastal state with a multicultural society, and the country has introduced laws (Nigerian Tourism Development Corporation Act) and policies (economic diversification, tourism, and the blue economy policies) to facilitate CMT. Nonetheless, piracy poses a potential threat to CMT development in the country. This article employs a doctrinal legal methodology to analyse legal instruments, policies, and existing literature on CMT and piracy, to determine the impact of persistent acts of piracy on Nigeria's CMT. The article argues that piracy adversely affects CMT activities, especially when using cruise ships to visit tourist locations. Additionally, the absence of a specific policy on CMT development particularly creates a gap in synchronising tourism security initiatives with anti-piracy capabilities in Nigeria. Consequently, the study concludes that the introduction of corporate social responsibility (CSR) governance to curb the causes of piracy through CSR theories is a significant step towards the realisation of CMT development in Nigeria. This is key in reducing piracy because CSR integrates the introduction of CMT policy with existing related policies, paving the way for a positive environmental use that eliminates some of the causes of piracy.

[Keywords] CMT, CSR, piracy, Nigeria, sustainable development, policies

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I INTRODUCTION

Nigeria is a coastal country with a multiethnic, multilingual, multireligious and multicultural society.¹ Geographically, Nigeria sits in the corridor of the Gulf of Guinea,² endowed with a plethora of remarkable heritage resources and cultural festivals, attires, cuisines and art-crafts, among other things.³ These cultures and heritage resources are both tangible cultural expressions, like landscapes, monuments, traditional buildings, archaeological sites, temples and historic cities; and intangible cultural expressions, which include traditional ways of life, social practices, traditional attire, festivals, music and craftsmanship.⁴ Arguably, these resources play a germane role in driving the promotion and sustainable development of coastal and marine tourism (CMT). This can be commodified for tourism marketing to appeal to and fulfil tourist needs and to facilitate environmental, social and economic development and the management of coastal areas.⁵ Hence, CMT contributes to the effective use of both onshore and offshore resources of coastal countries, especially ocean resources and environmental management.⁶

Government policy to diversify the country's economy from its over-reliance on oil and gas,⁷ as instantiated by the economic diversification policy,⁸ is key to the development of CMT in Nigeria. Moreover, CMT in Nigeria is sustained by the policy to

¹ K K Anele 'Addressing the issue of piracy off Indonesia and Nigeria: The need for a paradigm change' (2020) VII *Indonesian Journal of International and Comparative Law* 245 at 253.

² Ibid.

³ N Ezenagu 'Heritage resources as a driver for cultural tourism in Nigeria' (2020) (1) *Cogent Arts & Humanities* 1, 1–2.

⁴ Ibid at 2.

⁵ Ibid.

⁶ C Cooper & M C Hall *Contemporary Tourism: An International Approach* (2019) 4 ed at 8. See also K K Anele 'The potential effects of piracy on the art-craft industry: A comparative analysis of Nigeria and Indonesia' (2020) 10(2) *Indonesia Law Review* 217 at 217–237; K K Anele 'Piracy off the coast of Indonesia: Potential implications on the craft industry' (2020) 7(1) *Brawijaya Law Journal* 1, 1–26.

⁷ Y A Obafemi 'Non-oil Sectors, Economic Diversification and Growth in Nigeria: Further Empirical Evidence' (2022) 17(1) *Studies in Business and Economics* 290 at 290–311.

⁸ A V Ighorhiohwunu & E F Igbesi 'Diversification: The recovery strategy for the Nigeria's economic crisis' (2022) 7(2) *International Journal of Economy, Energy and Environment* 38 at 38–44.

develop the tourism sector⁹ and the blue economy.¹⁰ Besides, CMT plays a significant role in achieving the Sustainable Development Goals (SDGs), such as poverty eradication and environmental protection and management, through the conservation and sustainable use of the ocean and marine resources to foster global trade and investment.¹¹ The existence of heritage resources in Nigeria's coastal area is a commodity that is consumable through CMT and positively exploited by coastal communities.¹² Numerous heritage resources in the coastal region of Nigeria are consumable commodities. The absence of a clear-cut policy drive for CMT, especially in outlining strategies to enhance the security of the coastal areas to synchronise with Nigeria's anti-piracy initiatives, adversely impacts the development, promotion and consumption of CMT resources in the country.¹³ Incessant terror attacks, akin to

⁹ T S J Ashikodi 'Tourism Development in the Coastal Region of Nigeria: Economics of Tourism Development a Shift from Oil Dependence' available at <https://nairametrics.com/wp-content/uploads/2013/03/Tourism-development-in-the-coastal-region-of-Niger.pdf> (accessed 7 October 2025).

¹⁰ O A Gbadegesin & S Akintola 'Charting the course for a blue economy in Nigeria: A legal agenda' (2021) 12 *Journal of Environmental Law and Policy* 6 at 6–25 available at <https://doi.org/10.33002/jelp001.01>

¹¹ E Afamefunu, D Lee & K Trees 'Developing responsible tourism in emerging economies: The case of Nigeria' (2021) *Journal of Tourism and Cultural Change* available at <https://doi.org/10.1080/14766825.2021.2019262>; 'The Sustainable Development Goals Report 2020' United Nations 52/58 available at <https://unstats.un.org/sdgs/report/2020/The-Sustainable-Development-Goals-Report-2020.pdf> (accessed 7 October 2025).

¹² Ezenagu op cit note 3 at 2. See generally, S O Oladeji, O I Alabi & O A Ijose 'Cultural ecosystem service of the marine coastal area of Nigeria: A case study of Coastal Areas of Ondo and Lagos States, Nigeria' (2025) 23(4) *Journal of Tourism and Cultural Change* 390 at 390–411 available at <https://doi.org/10.1080/14766825.2025.2531998>

¹³ See generally, N C Cyprain & D A Ali 'An Analysis of Factors Influencing Ocean Tourism under Government Regulations in Nigeria' (2024) 8(4) *Int J Recent Trends Bus Tour* 45 at 48–49 available at <https://doi.org/10.31674/ijrtbt.2024.v08i04.005>; I A Raifu, J A Afolabi & O J Oguntimehin Jr 'Revisiting the terrorism-tourism nexus in Nigeria: The moderating role of military spending' (2022) *Journal of Hospitality and Tourism Insights* available at <https://doi.org/10.1108/JHTI-05-2022-0164>; M E Ateme 'Developing marine and coastal resources in Nigeria: Prospects and challenges' (2021) 3(4) *Maritime Technology and Research* 335 at 336 available at <https://doi.org/10.33175/mtr.2021.244473> Tourism, whether CMT or medical tourism, requires

piracy, by Boko Haram and other insurgent groups in Nigeria, prevent the sustainable development of tourism, especially CMT, in Nigeria. Given the economic importance of CMT, its relevance to ocean resources management, and its contribution to the productive use of the environment, it becomes necessary to outline measures that could facilitate the suppression of piracy to strengthen CMT in Nigeria.

This article employs the doctrinal legal methodology to analyse legal instruments, such as the Nigerian Tourism Development Corporation (NTDC) Act, Cap. No. N138, Laws of the Federation (LFN) 2010 and the Suppression of Piracy and Other Maritime Offences (SPOMO) Act 2019, to determine the implications of piracy to the development of CMT in Nigeria. It further reviews policies, like the National Tourism Development Master Plan (NTDMP) 2006, the Integrated National Security and Waterways Protection Infrastructure (Deep Blue Project) 2021, and the National Development Plan 2021–2025, to proffer clarity on the importance of a secure environment to the development of CMT in the country. Likewise, the article analyses existing literature on the nature of CMT and piracy in Nigeria to identify the causes of the crime and their implications on CMT in the country. It argues that even the introduction of related economic policies to CMT development, exemplified by the 2017–2020 Economic Recovery and Growth Plan (ERGP) and the inauguration of the Expanded Committee on Sustainable Blue Economy in Nigeria (ECSBEN) and the creation of the Ministry of Marine and Blue Economy in August 2023 to bolster the blue economy has not enhanced CMT in Nigeria. Additionally, the article notes that despite the existence of beautiful coastal terrain, attractive tourist sites and multicultural coastal communities with a plethora of cultures, cultural festivals, art-craft items and cultural heritage sites that could sustain CMT development in Nigeria, the sector is underdeveloped. Although factors, such as the absence of specific policy, a dearth of data and a lack of infrastructure, etc., adversely implicate CMT, piracy essentially prevents tourists from using maritime modes of transportation, such as cruise ships, ferries and boats, to navigate to tourist sites in coastal areas. Piracy also inhibits the exportation and importation of art-craft items and materials to attract tourists to

security, and insecurity impedes tourism. See M Clancy ‘Security and the Future of Tourism’ in J Leigh, C Webster & S Ivanov (eds) *Future Tourism* (2013) at 38.

the coastal region of the country.¹⁴ Hence, CMT activities, such as boating, are potentially threatened due to piracy in Nigeria.

In light of the above, the next section captures the sociocultural and economic potentials of CMT. Afterwards, the article reviews CMT, its impact on the country's economy and the legal regime and policy framework for CMT in Nigeria. This is followed by an analysis of the nature of piracy in Nigeria. It argues that piracy in Nigeria is linked to the oil industry. Thereafter, the next section addresses the potential impact of piracy on CMT in Nigeria. The use of corporate social responsibility (CSR) as a springboard to curb piracy activities in Nigeria takes centre stage. Aside from recommending the introduction of a specific CMT policy, the article builds on the use of the CSR framework as a mechanism to curb Nigerian piracy by eliminating the causes of piracy, exemplified by environmental pollution due to oil exploration, to introduce, implement, and integrate policies that support sustainable CMT development in Nigeria.¹⁵ The use of CSR to simultaneously curb the root causes of piracy through the use of CSR theories, like the responsive regulatory theory to introduce the implementation of best practices in oil exploration,¹⁶ the bundling of allegations theory for corruption and other economic crimes,¹⁷ which promotes alternative dispute resolution in settling corporate malfeasance, is an effective antipiracy measure. More so, the application of Dahlsrud's five dimensions of CSR, which

¹⁴ Anele op cit note 1.

¹⁵ K K Anele 'Violent piracy off the coast of Nigeria: A theoretical analysis' in O B Mlambo & E Chitando (eds) *The Palgrave Handbook of Violence in Africa* Vol 2 (2024) at 1093–1097; K K Anele 'Theoretical analysis of the linkages between the IOCs' oil exploration activities and piracy in Nigeria' (2023)36 *Security Journal* 732 at 732–759 available at <https://doi.org/10.1057/s41284-022-00361-2>

¹⁶ See E E Etim, H S Samuel, D A Undie et al 'Environmental management practices in the oil and gas industry moving beyond conventional perceptions of harm' (2026) 4(8) *Discover Environment* available at <https://doi.org/10.1007/s44274-025-00505-2>; M Rorie 'Responsive Regulation' in *Oxford Handbook Topics in Criminology and Criminal Justice* (2012) available at <https://doi.org/10.1093/oxfordhb/9780199935383.001.0001>; J Braithwaite 'The essence of responsive regulation' (2011) 44(3) *UBC Law Review* 475 at 475–520.

¹⁷ B Hock 'Policing Corporate Bribery: Negotiated Settlements and Bundling' (2021) 31(8) *Policing Society* 950 at 950–966 available at <https://doi.org/10.1080/10439463.2020.1808650>

encourages environmental protection¹⁸ and bolsters the sustainable development of CMT, is a significant counterpiracy initiative. This is critical, especially considering the role of the polluted environment and corruption in the existence of piracy, which impairs the sustainable development of CMT in Nigeria. This becomes necessary considering the central role the coastal environment plays in both the CMT and piracy, which requires stakeholders¹⁹ to have an obligation to integrate social and environmental accountability for the sustainable development of Nigeria.²⁰

II CONCEPTUAL ANALYSIS AND ECONOMIC IMPORTANCE OF CMT

(a) Conceptual analysis of CMT

To capture the conceptual analysis of CMT, it is imperative to do so through tourism, since CMT is an offshoot of tourism.²¹ Hence, CMT is a critical aspect of a country's economic development strategy due to its connection to other economic sectors. For example, CMT interacts with the transportation sector (international and domestic), and engages the hospitality industry through accommodation and intermediaries, such as tour operators and travel agents and catering services.²² It facilitates the retail sector, exemplified by the sale of souvenirs, and integrates local attractions and activities regarding local

¹⁸ A Dahlsrud 'How corporate social responsibility is defined: An analysis of 37 Definitions' (2008) 15 *Corporate Social Responsibility Environment Management* 1 at 1–13. For reading on CSR and environmental protection, see H Aguinis, D E Rupp & A Glavas 'Corporate Social Responsibility and Individual Behaviour' (2024) 8 *Nature Human Behaviour* 219 at 219–227 available at <https://doi.org/10.1038/s41562-02301802-7>

¹⁹ Stakeholders in this context include government tourism and maritime enforcement agencies, coastal communities (particularly those in the Niger Delta), hospitality managers, tourists, and even non-state actors, such as pirates.

²⁰ X Font & J Lynes 'Corporate Social Responsibility in Tourism and Hospitality' *Journal of Sustainable Tourism* (2018) 26(7) at 1027 at 1030 available at <https://doi.org/10.1080/09669582.2018.1488856>

²¹ J Ateljevic & L Li 'Tourism entrepreneurship – concepts and issues' in J Ateljevic & S J Page (eds) *Tourism and Entrepreneurship: International Perspective* (2011) 14.

²² See C M Rogerson, A Benkenstein & N Mwongera 'Coastal Tourism and Economic Inclusion in Indian Ocean Rim Association States' *Global Economic Governance (GEG) Africa Discussion Paper* (8 October 2018).

culture and creative industries.²³ Similarly, researchers regard CMT as one of the largest business sectors of the world economy, as it contributes to the global gross domestic product (GDP), creates jobs, and facilitates the world's export services.²⁴ The identification of CMT as one of the sectors that can improve SDG 17²⁵ and international trade²⁶ is due to its significant monetary and fiscal contributions to the economy.²⁷

Conceptually, CMT includes all spheres of tourism, recreational and leisure activities that occur on the coast and maritime terrain.²⁸ Aside from its economic importance, CMT plays a significant role in tourism by providing recreational activities, such as surfing, seaside camping, cruising, yachting, boating, sailing and sunbathing to tourists.²⁹ Rogerson et al state that CMT has been linked to tourism, the blue economy, and is regarded as a diverse sector that promotes the participation of local entrepreneurs through small and medium enterprises

²³ Ibid.

²⁴ See T F Smith, C E Elrick-Barr, D C Thomsen et al 'Impacts of Tourism on Coastal Areas' (2022) 1 *Cambridge Prisms: Coastal Futures* 1 at 1–5 available at <https://doi.org/10.1017/cft.2022.5>; D Tonazzini, J Fosse & E Morales et al *Blue Tourism: Towards a Sustainable Coastal and Maritime Tourism in World Marine Regions* (2019); M Honey & D Krantz 'Global Trends in Coastal Tourism' Marine Program World Wildlife Fund Washington DC (December 2007) at 16.

²⁵ 'The Sustainable Development Goals Report 2020' op cit note 11 at 58–59.

²⁶ Aside from trade, tourism contributes to job creation. See Tonazzini et al op cit note 24; G Shaw & A M Williams *Critical Issues in Tourism: A Geographical Perspective* (2002) 2 ed 165–187.

²⁷ R Garidzirai 'The role of international tourism on foreign trade in the BRICS Nations' (2022) 8(1) *Cogent Social Sciences* 1 at 2 available at <https://doi.org/10.1080/23311886.2022.2076792>

²⁸ See Tonazzini et al op cit note 24; M N Diakomihalis 'Greek maritime tourism: Evolution, structures and prospects' (2007) 21(1) *Research in Transportation Economic* 419 at 420 available at [https://doi.org/10.1016/S0739-8859\(07\)21013-3](https://doi.org/10.1016/S0739-8859(07)21013-3)

²⁹ J Liu, K An, & S Jang 'A model of tourists' civilized behaviors: Toward sustainable coastal tourism in China' (2020) *Journal of Destination Marketing & Management* available at <https://doi.org/10.1016/j.jdmm.2020.100437>. See also European Commission *The EU Economy Report 2019* (2019) 27; M W Islam & T Sarker 'Sustainable coastal and maritime tourism: A potential blue economy avenue for Bangladesh' Asian Development Bank Institute (ADBI) Working Paper 1293, 2021, 1.

(SMEs).³⁰ Lending credence to its broad purview, especially in terms of socioeconomic development and cultural heritage sustainability, Lam-Gonzalez et al opine that CMT includes recreation and leisure activities, nautical activities and an economic fulcrum for coastal destinations, because it contributes to employment and eases the integration of traditions tourists offer.³¹

Dimitrovski et al aver that CMT is one of the fastest increasing offshoots of tourism with a recognised potential to foster sustainable development.³² While CMT destination has been regarded as ‘a collection of consumption experiences’,³³ it is also a progressive interconnected sub-system that proffers different sociocultural market sectors in terms of its linkage to culture, the creative industry and art-crafts, etc.³⁴ Islam and Sarker describe the interconnectivity and broad spectrum of CMT through beach-based engagements, such as ‘swimming, sunbathing, surfing, and various other sports and activities.’³⁵ Conversely, non-beach-focused activities, exemplified, inter alia, by wildlife watching, coastal walks, accommodation, food and drink, are connected to CMT.³⁶ Thus, marine tourism occurs at sea and involves essentially water-based activities, illustrated by yachting and various nautical sports.³⁷ These are complemented by the operation of land-based facilities and

³⁰ Rogerson et al op cit note 22 at III. Tourism also promotes community development. See A D Adebayo & J Butcher ‘Community empower in Nigeria’s tourism industry: An analysis of stakeholders’ perceptions’ (2023) 20(4) *Tourism Planning & Development* 583 at 583–603 available at <https://doi.org/10.1080/21568316.2022.2127865>

³¹ Y E Lam-Gonzalez, C J Leon & J de Leon ‘Cooperation in maritime tourism: assessing the effect of previous islands’ choice and experience in tourist satisfaction’ (2019) 11 *Sustainability* 1 at 1 available at <https://doi.org/10.3390/su11226334>

³² D Dimitrovski, A Lemmetyinen, L Nieminen et al ‘Understanding coastal and marine tourism sustainability – A multi-stakeholder analysis’ (2021) 19 *Journal of Destination Marketing & Management* 1 at 1 available at <https://doi.org/10.1016/j.jdmm.2021.100554>.

³³ Ibid.

³⁴ S Carslisle, A Johansen & M Kunc ‘Strategic foresight for (coastal) urban tourism market complexity: The Case of Bournemouth’ (2016) 54 *Tourism Management* 81 at 86–87 available at <https://doi.org/10.1016/j.tourman.2015.10.005>

³⁵ Islam & Sarker op cit note 29.

³⁶ Ibid.

³⁷ Ibid.

services, and the manufacturing of the equipment necessary for such recreational and tourism activities is also included.³⁸

(b) Economic importance of CMT

CMT, through tourism, is among the world's most important economic sectors, as the sector directly contributed US\$1.5 trillion to the global GDP.³⁹ The environment, especially heritage resources in terms of coastal and marine resources, is key in this regard.⁴⁰ Ezenagu suggests that heritage resources and tourism have a symbiotic relationship, as heritage, on the one hand, promotes tourism, and tourism, on the other hand, showcases and preserves a people's heritage.⁴¹ This complementary relationship between heritage resources and tourism leads to economic, cultural and social benefits for the local population, and paves the way for understanding past and present cultures for tourists.⁴² Using Nigeria as a case study, a report shows that in 10 years, the travel and tourism sector will contribute ₦12.3 trillion (US\$8,291,257,800) to the country's GDP, representing 4.9 per cent of the Nigerian economy.⁴³ Coastal areas thus play a significant role in tourism

³⁸ Ibid.

³⁹ 'Coastal & marine tourism: Quantifying its footprints and funding requirements for mitigation and adaptation' World Travel & Tourism Council 4 available at <https://ocean-breakthroughs.org/wp-content/uploads/2025/06/Coastal-and-Marine-Tourism-Quantifying-its-footprint-and-funding-requirements-for-mitigation-and-adaptation.pdf> (accessed 18 July 2025). See Islam & Sarker op cit note 29.

⁴⁰ A Moreno & B Amelung 'Climate change and coastal & marine tourism: Review and analysis' SI 56 Proceedings of the 10th International Coastal Symposium, 2009, 1140.

⁴¹ Ezenagu op cit note 3 at 2.

⁴² See J Ye, Y Qin & H Wu 'Cultural heritage and sustainable tourism: Unveiling the positive correlations and economic impacts' (2024) 43 *Current Psychology* 36393 at 36393–36415 available at <https://doi.org/10.1007/s12144-024-07070-6>; C Brooks, E Waterton, H Saul et al 'Exploring the relationships between heritage tourism, sustainable community development and host communities' Health and Wellbeing: A systemic review' (2023) 18(3) *Plos One* 1 at 1–39 available at <https://doi.org/10.1371/journal.pone.0282319>; D C Comer 'Petra as a Bellwater Archaeological Site on the World Heritage List' in DC Comer (ed) *Tourism and Archaeological Heritage Management at Petra: Driver to Development or Destruction* (2012) 3–28.

⁴³ 'Nigeria travel, tourism to create 2.6 million jobs in 10 Years' *Nigerian Tribune* 8 July 2022 available at <https://tribuneonlineng.com/nigeria-travel-tourism-to-create-2-6-million-jobs-in-10-years-wttc/> (accessed

and recreation. Thus, it is argued that CMT is a key player in the national and global economic sectors.⁴⁴ This is because the extraordinary beauty, cultural wealth and diverse heritage resources make CMT locations in the world the preferred destinations for tourists and holidaymakers.⁴⁵

One of the most significant economic benefits of CMT is job creation. This results in poverty alleviation.⁴⁶ For instance, if companies in the supply chain are included, CMT activities facilitate '52 million jobs and a tax footprint of \$820 billion...'. The sector's total contribution to GDP rises to \$3.3 trillion, or 3.2 per cent of the global economy. A total of 100 million jobs were supported, with a tax contribution worth \$1.3 trillion', and it is the biggest maritime activity in Europe as it employs about 3.2 million people.⁴⁷ It also generates €183 billion in gross value added and represents more than one-third of the maritime economy in Europe.⁴⁸ In Africa, tourism generates 8.1 per cent of the continent's GDP, valued at more than US\$177 billion.⁴⁹ It also contributes 6.5 per cent of total employment or over 22 million jobs, and accounts for 9.7 per cent of Africa's exports valued at US\$48.7 billion, as well as 5.7 per cent of total investments.⁵⁰ In Nigeria, the travel and tourism sector created

17 February 2024); 'Tourism jobs in Nigeria to double over the next decade' *eHotelier* 5 July 2022 available at <https://insights.ehotelier.com/global-news/2022/07/05/tourism-jobs-in-nigeria-to-double-over-the-next-decade/> (accessed 7 October 2025).

⁴⁴ Moreno & Amelung op cit note 40.

⁴⁵ 'A European strategy for more growth and jobs in coastal and maritime tourism' European Commission 2 available at <https://silo.tips/download/coastal-and-maritime-tourism> (accessed 11 September 2025).

⁴⁶ Moreno & Amelung op cit note 40 at 1141.

⁴⁷ 'Coastal & marine tourism: Quantifying its footprints and funding requirements for mitigation and adaptation' op cit note 39; 'A European strategy for more growth and jobs in coastal and maritime tourism' op cit note 45.

⁴⁸ 'A European strategy for more growth and jobs in coastal and maritime tourism' op cit note 45.

⁴⁹ 'Africa's blue economy: Opportunities and challenges to bolster sustainable development and socioeconomic transformation' Issue Paper, United Nations Economic Commission for Africa 10–11 available at https://nairobiconvention.org/clearinghouse/sites/default/files/Africa%27s%20Blue%20Economy%20Issues_Paper_UNECA.pdf (accessed 17 September 2025).

⁵⁰ Ibid.

2.71 million jobs in 2024.⁵¹ It is noteworthy that the bulk of Africa's tourism rests on the blue economy, and its coastal countries account for 95 per cent of the continent's total tourist arrivals and tourist receipts.⁵²

This article reiterates that CMT is not only a germane aspect of tourism but also the fastest-growing employment creator.⁵³ Additionally, it provides revenue to several megadiverse tropical and mild-weather countries,⁵⁴ like Nigeria. In describing the conducive nature of the environment and its attraction to tourists, Lithgow et al opine that 'an enormous variety of habitats are found within a relatively small area, and warm weather provides desirable conditions for tourists seeking leisure or outdoor recreational activities, such as sunbathing,

⁵¹ N Jus, J Mitcham & C Tsering (eds) *Travel & Tourism Economic Impact 2024: Nigeria* (World Travel & Tourism Council) 1 available at https://cdn.prod.website-files.com/6329bc97af73223b575983ac/6659c4b07520f5f1fb5cdbe5_EIR2024-Nigeria.pdf (accessed 1 October 2025). See A C Chizoba, O S Akpoghomeh & M D Mbee 'The impact of socio-economic characteristics on maritime tourism development in Nigeria' (2024) 4(3) *Int J Adv Multidisc Res Stud* 25 at 30; O O Metilelu, M O Adeniyi & M I Ekum 'Modelling the dynamic effect of environmental pollution on coastal tourism' (2022) 17 *Scientific Africa* 1 at 17 available at <https://doi.org/10.1016/j.sciaf.2022.e01364>

⁵² 'Africa's blue economy: Opportunities and challenges to bolster sustainable development and socioeconomic transformation' op cit note 49. Specifically, the cruise industry contributes immensely to the economies of the Pacific Island countries. See N Douglas & N Douglas 'Cruise ship passenger spending patterns in Pacific Island ports' (2004) 6 *International Journal of Tourism Research* 251 at 251–261. The economic importance of CMT includes expenditures by tourists on 'accommodation, food and drink, entertainment and other services and goods'. G Mendoza-Gonzalez, L M Martinez & R Guevara et al 'Towards a sustainable sun, sea, and sand tourism: The value of ocean view and proximity to the coast' *Sustainability* (2018) 10 1 at 1 available at <https://doi.org/10.3390/su10041012>

⁵³ D Lithgow, L M Martinez & J B Gallego-Fernandez et al 'Exploring the co-occurrence between coastal squeeze and coastal tourism in a changing climate and its consequences' (2019) 74 *Tourism Management* 43 at 43 available at <https://doi.org/10.1016/j.tourman.2019.02.005>. For the importance of the CMT-related cruise industry, see T H Le & C Arcodia 'Risk perceptions on cruise ships among young people: Concept, approaches and directions' (2018) 69 *International Journal of Hospitality Management* 102 at 102 available at <http://dx.doi.org/10.1016/j.ijhm.2017.09.016>

⁵⁴ Lithgow et al *ibid*.

diving, kayaking and surfing.⁵⁵ The existence of CMT as an important part of the tourism sector could potentially provide valuable supplemental economic activities, such as fishing and contribute to improved livelihoods, especially among the local communities.⁵⁶

A corollary to the above is the development of infrastructure in regions where CMT exists.⁵⁷ One of the most important infrastructures that is pivotal in the development of CMT is the port. This is instantiated by the Mazatlan Port on the Mexican Pacific, as it plays host to fishing and tourism activities.⁵⁸ Available data shows that 2 177 000 tourists visited Mazatlan, and revenue from tourism increased 9 per cent, with more than US\$1 billion in revenue from domestic and international tourism, including the cruise-ship sector.⁵⁹ More significantly, the existence of CMT plays an important socio-cultural and economic role, and provides an incentive for the conservation of natural heritage resources and infrastructure in many coastal regions.⁶⁰

III ANALYSIS OF CMT IN NIGERIA

(a) Overview of CMT in Nigeria

It is trite that coastal areas are significant contributors to the economic, sociocultural, security and political development of a country. This is because beautiful ecosystems and maritime terrain, activities related to oil and gas exploration and

⁵⁵ Ibid.

⁵⁶ See R Otabor & J Amaeze 'Potentials of coastal tourism and hospitality in Lagos State, Nigeria: Challenges and prospects' (unpublished Bachelor Thesis, University of Applied Sciences, 2024) at 4–47; D Gounden 'An assessment of visitor profiles, consumption patterns and perceptions as well as the state of coastal and marine tourism (specifically beach) sites in Kwazulu-Natal Province, South Africa' (unpublished Master Thesis, University of Kwazulu-Natal, 2021) at 24.

⁵⁷ Gounden *ibid.*

⁵⁸ P Aguilar, E Mendoza & R Silva 'Interaction between tourism carrying capacity and coastal squeeze in Mazatlan, Mexico' *Land* (2021) 10 1 at 3 available at <https://doi.org/10.3390/land10090900>

⁵⁹ Ibid.

⁶⁰ U Bob, K Swart & H Ngalawa et al 'Methodological challenges in assessing the economic impacts of coastal and maritime tourism in South Africa: Reflections from a piloting project' (2018) 1(37) *EuroEconomica* 202 at 205.

exploitation, maritime security operations, fishing, shipping, agriculture and installations of submarine cables and clean energy infrastructure are encapsulated in the coast.⁶¹ Nigeria's coastline is about 853 km long, along nine states: Akwa-Ibom, Bayelsa, Cross River, Delta, Edo, Lagos, Ogun, Ondo and Rivers.⁶² It plays a key role in the development of the country. For example, these areas' vegetation comprise of mangrove systems and a variety of ecological habitats that promote the existence and interaction of terrestrial and aquatic life.⁶³ Further, the physical and topographical identification of the location, such as sandy beaches⁶⁴ and the plethora of cultures and cultural heritage of the various ethnic nationalities that inhabit the coastline, are sources of CMT in Nigeria. For example, marine cruises, sailing, scuba diving, surfing, and kayaking have increased tourism activities in Lagos State.⁶⁵

Coastal areas in Nigeria are known for their beautiful sceneries made up of beaches, such as Bar Beach, Lekki Beach, Kuramo Beach, Alpha Beach, Eleko Beach, Akodo Beach, Lighthouse Beach and Badagry Beach, and the sea that could be used for boating, yachting and scuba diving, among others.⁶⁶ In addition to the existence of large areas of tropical rainforest

⁶¹ B Taormina, J Bald & A Want et al 'A review of potential impacts of submarine power cables on the marine environment: Knowledge gaps, recommendations and future directions' (2018) *Renewable and Sustainable Energy Reviews* 380 at 380–391 available at <http://dx.doi.org/10.1016/j.rser.2018.07.026>

⁶² L Croitoru, J J Miranda & A Khattabi et al 'The cost of coastal zone degradation in Nigeria: Cross river, delta and Lagos states' World Bank Group (October 2020) 1.

⁶³ M O Oloyede, A B Williams, & N S Benson 'Simulated sea-level rise under future climate scenarios for the Atlantic Barrier Lagoon Coast of Nigeria using SimCLIM' (2021) 665 *IOP Conf Series: Earth Environ Sc* 1 at 2.

⁶⁴ See Otabor & Amaeze op cit note 56; M C Hall & S J Page *The Geography of Tourism and Recreation: Environment, Place and Space* (2014) 4 ed at 306.

⁶⁵ A H Oladele, O Digun-Aweto & P van der Merwe 'Potentials of coastal and marine tourism in Nigeria' (2018) 13(2–3) *Tourism in Marine Environments* 165 at 167 available at <https://doi.org/10.3727/154427318x15276699095952>

⁶⁶ Otabor & Amaeze op cit note 56; V Eruotor 'The Economic Importance of Tourism in Developing Countries: Case study: Lagos, Nigeria' (unpublished Thesis, Centria University of Applied Sciences, 2014) at 20.

and rich biodiversity in Nigeria,⁶⁷ many beaches exist along the Nigerian coastline. However, the Bar Beach in Lagos is the most accessible and most visited, particularly during festive periods.⁶⁸ The uniqueness of Bar Beach hinges on the fact that the sand bars characterise the coastline of Lagos,⁶⁹ and the conducive ambience and the beautiful waves of the water are other factors that attract visitors to Bar Beach.⁷⁰ Part of the Lagos State policies and programmes to bolster tourism in the State is the introduction of the Lagos Black Heritage Festival in 2009, which, among other activities, includes the Lagos Water Regatta.⁷¹ The Lagos Water Regatta comprises large fishing boats, ferries, barges, and other marine vessels coloured and decorated to show the culture, tradition, folklore and occupation of the Lagos people.⁷² Additionally, the Lagos Water Regatta is a platform for the development of creativity, the display of the beauty of the marine environment and a cultural heritage exhibition.⁷³ The event showcases the aquatic splendour, rich displays of the sea-faring culture, the creativity, entertainment and best-adorned grounds on the waters in Lagos.⁷⁴ Similarly, statistics revealed that 52,780 tourists witnessed the Iboku Boat

⁶⁷ See Otabor & Amaeze *ibid*; V C O Eneji, Q Gubo & F I Okpiliya et al 'Problems of Public Participation in Biodiversity Conservation: The Nigerian Scenario' (2009) 27(4) *Impact Assessment and Project Appraisal* 301 at 302.

⁶⁸ Otabor & Amaeze *ibid*; Eruotor *op cit* note 66 at 14.

⁶⁹ Otabor & Amaeze *ibid*; Eruotor *ibid*.

⁷⁰ Otabor & Amaeze *ibid*; A F Ogunberu 'Socio-economic impact of tourism development in Nigeria: Case study of tourist attractions along the coastline of Lagos (unpublished Thesis, Central Ostrobothnia University of Applied Sciences, 2011) 23.

⁷¹ K A Ibraheem, A Abioye & A C Olayinka et al 'Evaluation of the Lagos Black Heritage Festival as a means of promoting Lagos culture and socio-economic advancement' (2015) 4(4) *American Journal of Tourism Management* 77–80 available at <https://doi.org/10.5923/j.tourism.20150404.01>

⁷² *Ibid*.

⁷³ 'Diaspora festival badagry: Voyage to heritage' (2017) 6 available at https://www.mipad.org/files/Diaspora_Festival_Badagry_2017.pdf (accessed 17 September 2025).

⁷⁴ *Ibid*. For further reading on the economic importance of CMT in Lagos State, see generally, Otabor & Amaeze *op cit* note 56; A O Christopher, O A Tunbosun & S A Afolabi 'Adoption of integrated coastal zone management in tackling beach resort destination challenges in Suntan Beach Badagry Nigeria' (2024) *International Conference on Science, Engineering and Business for Driving Sustainable Development*

Regatta between 2015 and 2019 in Calabar, Cross River State.⁷⁵ This bolsters CMT and the economy of Cross River State.

Aside from engaging in yachting, boating and scuba diving, CMT entails appreciating the dynamic landscapes, the waters and related tangible and intangible cultural heritage, like ‘underwater and coastal antiquities, coastal archaeological sites, traditional material cultures such as fishing, maritime communities, and traditional gear and instruments.’⁷⁶ Though generally, the protection of underwater cultural heritage (UCH) in the African context is a relatively underexamined topic in legal scholarship,⁷⁷ the discovery of the Dufuna canoe revives a reappraisal of the role of Africa in marine transport history.⁷⁸ As Adewumi observes, UCH items contribute to ‘fixing and writing indelibly, the economic, political and social history of

Goals (SEB4SDG) 1 at 1–10 available at <https://doi.org/10.1109/SEB4sDG60871.2024.106303154>

⁷⁵ V B Eneyo, F M Attah & M O Ekong et al ‘Marketing strategies of niche tourism products: A case study of Iboku Boat Regatta practised by the Efik people of South Eastern Nigeria’ (2022) 11(SE1) *African Journal of Hospitality, Tourism and Leisure* 541 at 551; I A Akpabio, E A Eniang & E C Egwali ‘Socio-economic potentials and environmental implications of coastal tourism at Adiabo, Cross River State, Nigeria’ (2008) 10 *Environ Dev Sustain* 249 at 249–265 available at <https://doi.org/10.1007/s10668-006-9063-2>. For more reading on the economic importance of CMT in other states in Nigeria, see generally, M F Ishola ‘Exploring the Potential of Sustainable Coastal Tourism for Local Community Development in Rivers State, Nigeria’ (PhD Thesis, University of Sunderland, 2025) at 1–350; J N Osuji & J Agbakwuru ‘Ocean and coastal resources components and their contributions to sustainable development of Nigeria’ (2024) 28(1) *J Appl Sci Environ Manage* 135 at 135–146 available at <https://www.ajol.info/index.php/jasem>; J O Aruna ‘Tourism development: A tool for local development. A case study of Enuama and Araromi Sea-Side of Ondo State, Nigeria’ (2021) 3(2) *Journal of General Studies ESUT* 11 at 11–25.

⁷⁶ K Ounanian, J P M van Tatenhove & C J Hansen et al ‘Conceptualizing coastal and maritime cultural heritage through communities of meaning and participation’ (2021) 212 *Ocean and Coastal Management* 1 at 2 available at <https://doi.org/10.1016/j.ocecoaman.2021.105806>

⁷⁷ M Risvas ‘Underwater cultural heritage in Africa and questions of immunity, state ownership and succession: What role for equity?’ (2020) *The International Journal of Marine and Coastal Law* 264 at 266 available at <https://doi.org/1163/15718085-BJA1000>

⁷⁸ A A Adewumi ‘Dufuna canoe find: Birthing the underwater cultural heritage in Nigeria’ (2014) 4 *University of Ibadan Journal of Public and International Law* 1 at 8, quoting Peter Breunig.

a people or community.⁷⁹ Thus, the existence of the Dufuna canoe and other undiscovered UCH sites and items adds value to and bolsters the attraction of CMT in Nigeria.

Some of the major tribes along the coastland of Nigeria include the Igbos, Ibibios, Ifiks, Annangs, Yorubas, Urohbos, Itsekiri and Edo.⁸⁰ The implication is that a plethora of cultures, art-crafts and cultural heritage items and sites that attract tourists and strengthen the tourism industry, especially CMT, exist in the region.⁸¹ An important platform through which these tourism enablers are showcased for both local and international tourists is cultural festivals (carnivals).⁸² Cultural festivals in coastal areas in Nigeria are other platforms that enhance CMT in Nigeria. These festivals represent cultural tourism platforms, promote cultural heritage preservation, and add value to CMT. The Calabar festival, which is a unique and popular cultural festival that showcases music, dressing, drama and other cultural creativities of talented persons in Nigeria, demonstrates this.⁸³ More importantly, it provides an opportunity for diasporas, including various global communities that were directly linked to some of the cultural and historical events that took place in the coastal areas in Nigeria, exemplified by the slave trade, to come back home to appreciate and rekindle their cultural heritage.⁸⁴ This has been aptly captured by Olaide-Mesewaku, who opines that the diaspora festival is a global tourism product

⁷⁹ Ibid at 4.

⁸⁰ Ogunberu op cit note 70.

⁸¹ C A Folorunso 'Globalization, cultural heritage management and the sustainable development goals in Sub-Saharan Africa: The case of Nigeria' (2021) 4 *Heritage* 1703 at 1705–1707 available at <https://doi.org/10.3390/heritage4030094>

⁸² For further reading on cultural festivals and their contribution to tourism, including CMT, in Nigeria, see Ishola op cit note 75; Otabor & Amaeze op cit note 56; Tunbosun & Afolabi op cit note 74; FPC Endong 'Nigerianess Versus Foreignness in the Calabar Festival and Carnival Calabar' (2017) 2(3); *International Journal of English, Literature and Social Science* 4 at 4–15.

⁸³ 'Calabar carnival & festival' *Finelib.com* Abuja available at <https://www.finelib.com/events/carnivals-and-parades/calabar-carnival-festival/42> (accessed 7 October 2025).

⁸⁴ 'Badagry Festival: Foundation tasks F G, Lagos on cultural tourism' *Premium Times* (1 November 2021) available at <https://www.premiumtimesng.com/entertainment/naija-fashion/492724-badagry-festival-foundation-tasks-fg-lagos-on-cultural-tourism.html?tztc=1> (accessed 7 October 2025).

that, among other things, showcases the identity, culture, history, heritage and tradition of a given people.⁸⁵ It also links Africa to Africans in the diaspora who contribute to economic development through cultural heritage engagements.⁸⁶

Though the importance of cultural festivals cannot be overemphasised in boosting CMT,⁸⁷ there are tourism sites that are located along the coastline of Nigeria that attract tourists to the region. For instance, in Cross River State, there are existing tourist sites that can be visited in the course of CMT in Nigeria, such as Tinapa Business Resort, Obudu Mountain Resort, Marina Resort, Mary Slessor's Residence in Creek town, Agbokim Waterfalls, Cercopan and Cross River National Park.⁸⁸ The existence and the need to conserve carved stone (monoliths) sites in Ikom, Cross River State, for tourism reveals the availability of numerous tourism sites that will strengthen CMT in Nigeria.⁸⁹ Beyond visiting cultural heritage sites, participation in CMT can also culminate in the admiration of the beauty and aesthetic values, colours and designs of the numerous cultural attires in Nigeria, such as akwete fabric, including their sociocultural and historical meanings.⁹⁰

⁸⁵ B Olaide-Mesewaku 'Diaspora Festival Badagry 2017: How Lagos can leverage smart city tourism' *The Guardian* (4 June 2017) available at <https://guardian.ng/art/diaspora-festival-badagry-2017-how-lagos-can-leverage-smart-city-tourism/> (accessed 7 October 2025).

⁸⁶ Ibid; F Sayer 'Localizing the Narrative: The Representation of the Slave Trade and Enslavement Within Nigerian Museums' (2021) 10(3) *Journal of African Diaspora Archeology and Heritage* 257 at 257–282 available at <https://doi.org/10.108/201619441.2021.1963034>

⁸⁷ Kostopoulou et al suggest that cultural festivals make positive contributions to rural and regional development through tourism development, employment generation, and community networking; S Kostopoulou, N Vagionis & D Kourkouridis 'Cultural festivals and regional economic development: Perceptions of key interest groups' in A Matias, P Nijkamp & M Sarmento (eds) *Quantitative Methods in Tourism Economics* (2013) 175–193.

⁸⁸ J N Ejikeme, P U Okpoko & C C Okpoko et al 'Preservation and conservation of cross river monoliths for tourism development' (2020) 7(1) *Cogent Arts & Humanities* 1 at 3 available at <https://doi.org/10.1080/23311983.2020.1812182>

⁸⁹ Ibid at 1–13.

⁹⁰ O Bada 'The Emerging Role of Fashion Tourism and the Need for a Development Strategy in Lagos, Nigeria: Case Study: Lagos Fashion and Design Week' (unpublished Thesis, Centria University of Applied Sciences, 2013) at 1–45.

(b) Impact of CMT on Nigeria

The existence of CMT contributes to the recreational use of the marine environment, and it involves shell collection, bird watching, fishing, sunbathing, windsurfing, scuba diving and boating, etc.⁹¹ Additionally, the abundant, rich cultural, marine, and ecological resources in Nigeria make the country a major CMT destination in Africa.⁹² As Oladele et al opined, diverse classes of water bodies exist in Nigeria, including spatial and climate diversities, typified by the Atlantic Ocean along the southern borders of the country.⁹³ Hence, the availability of CMT resources in Nigeria could contribute to infrastructure and the socioeconomic development of the country.⁹⁴

Given the policy to diversify the economy of Nigeria from the over-reliance on oil and gas, the sustainable development of CMT will facilitate the implementation of the policy. Moreover, CMT will, among other things, create jobs for artisans, entrepreneurs in the hospitality sector and members of the local communities within the coastland. More importantly, it provides other benefits, such as regular foreign exchange earnings, infrastructure development, constant stimulation of recreational and educational values, adequate display and exchange of sociocultural values, bolstering the preservation of cultural heritage and engendering natural resource conservation.⁹⁵ Given the socioeconomic importance of CMT to Nigeria, Ateme uses Lagos State as a case study to opine that substantial revenue from users of beaches, like Eleko, accrues to the Lagos State government, and the hospitality business is a platform to build guest houses, hotels and resort centres in this area.⁹⁶ It provides revenue and employment for the local

⁹¹ Gbadegesin & Akintola op cit note 10 at 14.

⁹² A H Oladele, O Digun-Aweto & P van der Merwe 'Potentials of coastal and marine tourism in Nigeria' (2018) 13(2–3) *Tourism in Marine Environments* 165 at 166 available at <https://doi.org/10.3727/154427318X15276699095952>

⁹³ Ibid.

⁹⁴ M M Ndanusa, Y Harada & M A Islam 'Challenges to growth in tourism industry of a developing country: The case of Nigeria' (2014) 10(19) *Asian Social Science* 282 at 282.

⁹⁵ Gbadegesin & Akintola op cit note 10.

⁹⁶ M E Ateme 'Developing marine and coastal resources in Nigeria: Prospects and challenges' (2021) 3(4) *Maritime Technology and Research* available at <https://doi.org/10.33175/mtr.2021.244473> 335 at 341.

communities.⁹⁷ Data shows that tourism, of which CMT is a part of, contributed 3.8 per cent to the GDP of Nigeria in 2024,⁹⁸ and it is projected to create 2.6 million new jobs and contribute 4.9 per cent to the country's GDP over the next decade.⁹⁹

(c) Policies that facilitate sustainable CMT development in Nigerian

(i) Introduction

It is common knowledge that all forms of government utilise the instrumentality of public policies to cope with governance, especially in terms of different challenges and the demands of the masses.¹⁰⁰ The introduction as well as the implementation of policies is an aspect of politics and political action that is instrumental in converting inputs into outputs. Hence, public policies are governmental laws, regulatory measures, decisions, courses of action, funding priorities and activities undertaken by the government pursuant to set out goals and objectives, to solve societal problems that require active collaboration among the three arms of government: the executive, the legislature and the judiciary.¹⁰¹ The inference is that public policies play a significant role in the introduction, promotion and sustenance of CMT. This subhead aims to interrogate existing legal regimes, like the NTDC Act, and policy frameworks, exemplified by the NTDMMP 2006, that promote and strengthen CMT in Nigeria.

⁹⁷ Ibid.

⁹⁸ Jus et al op cit note 51.

⁹⁹ 'Travel & tourism jobs in Nigeria to double over the next decade' op cit note 43.

¹⁰⁰ For example, a country can introduce policies to bolster its economic development through, inter alia, job creation, international trade, expansion of the manufacturing sector and foreign direct investments. In this regard, fiscal, trade, and monetary policies become inevitable in achieving these goals. See O S Adegboyo, S A Keji & O T Fasina 'The impact of government policies on Nigeria economic growth (case of fiscal, monetary and trade policies)' (2021) 7(1) *Future Business Journal* available at <https://doi.org/10.1186/s43093-021-00104-6> 1 at 1–14.

¹⁰¹ N Yalmanov 'Public policy and policy-making' in *Culture, Personality, Society in the Conditions of Digitalization: Methodology and Experience of Empirical Research Conference* (2021) 558–559.

(ii) *Economic diversification policy*

According to Usman and Landry, '[e]conomic diversification has long been viewed as a policy priority for low-and middle-income economies Recognizing this reality, the goal of economic diversification has shaped the policy direction of many countries.'¹⁰² This is because of the concept of the resource curse, coined by Auty (1993).¹⁰³ The concept is a paradoxical phenomenon in which a country with an abundance of valuable natural resources performs poorly economically.¹⁰⁴ Hence, a need to diversify economies that rely solely on natural resources. Jolo and Koc argue that resource-rich countries are potentially susceptible to falls in natural resource prices, including long-run economic underperformance, when they neglect to adequately invest in non-resource sectors, like manufacturing.¹⁰⁵ Thus, CMT should be effectively and sustainably developed and promoted in Nigeria, a resource-rich country that totally relies on oil.

From the foregoing, the diversification policy arguably plays a significant role in the development of tourism, especially CMT in Nigeria. From a historical purview, a litany of policies lends credence to the evolution and subsequent attempts to implement the diversification policy in Nigeria.¹⁰⁶ There have been policies that galvanised the diversification of the Nigerian

¹⁰² Z Usman & D Landry 'Economic diversification in Africa: How and why it matters' Carnegie Endowment for International Working Paper, 30 April 2021. It is noteworthy that Nigeria is a low-income country.

¹⁰³ R Auty *Sustaining Development in the Mineral Economies: The Resource Curse Thesis* (1993) 1–284. It is also referred to the Dutch disease. The phrase 'Dutch disease' emanated from the Dutch economic crisis in the 1960s after the discovery of North Sea natural gas. The resource boom caused negative economic development, particularly the decline in manufacturing and agriculture. See Z Brincikova 'The Dutch disease: An overview' (2016) (Special/Edition) *European Scientific Journal* 95 at 96. Dutch disease was originally referred to in 1977 by the *Economist*: see 'The Dutch disease' *The Economist* 1977 at 82–83; A Reisinezhad 'The Dutch disease revisited: Theory and evidence' Paris School of Economics Working Paper No. 2020–74, 2020, 2.

¹⁰⁴ A M Jolo, I Ari & M Koc 'Driving factors of economic diversification in resource-rich countries via panel data evidence' (2022) 14 *Sustainability* 1 at 1 available at <https://doi.org/10.3390/su14052797>

¹⁰⁵ Ibid. See also Y A Obafemi 'Non-oil sectors, economic diversification and growth in Nigeria: Further empirical evidence' (2022) 17(1) *Studies in Business and Economics* 290 at 291.

¹⁰⁶ Obafemi above.

economy from oil to a non-oil economy. They include but are not limited to the National Development Plans (NDP) 1962–68, 1970–74, 1975–80, and 1981–85; the 1986 Structural Adjustment Programme (SAP); the 1990–98 Rolling Plan (RP); the 2004 National Economic Empowerment and Development Strategy (NEEDS); the 2012 Subsidy Re-investment and Empowerment Programme (REP) and the 2017–2020 ERGP.¹⁰⁷ For example, the ERGP was introduced to ‘address SDGs three dimensions of economic, social and environmental sustainability issues’, diversify the country’s economy, enhance infrastructure development and facilitate tourism.¹⁰⁸ It is argued that the diversification objective of the government in creating these policies has not been achieved, as the country’s economy still revolves around the oil and gas industry.

The diversification policy is instrumental in the development of CMT in Nigeria because it provides the incentive for the development of other economic sectors, like the tourism industry, and stimulates growth in these sectors in an attempt to minimise government overreliance on oil in the overall development of the country. There is little doubt that oil accounts for more than 70 per cent of Nigeria’s revenue at both national and sub-national levels.¹⁰⁹ Consequently, the definition of a rentier state by Beblawi aptly describes Nigeria, since more than 40 per cent of its fiscal revenue is essentially gained from external rents, and the state is the main beneficiary of these rents that occur in the oil sector.¹¹⁰ The economic diversification policy stimulated the introduction and promotion of other policies, such as the national tourism policy and the blue economy policy, that facilitate CMT in Nigeria. However, it is arguable that the economic diversification policy, which has enabled agricultural, manufacturing and service sectors to expand, prevented the country from having a rentier economy because oil constitutes about 10.4 per cent of the country’s GDP.¹¹¹

¹⁰⁷ Ibid.

¹⁰⁸ ‘Economic Recovery and Growth Plan: 2017–2020’ Ministry of Budget & National Planning, Federal Republic of Nigeria 10 available at https://nigeriaembassygermany.org/mosaic/_M_userfiles/Economic-Recovery-Growth-Plan-2017-2020.pdf (accessed 7 October 2025).

¹⁰⁹ Z Usman ‘*The political economy of economic diversification in Nigeria*’ (unpublished PhD Thesis University of Oxford, 2017) at 148.

¹¹⁰ H Beblawi ‘The Rentier State in the Arab world’ (1987) 9(4) *Arab Studies Quarterly* 383 at 383–398. See also Usman above at 148–149.

¹¹¹ Usman op cit note 109 at 149.

Notwithstanding the importance of the economic diversification policy in Nigeria, empirical research reveals that the policy has an insignificant effect on economic growth and development in Nigeria.¹¹² This, according to the International Monetary Fund (IMF) report, is a result of commodity booms, which most times do not support non-resource sector growth due to the resource curse, a long-term development programme that often succumbs to short-term spending pressures, difficulties in the management of resource revenues and vested interests.¹¹³ Kalagbor and Harry argue that the inability to significantly and properly diversify Nigeria's economy is due to the lack of 'political will' by the government and policymakers' hypocrisy in introducing policies that can significantly transform the structure of the Nigerian political economy.¹¹⁴ More pointedly, the presence of weak policy governance and structure, a dearth of deliberate and concerted efforts to provide targeted incentives to the productive sectors, the absence of a conducive environment and government unbridled control over key investment sectors impede the contribution of economic diversification to the development of CMT in Nigeria. Linking politics to the failure or success of economic diversification in Nigeria, the absence of the rule of law, lack of good governance, inadequately qualified bureaucrats who are apolitical, and corruption impede the effective implementation of the diversification policy in the country. Thus, broad institutional changes and the political will to bolster the economy of Nigeria, among other factors, are key to achieving proper economic diversification in the country.¹¹⁵

¹¹² T A Ajayi 'Did diversification impact growth in Nigeria in the last 20 years of democratic government (1999–2019)? A vector error correction model' (2020) 11(22) *Journal of Economics and Sustainable Development* 10 at 10–21.

¹¹³ J Yao & Y Liu 'Nigeria: Diversification of the Nigerian economy. Selected issues' International Monetary Fund Country Report No. 21/34, 2021 at 20–22.

¹¹⁴ S B Kalagbor & D M Harry 'Development policy, plan and economic diversification in Nigeria: Perspectives on economic recovery and growth plan' (2021) 1(3) *European Journal of Development Studies* 43 at 43–44 available at <http://dx.doi.org/10.24018/ejdevelop.2021.1.3.38>

¹¹⁵ A Alzubair 'The Need for Economic Diversification in the Oil-Dependent Nations of Saudi Arabia, UAE, and Nigeria: Possible Pathways and Outcomes' (unpublished Theses Fordham University 2021) 18–21.

(iii) National tourism policy

It has become compelling for countries, like Nigeria, to diversify their economies to other revenue-generating sectors of the economy due to the existence of a monocultural economic feature where only one or two commodities continue to be relied upon for foreign exchange earnings, superseding other exports.¹¹⁶ Tourism is one of the sectors that has the potential to contribute to economic development as well as reduce the reliance on oil and gas by the Nigerian government.

Historically, tourism regulation and administration in Nigeria started in 1962 with the creation of the Nigerian Tourist Association (NTA).¹¹⁷ In 1976, the NTA was dissolved, and the Supreme Military Council created the Nigerian Tourism Board (NTB) through Decree No. 54 of 1976.¹¹⁸ Notwithstanding its creation, due to the inability of the NTB to meaningfully impact tourism in Nigeria on account of a lack of capacity to effectively manage the industry,¹¹⁹ the Nigerian Tourism Development Corporation (NTDC) was established in 1992 by the NTDC Act 1992.¹²⁰ Despite the creation of the NTDC and the fact that the promotion of tourism is in congruence with the policy to diversify the Nigerian economy, tourism in Nigeria has not fully developed, as 'the sector has attracted limited attention drawing from limited studies that have been done in this area'.¹²¹ This is linked to the dearth of data, inadequate infrastructure and insufficient awareness of the importance of tourism, among others.¹²²

¹¹⁶ O A Matthew, C Ede & R Osabohien et al 'Interaction effect of tourism and foreign exchange earnings on economic growth in Nigeria' (2021) 22(1) *Global Business Review* 7 at 8 available at <https://doi.org/10.1177/0972150918812985>

¹¹⁷ M M Alamai, U H Kirfi & A F Ladi 'Tourism and the economy of Nigeria: A synthesis of its contributions to GDP from 2005-2016' (2018) 5(11) *Advances in Social Sciences Research Journal* 256 at 258 available at <https://doi.org/10.14738/assrj.511.5537>

¹¹⁸ Ibid. See also G Akinsanmi 'Brewing War over Tourism' *ThisDay* (20 September 2017) available at <https://www.thisdaylive.com/index.php/2017/09/20/brewing-war-over-tourism> (accessed 7 October 2025).

¹¹⁹ See E Y Olakunle 'Strategic Development and Sustainability of Tourism Industry in Nigeria' (unpublished Bachelor Thesis, Laurea University of Applied Sciences, 2014) 14; Matthew et al op cit note 116.

¹²⁰ Now NTDC Act 2010.

¹²¹ Matthew et al op cit note 116 at 9.

¹²² 'Repositioning Nigeria's tourism & hospitality sectors for sustainable growth and profitability' Report of a Focus Group on Tourism and

Given the need to diversify the economy by strengthening other economic sectors, the government of Nigeria, in conjunction with the United Nations World Tourism Organisation (UNWTO) and the United Nations Development Programme (UNDP), produced the NTDMP in 2006.¹²³ Summarily, the key recommendations of the NTDMP include positioning Nigerian tourism in the tourism marketplace; developing flagship tourism projects, such as Tinapa; facilitating arts and crafts development; supporting festivals and events; ensuring the safety and security of tourism and encouraging the development of three-star hotels.¹²⁴ Oloidi observes that the national tourism policy in Nigeria targets the security, planning, research and development and promotion and marketing of tourism in the country.¹²⁵ Similar to the NTDMP, the UNDP, International Labour Organisation and the Nigerian government signed a tripartite project agreement NIR/85/004 that established the National Institute for Hospitality and Tourism (NIHOTOUR) to strengthen human capital for tourism development in Nigeria.¹²⁶ Despite the existence of these tourism legal, institutional and policy frameworks and the existence of natural, cultural and heritage resources, many factors continue to impede tourism, as well as CMT. For instance, the inability of the government to implement tourism and other related laws and the closure of several tourist sites, such as amusement parks, zoos,

Hospitality Sectors in Nigeria Held Online (Virtual) on the 19th of August 2021 by the Tourism and Hospitality Industries Thematic Group under the Tourism, Hospitality, Entertainment, Creative & Sports Industries (THECS) Policy Commission, 37.

¹²³ Nigeria Tourism Development Master Plan: Institutional Capacity Strengthening to the Tourism Sector in Nigeria Final Report, 2006, hereafter referred to as 'NTDMP 2006'; Matthew et al op cit note 116 at 8.

¹²⁴ NTDMP 2006.

¹²⁵ A J Oloidi 'National tourism policy in Nigeria: Issues and the way forward' published in the 4th Biennial Multidisciplinary Conference Proceedings of the Association for Tourism Development in Nigeria (ATDiN) titled *Beyond Rhetoric and Idealism: Propelling a Pragmatic and Sustainable Tourism Industry in Nigeria* held at University of Nigeria, Nsukka, Enugu State, Nigeria on 10–13th November 2019 at 25.

¹²⁶ See NIHOTOUR website at <https://nihotour.gov.ng/> (accessed 7 October 2025).

beachside entertainment, etc., by the government hindered the development of tourism, generally, and CMT, particularly.¹²⁷

Jemirade opines that the identification of beautiful tourist sites in Nigeria, which include long blue beaches, forests, rivers and lakes, beautiful waterfalls and a serene environment,¹²⁸ suggests that the introduction of the national tourism policy will facilitate the development, promotion, marketing and optimal use of these tourist sites for national development. As Matthew et al noted, tourism development aligns with poverty alleviation, the attainment of the Millennium Development Goals (MDGs) (including the SDGs) and national development in Nigeria.¹²⁹ The NTDMP, in conjunction with the newly introduced National Development Plan (NDP) 2021–2025, is expected to galvanise the development of CMT in Nigeria and curtail the issues of insecurity of tourist sites, including the means of transporting tourists to tourism sites and activities.¹³⁰ Nevertheless, it is argued that the current insecurity bedevilling Nigeria, especially off its coast, will impede the development of tourism, especially CMT, in the country. Aside from insecurity and the inability of the government to effectively implement existing tourism and other related sectors' laws, policies and programmes, corruption, misappropriation of funds, false declarations and inflation of contracts, etc., impede the development of CMT in Nigeria.¹³¹

(iv) Blue economy policy

Globally, the concept of the blue economy was first utilised in 1992 during the Earth Summit in Rio and was later featured in the international agenda at the 2012 Rio+20 Summit in

¹²⁷ See B A Tangban 'Impact of Tourism Development Policies on the Underdevelopment of Ikom, Nigeria' (unpublished Doctor Thesis, Walden University, 2022) 22–23; 'Repositioning Nigeria's tourism & hospitality sectors for sustainable growth and profitability' op cit note 122.

¹²⁸ D Jemirade 'Tourism: The missed opportunities for economic development in Nigeria' (2021) 13(1) *Journal of African Studies and Development* 15 at 17. See also O A A Olaiya, M O Can & I O Bola 'The economic importance of tourism to national development' (2021) 21(2) *African Scholar Journal of African Sustainable Development* 159 at 162–163.

¹²⁹ Matthew et al op cit note 116 at 11.

¹³⁰ Jemirade op cit note 128 at 5–26.

¹³¹ Tangban op cit note 127 at 28–29.

Brazil.¹³² Pauli, in his seminal book titled *The Blue Economy: 10 Years, 100 Innovations, 100 Million Jobs*, describes the blue economy as a strategy to create wealth through the utilisation of derivatives from nature in an environmentally friendly way.¹³³ The concept was referenced in the African Union's (AU) 2015 main policy framework for transforming Africa's socio-economic development.¹³⁴ Though the meaning of blue economy is fluid and indeterminate,¹³⁵ the Lome Charter defines the concept as sustainable economic development of oceans with the use of techniques like regional development to integrate the use of seas and oceans, coasts, lakes, rivers and underground water for economic purposes exemplified by fisheries, mining, energy, aquaculture and maritime transport, while protecting the sea to improve social wellbeing.¹³⁶

Similar to other available economic diversification sectors, Elisha opines that the oscillating and adverse implications of over-reliance on oil calibrated the need and call for the diversification of the Nigerian economy from oil to the blue

¹³² M Voyer, G Quirk & A McIlgorm et al 'Shades of blue: What do competing interpretations of the blue economy mean for oceans governance?' (2018) 20(5) *Journal of Environmental Policy & Planning* 595 at 595–616 available at <https://doi.org/10.1080/1523908X.2018.1473153>. For a detailed analysis of the role of the local communities in the development of the blue economy, see I Okafor-Yarwood, N I Kadagi & N A F Miranda et al 'The blue economy-cultural livelihood-ecosystem conservation triangle: The African experience' (2020) *Frontiers in Marine Science* 1 at 1–2 available at <https://doi.org/10.3389/fmars.2020.00586>

¹³³ G Pauli *The Blue Economy: 10 Years, 100 Innovations, 100 Million Jobs* (2010).

¹³⁴ 'Agenda 2063: The African We Want' African Union Commission 2015 available at https://au.int/sites/default/files/documents/33126-doc-01_background_note.pdf (accessed 17 September 2025).

¹³⁵ Y R Choi 'The blue economy as governmentality and the making of new spatial rationalities' (2017) 7(1) *Dialogues in Human Geography* 37 at 37–41 available at <https://doi.org/10.1177/2043820617691649>; G M Winder & R Le Heron 'Assembling a blue economy moment? Geographic engagement with globalizing biological-economic relations in multi-use marine environment' (2017) 7(1) *Dialogues in Human Geography* 3 at 3–26 available at <https://doi.org/10.1177/2043820617691643>

¹³⁶ African Charter on Maritime Security and Safety and Development in Africa (Lomé Charter) 2016, art 1(1); H Nagy & S Nene 'Blue Gold: Advancing blue economy governance in Africa' (2021) 13 *Sustainability* available at <https://doi.org/10.3390/su13137153> 1 at 2.

economy.¹³⁷ The blue economy can stimulate economic growth in the coastal region of Nigeria as well as facilitate the achievement of MDGs and SDGs through, inter alia, tourism (CMT), the sustainable management of fisheries and business enterprise.¹³⁸ The development of CMT, which is an integral part of the blue economy, aside from contributing to economic growth, creates employment and revenue for the government.¹³⁹ The government of Nigeria's economic posture to use the blue economy as one of the ways to diversify the country's economy is a laudable step. Hence, the 17th of January 2022 inauguration of the Expanded Committee on Sustainable Blue Economy in Nigeria (ECSBEN) to propel and enable Nigeria to optimally benefit and utilise numerous ocean resources, including CMT locations, within the territorial waters of the country,¹⁴⁰ is a step in the right direction. However, existing challenges, like weak legal, policy, regulatory and institutional frameworks, adversely impede the advancement of the blue economy in the country.¹⁴¹ Similarly, the establishment of the Ministry of Marine and Blue Economy on 21 August 2023 is to effectively harness the abundant ocean and coastal resources in Nigeria's economic development agenda.¹⁴² It has been observed that maritime insecurity, instantiated by piracy off the coast of Nigeria, may impede the realisation of the objectives of the

¹³⁷ O D Elisha 'The Nigeria blue economy: Prospects for economic growth and challenges' (2019) 12(5) *International Journal of Scientific Research in Education* 680 at 681.

¹³⁸ Ibid at 681–696.

¹³⁹ AU-IBAR *Africa Blue Economy Strategy* (2019) 8.

¹⁴⁰ B Jamo 'A Step Forward for Blue Economy – Part 1' *The Guardian* available at <https://guardian.ng/business-services/maritime/a-step-forward-for-blue-economy-part-1/> (accessed 17 September 2025).

¹⁴¹ E Olorunyomi 'Analysis: Potentials, challenges to Nigeria's plan of using blue economy to tackle poverty, unemployment' *Premium Times* (12 March 2022) available <https://www.premiumtimesng.com/news/headlines/516816-analysis-potentials-challenges-to-nigerias-plan-of-using-blue-economy-to-tackle-poverty-unemployment.html> (accessed 19 September 2025).

¹⁴² See B Keogh 'Nigeria's new blue economy ministry could harness marine resources – moving the focus away from oil' *The Conversation* (23 October 2023) available at <https://theconversation.com/nigerias-new-blue-economy-ministry-could-harness-marine-resources-moving-the-focus-away-from-oil-213678> (accessed 15 September 2025); 'What you need to know about ministry of marine and blue economy' *Punch* available as <https://punchng.com/what-you-need-to-know-about-ministry-of-marine-and-blue-economy/> (accessed 17 September 2025).

blue economy in the country,¹⁴³ as some national blue economy policies do not provide for the security of the ocean.¹⁴⁴

IV ANALYSIS OF PIRACY OFF THE COAST OF NIGERIA

Table 1: The number of actual and attempted piracy attacks in Nigeria

2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
27	31	18	14	36	33	48	35	35	6		2	1

Source: Table created by this author

(a) Overview of piracy in Nigeria

Piracy, which simply means a violent attack against a ship by another ship on the high sea for personal gain,¹⁴⁵ and its nature in Nigeria is linked to the oil sector (petro-piracy).¹⁴⁶ Buttressing this fact, the pollution of the environment due to oil exploration in the Niger Delta region and the attendant corrupt practices by the relevant government enforcement agencies in both the petroleum and maritime sectors engender piracy. Lending credence to this point, the causes and sustenance of piracy include but are not limited to poverty, unemployment, resource control agitation, pollution of the ecosystem of the Niger Delta communities due to oil exploration, vandalisation of oil and gas facilities, the absence of maritime domain awareness, the lack of political will to curb piracy by the Nigerian government, ineffective maritime enforcement agencies, an inefficient

¹⁴³ The absence of a legal regime and institutional framework, among others, may impede the development of the sector, especially in terms of the security of the coastal environment. See ‘Blue economy legal and institutional frameworks: The Nigerian challenge’ *Ships & Ports* 16 November 2017 available at <https://shipsandports.com.ng/blue-economy-legal-and-institutional-frameworks-the-nigerian-challenge/> (accessed 19 September 2025).

¹⁴⁴ H J Niner, N C Barut, T Baum et al ‘Issues of Context, Capacity and Scale: Essential Conditions and Missing Links for a Sustainable Blue Economy’ (2022) *Environmental Science and Policy* 25 at 31–32 available at <https://doi.org/10.1016/j.envsci.2022.01.001>

¹⁴⁵ See article 101 of the United Nations Convention on the Law of the Sea Convention (LOSC) adopted 10 December 1982 (entered into force 16 November 1994) 1833 UNTS 3. See also s 3 of the SPOMO Act, 2019.

¹⁴⁶ MN Murphy ‘Petro-piracy: Oil and Troubled Waters’ (2013) 57(3) *J. Orbis* 424 at 424–437 available at <https://doi.org/10.1016/j.orbis.2013.05.011>

criminal justice system, and political violence due to the desire of the politicians in the Niger Delta to control the revenue derived from the oil industry.¹⁴⁷ From a statistical standpoint (Table 1 above), the International Maritime Bureau (IMB) annual piracy reports from 2012 to 2024 show that 2 464 actual and attempted attacks occurred globally.¹⁴⁸ Table 1 reveals that 286 actual and attempted attacks took place off the coast of Nigeria during the same period, which indicates that Nigerian waters are very risky for navigation.¹⁴⁹ The number of piracy incidents off the coast of Nigeria reduced from 35 to six in 2021; there was no reported attempted or actual attack in 2022,¹⁵⁰ and an attack took place in 2024.¹⁵¹ Arguably, this could be due to, perhaps, the impact of Covid-19 measures on international trade, like the global restriction of movement¹⁵² or the fact that piracy attacks in the Gulf of Guinea have shifted further into international waters towards the waters of other Gulf of Guinea countries.¹⁵³ That notwithstanding, it is observed that an attack that occurred in Nigerian waters in 2024 is worrisome in light of its implications on CMT.

¹⁴⁷ See K K Anele 'Influence of religion on modern piracy: A socio-legal analysis' (2025) 5(3) *Asian Journal of Law and Policy* 315, at 315–340 available at <https://doi.org/10.33093/ajlp.2025.17>; Anele op cit 15 note 15; K K Anele 'A critical analysis of the implications of Covid-19 on piracy off the Nigerian coast' (2021) 18(2) *Brazilian Journal of International Law* 107 at 107–133 available at <https://doi.org/10.5102/rdi.v18i2.7332>

¹⁴⁸ Piracy and Armed Robbery against Ships: Report for the Period 1 January–31 December 2024, ICC/IMB, January 2025 (2024 IMB Piracy Report) 6; Piracy and Armed Robbery against Ships: Report for the Period 1 January–31 December 2021, ICC/IMB, January 2022 (2022 IMB Piracy Report) 6; Piracy and Armed Robbery against Ships: Report for the Period 1 January–31 December 2016, ICC/IMB, January 2017 (2016 IMB Piracy Report) 5.

¹⁴⁹ 2024 IMB Piracy Report, 2021 IMB Piracy Report & 2016 IMB Piracy Report – see note 148 above.

¹⁵⁰ 2024 IMB Piracy Report op cit note 148.

¹⁵¹ Ibid.

¹⁵² Anele op cit note 147.

¹⁵³ See K L Jacobsen, F Morizur & T M Ebiede et al 'Pirates of the Niger Delta II: An Update on Piracy Trends and Legal Finish in the Gulf of Guinea' Global Maritime Crime Programmes, United Nations Office on Drugs and Crime (UNODC) 2022–2026 at 15–16.

(b) Piracy legal regime and institutional framework in Nigeria

In terms of piracy legal regime, Nigeria's SPOMO Act domesticated the Law of the Sea Convention (LOSC) that defines piracy in Article 101 and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention)¹⁵⁴ that contains the meaning of maritime offences that occur in territorial waters in Article 3.¹⁵⁵ Section 3 of the SPOMO Act defines piracy as an:

- (a) illegal act of violence, detention or depredation committed for private ends by the crew or any passenger of a private ship or aircraft and directed—
 - (i) in international waters against another ship or aircraft, or against a person or property on board the ship or aircraft, or
 - (ii) against a ship, aircraft, person or property in a place outside the jurisdiction of any State
- (b) act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; and
- (c) act of inciting or intentionally facilitating an act described in subparagraph (a) or (b).

From the above provision, it is argued that Nigeria has a robust antipiracy legal regime, which is in line with the notion that the existence of antipiracy legislation is a significant aspect of counterpiracy architecture, especially in the prosecution of pirates. Given the fact that the above definition of piracy limits the crime to violent activities that occurred on the high sea, excluding those that took place within the territorial waters of coastal states, this article uses piracy to refer to violent acts that occur both in the high sea and the territorial waters of a coastal State. This is because of the need to use data to explain the crime and its link to insecurity.

However, the existence of antipiracy laws does not lead to their effective implementation. This is because, despite Nigeria's antipiracy legal framework covering the field in terms of acts of piracy that occur both on the high seas and territorial

¹⁵⁴ The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, adopted 10 March 1988, (EIF: 1 March 1992) 1678 UNTS 221.

¹⁵⁵ See ss 3 and 4 of the SPOMO Act respectively.

waters, courts in Nigeria have not effectively implemented the SPOMO Act, especially in prescribing commensurable sentences to pirates. For instance, in the case of *The Federal Republic of Nigeria v Binaebi Johnson & Co*,¹⁵⁶ the Federal High Court sitting in Port Harcourt, Rivers State, sentenced the pirates involved in the attack of the vessel, *MV Elobey VI*, to 20 million fine instead of life imprisonment and a fine of not more than 50 million stipulated by law. Such a lenient sentence will not deter pirates; rather, it will encourage them to hijack more vessels. Another limitation of Nigeria's antipiracy law is that the SPOMO Act did not, in s 17(3)–(5), specify the maritime enforcement agency that will implement its provisions. Rather, the Act mentions the 'Relevant Authority', which suggests that this Authority should implement the Act. This is significant because it could lead to the overlapping of roles between the Nigerian Maritime Administration and Safety Agency (NIMASA) Act¹⁵⁷ and the Nigerian Navy (NN).¹⁵⁸ In view of the provision of s 22 of the NIMASA Act, this article argues that NIMASA is responsible for the implementation of the SPOMO Act and can therefore be referred to as the 'Relevant Authority'.¹⁵⁹

The incessant piracy attacks and the inability of maritime enforcement agencies in Nigeria to curb the crime may be due to the exhaustion of funds, resources and security personnel by the country,¹⁶⁰ occasioned by a rise in terrorism, insurgency, banditry and other criminal activities in Nigeria. Moreover, the heightened level of poverty and unemployment has encouraged

¹⁵⁶ *The Federal Republic of Nigeria v Binaebi Johnson & Co*, Suit No. FHC/PH/62c/2020 (Unreported). See also the case of *The Federal Republic of Nigeria v Frank Insort Abaka & 9 ors*, Suit No. FHC/L/170c/2020 (Unreported), where the judge gave a more stringent sentence which also fell short of what the law provides.

¹⁵⁷ The NIMASA Act 2007, s 22, empowers NIMASA to implement all maritime legal instruments.

¹⁵⁸ The Armed Forces (AF) Act, Cap No A20, Laws of the Federation of Nigeria 2010, s 1(4)(iv), authorises the NN to ensure the safety and security of Nigeria's maritime zones.

¹⁵⁹ K K Anele 'Analysis of the Enforcement of the Suppression of Piracy and Other Maritime Offences Act in Nigeria: Matters Arising' (2023) 34 *Criminal Law Forum* 375 at 375–419 available at <https://doi.org/10.1007/s10609-023-09462-y>

¹⁶⁰ J Regan 'Maritime piracy: Toward a model for state policy change' (2020) 32(4) *International Criminal Justice Review* 1 at 1–3 <https://doi.org/10.1177/1057567720944448>

criminal activities in the country.¹⁶¹ Consequently, piracy has adverse implications on the cost of marine transport and international trade as a higher insurance premiums, including associated insurance costs, are paid for seafarers who are on board ships traversing dangerous sea lanes.¹⁶² For example, the Nigerian National Petroleum Corporation (NNPC) reported that piracy and oil theft off the country's coast led to the loss of US\$750 million.¹⁶³ Aside from potentially threatening regional agreements with geopolitical implications,¹⁶⁴ piracy off the coast of Nigeria affects the fishing industry in terms of jobs and export earnings.¹⁶⁵ Also, marine transportation¹⁶⁶ and international trade¹⁶⁷ are impeded due to piracy in Nigeria. Though Nigerian pirates initially targeted oil tankers to steal the cargo, oil, and sell it in the black market, they have adopted the kidnap and ransom model, and sometimes oscillate to the stealing of oil.¹⁶⁸

In terms of piracy in the context of cultural heritage, art-craft and tourism as factors necessary for CMT development, it has been suggested that the activities of pirates adversely affect cultural heritage preservation and other related activities

¹⁶¹ A C Okoli & C Nwangwu 'Organized crime-terror nexus: Interrogating the linkage between banditry and terrorism in Northern Nigeria (2022) *Journal of Asian and African Studies* available at <https://doi.org/10.1177/00219096211069650>

¹⁶² S Bensassi & I Martinez-Zarzoso 'How costly is modern maritime piracy to the international community?' (2012) 20:5 *Review of International Economics* 869 at 870.

¹⁶³ K K Anele 'The potential impact of piracy on the ACFTA: A Nigerian perspective' (2021) 8(1) *Journal of Territorial and Maritime Studies* 5, 15–16 <https://doi.org/10.2307/JTMS.8.1.5>

¹⁶⁴ G L Denton & J R Harris 'Maritime piracy, military capacity, and institutions in the Gulf of Guinea' (2019) *Terrorism and Political Violence* 1 at 1–27 available at <https://doi.org/10.1080/09546553.2019.1659783>

¹⁶⁵ Anele op cit note 22 at 16.

¹⁶⁶ See T Adongoi, I Otodo & A Adioni-Arogo 'The activities of sea robbers and its implication on water transportation: Experience from Niger Delta Region of Nigeria' (2020) 20(8) *Global Journal of Human-Social Science* 23 at 24–32.

¹⁶⁷ See K K Anele 'Comparative analysis of the impact of piracy on international trade in Korea, Indonesia and Nigeria' (2023) 31(1) *Asia Pacific Law Review* 12 at 12–32 available at <https://doi.org/10.1080/10192557.2022.2117476>

¹⁶⁸ L Jacobsen 'Pirates of the Niger Delta: Between brown and blue waters' *Global Maritime Crime Programme UNODC 2019–2021* at 7. See also Jacobsen et al op cit note 153 at 13–22.

in Nigeria.¹⁶⁹ Additionally, piracy may implicate the art-craft industry¹⁷⁰ and tourism in the country¹⁷¹ because vessels transporting art-crafts and art-craft materials may be hijacked. Although the quality of cultural diversity, especially in cloth-making, exemplified by the akwete-cloth weaving, contributes to revenue generation in Nigeria through the tourism sector, the country's economy still relies on the oil sector.¹⁷² The oil sector contributes 90 per cent to the foreign exchange earnings¹⁷³ and accounts for an estimated 9 per cent of the gross domestic product GDP and 20 per cent of jobs in the country.¹⁷⁴ Researchers also acknowledge that the operations of the international oil companies (IOCs) in the Niger Delta region of Nigeria 'have become a theatre of persistent brutal conflicts',¹⁷⁵ which have morphed into maritime criminality.¹⁷⁶

These conflicts that create a conducive environment for maritime criminality and piracy arise due to the pollution of the environment of the Niger Delta, resource control agitation by the Niger Delta militants, vandalism of oil facilities, political violence, poverty, unemployment, control of the revenue accruing to the States in the Niger Delta region by State governors and political elites and traditional rulers.¹⁷⁷ These conflicts culminated in the emergence of pirates in Nigeria. Despite the introduction of the Deep Blue Project aimed to enhance maritime domain awareness (intelligence), facilitate

¹⁶⁹ J I Uduji, E N Okolo-Obasi & S Asongu 'Sustaining cultural tourism through higher female participation in Nigeria: The role of corporate social responsibility in oil host communities' (2020) 22 *International Journal of Tourism Research* 120 at 121 available at <https://doi.org/10.1002/jtr.2323>

¹⁷⁰ Anele op cit note 6.

¹⁷¹ T Adongoi, B S Aniekan & U Evans 'Sea robbery and its implication on tourism development in Niger Delta Region of Nigeria' (2019) 2(1) *International Journal of Social & Management Sciences* (Maiden Edition) 1 at 21 available at <https://doi.org/10.26762/ijmsms.201800010>

¹⁷² Anele op cit note 6.

¹⁷³ O L Bebetidoh, S Kometa & K Pazouki et al 'Sustained impacts of the activities of local crude oil refiners on their host communities in Nigeria' (2020) 6 *Heliyon* 1 at 1.

¹⁷⁴ C P Obite, A Chukwu & D C Bartholomew et al 'Classical and machine learning modeling of crude oil production in Nigeria: Identification of an eminent model for application' (2021) 7 *Energy Reports* 3497 at 3497 available at <https://doi.org/10.1016/j.egy.2021.06.005>

¹⁷⁵ Ibid.

¹⁷⁶ Anele op cit note 15.

¹⁷⁷ Jacobsen op cit note 168 at 11–31.

assets acquisition to bolster response capability, intensify training and the retraining of special forces, and pave the way for the strengthening of maritime governance/collaboration,¹⁷⁸ piracy has persisted off the Nigerian coast. Pointedly, piracy off the coast of Nigeria impedes the development of art-craft production, the preservation of cultural heritage and tourism in the region, and these sectors are pivotal in the sustainable development of CMT in Nigeria.¹⁷⁹

V IMPACTS OF PIRACY ON THE DEVELOPMENT OF CMT IN NIGERIA

Some impediments to the development of CMT, like the dearth of data, corruption and lack of infrastructure, among others, have been addressed in this article. Nonetheless, this subhead focuses on the impact of piracy on the development of CMT in Nigeria. Pointedly, the crime impedes cultural heritage conservation as the young generation does not participate in the local culture industry and the creative industry to sustain the local art-craft sector: these are key aspects of tourism that facilitate CMT. Rather, they engage in piracy due to the huge amount of ransom payable for kidnapped seafarers or the profit accruable from the sale of stolen crude oil from hijacked oil tankers in the black market, with little chance of being apprehended and prosecuted.¹⁸⁰ Uduji et al suggest that the activities of pirates due to the consequences of oil exploration in Nigeria affect cultural heritage development and other related sectors in Nigeria,¹⁸¹ which can be deduced by the number of young people in the Niger Delta who have become militants and pirates.¹⁸² Moreover, the lack of maritime domain awareness, political interference, pollution of the environment and the reduced risk of being apprehended and prosecuted

¹⁷⁸ See K K Anele 'Reimagining regional cooperation as a springboard for curbing piracy off the coast of Nigeria' (2022) 9(2) *Journal of Comparative Law in Africa* 33 at 56 available at <https://doi.org/10.47348/JCLA/v9/i1a2>; D Peterside 'Deep Blue Project: Taking the fight to pirates, by Dakuku Peterside' *Premier Times* (14 June 2021) available at <https://www.premiumtimesng.com/opinion/467675-deep-blue-project-taking-the-fight-to-pirates-by-dakuku-peterside.html> (accessed 19 September 2025).

¹⁷⁹ Anele op cit note 6.

¹⁸⁰ Anele op cit note 167; Jacobsen op cit note 168 at 11–89.

¹⁸¹ Uduji et al op cit note 169.

¹⁸² Anele op cit note 15.

motivate the youths of the Niger Delta to become pirates.¹⁸³ It is noteworthy that a critical component of the flow of international CMT is security.¹⁸⁴ Richter and Waugh Jr observe that ‘political serenity, not scenic or cultural attractions, constitute the first and central requirement of tourism,’¹⁸⁵ which implies that maritime security is central to CMT.¹⁸⁶ It is indubitable that tourists will avoid tourism destinations in insecure countries or regions.

Tourism involves travelling (international, regional or domestic), and 90 per cent of such trips are undertaken by sea at some point.¹⁸⁷ Aside from seafarers, tourists and yachtsmen have been abducted and detained over a period of time, ‘often in appalling conditions, while thousands have been victims of pirate attacks.’¹⁸⁸ Chalk suggests that cruise ships are the target of attack by terrorists, including pirates, because they create a viable means of inflicting expansive vengeance on travellers.¹⁸⁹ Also, because they cater to rich and middle-class people, especially from the United States and Europe, they thereby draw media attention and bolster their extremist intent.¹⁹⁰ Similarly, crewmembers of sailing yachts are also exposed to the possibility of being kidnapped in the course of travelling to tourism locations or engaging in leisure sailing in CMT centres.¹⁹¹ Given the fact that the waters of Nigeria are prone to piracy attacks,¹⁹² tourists visiting Nigeria for CMT in the coastal region of the country may be abducted by pirates. This may lead to tourists rejecting cruise activities due to perceived

¹⁸³ Ibid.

¹⁸⁴ Clancy op cit note 13 at 37.

¹⁸⁵ L K Richter & W L Waugh Jr ‘Terrorism and tourism as logical companions’ (1986) 7(4) *Tourism Management* 230 at 230–231.

¹⁸⁶ Clancy op cit note 13.

¹⁸⁷ N Nikolic & E Missoni ‘Piracy on the High Seas—Threats to Travelers’ Health’ (2013) 20(5) *Journal of Travel Medicine* 313 at 313; C M Walker ‘Cruise ships: The next terrorism targets?’ (2012) *Travel Law Quarterly* 123 at 124.

¹⁸⁸ Nikolic & Missoni above.

¹⁸⁹ P Chalk ‘The maritime dimension of international security: Terrorism, piracy, and challenges for the United States’ *Rand Corporation* 2008, 25–26.

¹⁹⁰ Ibid.

¹⁹¹ Nikolic & Missoni op cit note 187 at 315.

¹⁹² Piracy attacks occur off the coast of Nigeria. Hence, tourists using cruise ships, yachts, and ferries to visit Nigeria’s tourism sites or engage in CMT may be kidnapped by pirates.

risks,¹⁹³ as potential travellers prefer cruising in more secure regions.¹⁹⁴

Art-craft production, marketing and sales are some of the activities that add value to CMT. Aside from cruising, yachting, boating and other tourism activities that occur on the sea, the existence of art-craft is a critical aspect of CMT, as it specifically relates to the sustainable development and conservation of cultures and the cultural heritage of coastal communities. These art-craft items simply galvanise and strengthen the local culture industry and the creative economy of the coastal communities.¹⁹⁵ Pointedly, these art-craft items are marketed and sold as souvenirs to tourists: the commodification of cultural heritage.¹⁹⁶ The achievement of these goals depends on a secure coast. However, piracy off the coast of Nigeria potentially impedes these activities as the importation of materials and equipment required for the creation of these art-craft items and the vessels exporting these items can be hijacked by pirates.¹⁹⁷ Comparably, piracy in Nigeria has led to the kidnapping, abduction, and sometimes killing of seafarers and other workers, especially expatriates in the oil industry.¹⁹⁸ Under such circumstances, tourists may not be willing to engage in CMT or participate in cultural festivals, like boat regattas, visit historical sites, and stay in nearby hotels in the coastal region of Nigeria, particularly in the Niger Delta area.

Additionally, theories, such as development, revolutionary guerrilla warfare, economic, and frustration-aggression theories, link insecurity to economic underdevelopment.¹⁹⁹ Using Dollard et al (1939) frustration-aggression theory as a case study, due to the pollution of the Niger Delta area and the attendant poverty, unemployment and underdevelopment

¹⁹³ J Holland, C Weeden & C Palmer et al 'Conceptualising risk in cruise holidays: A critical review' (2022) 24 *Int J Tourism Res* 122 at 135 available at <https://doi.org/10.1002/jtr.2488>

¹⁹⁴ C Macpherson 'Golden goose or Trojan horse? Cruise ship tourism in Pacific development' (2008) 49(2) *Asia Pacific Viewpoint* 185 at 186.

¹⁹⁵ Anele op cit note 6.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Jacobsen op cit note 168.

¹⁹⁹ A S Saleh 'Insecurity and economic development in Nigeria: Boko Haram insurgency in perspective' Paper presented to the Brazilian Army Command and General Staff School, as a partial requirement for obtaining the title Specialist in Military Science, with emphasis on Strategic Studies, Rio de Janeiro 2021, 4.

of the oil producing communities, the youths of the Niger Delta became frustrated and exhibited their anger through incessant piracy attacks off the coast of Nigeria,²⁰⁰ which threatens the implementation of CMT and other related policies, like the blue economy. Though there is a dearth of specific policy or policy direction toward the development of CMT in Nigeria, this article argues that the existence of piracy would be an encumbrance if such a policy existed. For instance, the issue of insecurity, especially piracy, has been identified as one of the challenges in the development of the blue economy, which is crucial to the development of CMT.²⁰¹ In that regard, it has been observed that continued maritime insecurity, such as piracy, will derail the goals of the blue economy policy,²⁰² as well as the CMT development.

VI CSR AS A MECHANISM TO CURB PIRACY AND ENHANCE CMT IN NIGERIA

It has been argued that CMT is one of the fastest-growing divisions of global tourism, having exceeded all universal growth expectations.²⁰³ Although communities, non-governmental organisations (NGOs) and environmental groups are often excluded from the decision-making process in tourism, it is submitted that these groups play a significant role in generating long-term sustainability in CMT development.²⁰⁴ This can be achieved through the CSR regime. More importantly, on account of the dwindling public trust and the waning of consumer confidence due to certain companies' business standards, major environmental disasters and increasing civil rights movements

²⁰⁰ See T Nwokedi, C U Odum & J Anyanwu et al 'Frustration-aggression-theory approach of sea piracy and armed robbery in Nigerian industrial trawler fishery sub-sector of the blue economy' (2020) 8(2) *Journal of ETA Maritime Science* 114 at 114–132, citing Dollard et al (1939).

²⁰¹ Elisha op cit note 137; H D Ibrahim 'Harnessing the Potentials of Blue Economy for Sustainable Development of Nigeria' (unpublished Master Thesis, World Maritime University, 2018) 33.

²⁰² B Jamoh 'How deep blue project will aid blue economy' *The Guardian* (23 February 2022) available at <https://guardian.ng/business-services/how-deep-blue-project-will-aid-blue-economy/> (accessed 19 September 2025).

²⁰³ Dimitrovski et al op cit note 32.

²⁰⁴ Ibid at 9.

globally,²⁰⁵ the strategic adoption of CSR in this article would lead to the integration of policies that will enhance CMT as well as eliminate most of the causes of piracy off the coast of Nigeria.

Consequently, the Nigerian government must first of all introduce a specific policy on CMT. This is critical in designing ways to drive the sector for the economic development of the country, in line with the MDGs, SDGs,²⁰⁶ AU's main policy²⁰⁷ and the diversification of the Nigerian economy. It is argued that the enactment of CMT policy should include the policing and maintenance of the security of CMT locations. The use of CSR will be instrumental in linking the proposed security initiative of the CMT policy with anti-piracy programmes in Nigeria, such as the Deep Blue Project,²⁰⁸ through a collaborative mechanism.²⁰⁹ Further, the introduction and implementation of the CMT policy can be driven by the NTDC in conjunction with NIMASA,²¹⁰ especially in securing Nigerian waters. In terms of policy integration, research has shown that CSR is pivotal in the pursuit of policies that align with the objectives and values of society,²¹¹ which is significant in the development of CMT in Nigeria.

From the foregoing, it is imperative to integrate such policies with existing related policies, like the blue economy policy. Such integration can be possible from the lens of social and environmental initiatives that ultimately benefit stakeholders.²¹² Wells et al argue that 'CSR strategies are core to environmental and socially-responsible tourism', which indicates that CSR could be instrumental in the integration of CMT policy with related maritime security policies in the development of CMT

²⁰⁵ S McLachlan & T Binns 'Tourism, development and corporate social responsibility in Livingstone, Zambia' (2014) 29(1–2) *Local Economy* at 100–101 available at <https://doi.org/10.1177/0269094214520624> 98

²⁰⁶ Afamefuna et al op cit note 11.

²⁰⁷ 'Agenda 2063: The African We Want' op cit note 134.

²⁰⁸ Peterside op cit 178.

²⁰⁹ Ibid.

²¹⁰ See NIMASA Act, s 22.

²¹¹ D Gursoy, E Bogan & B B Dedeoglu et al 'Residents' perceptions of hotels' corporate social responsibility initiatives and its impact on residents' sentiments to community and support for additional tourism development' (2019) *Journal of Hospitality and Tourism Management* 117 at 119 available at <https://doi.org/10.1016/j.jhtm.2019.03.005>

²¹² Ibid.

in Nigeria.²¹³ Similar to the use of CSR to curb piracy, it is argued that CSR can play a significant role in managing and protecting CMT resources against the pressures of tourism.²¹⁴

It is indubitable that the pollution of the environment through oil spillage and gas flaring in the Niger Delta region due to oil exploration by the IOCs without commensurable punishment and much-needed clean-up of the affected areas is because of rent-seeking by relevant government agencies,²¹⁵ like the Nigerian Oil Spill Detection and Response Agency (NOSDRA), politicians and the elite.²¹⁶ It has led to unemployment, poverty, health challenges, and the underdevelopment of the region.²¹⁷ In response to these challenges, the youth of the Niger Delta adopted violence as a means of exhibiting their grievances. Thus, from the vandalism of oil facilities to piracy, tankers became the prime targets for Nigerian pirates until recently, when kidnapping for ransom became the model for piratical attacks.²¹⁸ However, recent piracy events off the coast of Nigeria show that piracy attacks oscillate between kidnapping and ransom to the stealing of cargo, specifically oil.²¹⁹ This paper argues that CSR is germane in encouraging the use of industry best practices in the oil sector in Nigeria, thereby facilitating innovation and reducing activities that lead to pollution as well as gas flaring. Thus, Braithwaite's responsive regulatory theory that supports capacity building, creativity and innovation, etc.,

²¹³ V K Wells, D G Smith & B Taheri et al 'Heritage Tourism, CSR and the role of employee environmental behaviour' (2015) 48 *Tourism Management* 399 at 400 available at <http://dx.doi.org/10.1016/j.tourman.2014.12.015>

²¹⁴ Ibid.

²¹⁵ The major government agency responsible for regulating oil spills in Nigeria is the Nigerian Oil Spill Detection and Response Agency (NOSDRA). See Part I of the Nigerian Oil Spill Detection and Response Agency (Establishment), Act 15, 2006.

²¹⁶ A Gillies 'Reforming Corruption out of Nigerian Oil?' CMI U4 Brief No. 2 2009 available at <https://www.cmi.no/publications/file/3295-reforming-corruption-out-of-nigerian-oil-part-one.pdf> (accessed 11 September 2025).

²¹⁷ J R Heilbrunn 'African Studies Keyword: Oil' (2021) 64(2) *African Studies Review* 458 at 469; K E Ukhurebor, H Athar & C O Adetunji et al 'Environmental implications of petroleum spillages in the Niger Delta Region of Nigeria: A review' (2021) 293 *Journal of Environmental Management* 1 at 3–14 available at <https://doi.org/10.1016/j.jenvman.2021.112872>

²¹⁸ Jacobsen op cit note 17 at 7.

²¹⁹ Jacobsen et al op cit note 153 at 10.

is germane in reshaping the regulatory framework of the IOCs to prevent environmental pollution in Nigeria.²²⁰ The responsive regulatory mechanism can be introduced by policymakers in the country and effectively implemented by the relevant agencies, like NOSDRA.

CSR is equally relevant and necessary in resolving issues between the IOCs and the government of Nigeria/Niger Delta communities, especially in terms of corruption, tax evasion and reduction, capital flight by the IOCs and the clean-up of polluted areas, whether in real-time, space or territory.²²¹ Specifically, the extraterritoriality, time and related crimes in the course of IOCs' oil exploration activities that pave the way for piracy lend credence to the need to adopt the allegation bundling model, which is comparable to deferred prosecution agreements²²² and non-prosecution of corporations,²²³ to settle such matters.²²⁴ It is argued that sanctions imposed on the IOCs for their inability to comply with legal instruments on environmental protection, accountability and tax, whether separated by space and time or not, could be effectively done through a negotiated settlement. Thus, the reformation of the IOCs to comply with relevant regulations rather than applying punitive measures that could impede activities in the oil sector with its attendant adverse consequences on Nigeria's economy should be encouraged to eliminate unlawful actions by the IOCs.²²⁵ This would reduce the pollution of the environment, thereby reducing the causes

²²⁰ Braithwaite op cit note 16.

²²¹ Hock op cit note 17.

²²² Similar to the allegation bundling model, the adoption of the deferred prosecution agreements suggests the mitigation of the risks and costs of criminal investigation and adjudication, with a view to proving 'more effective in responding to corporate wrongdoing.' L Campbell 'Revisiting and re-situating deferred prosecution agreements in Australia: Lessons from England and Wales' (2021) 43(2) *Sydney Law Review* 187 at 187–223. See F T Davis 'Judicial review of deferred prosecution' (2023) 60(3) *Columbia Journal of Transnational Law* 751 at 751–828; N Lord 'Prosecution deferred, prosecution exempt: On the interests of (in)justice in the non-trial resolution of transnational corporate bribery' (2023) 63 *The British Journal of Criminology* 848 at 848–866 available at <https://doi.org/10.1093/bjc/azac059>

²²³ C R Alexander & Y A Lee 'Non-prosecution of corporations: toward a model of cooperation and leniency' (2018) 96(3) *North Carolina Law Review* 859 at 859–902.

²²⁴ Hock op cit note 17.

²²⁵ Ibid.

of piracy and paving the way for CMT to thrive in the coastal communities in Nigeria.

Comparably, the application of the CSR framework in the oil industry in Nigeria will engender proper and comprehensive engagement towards effectively cleaning up the Niger Delta environment and the appropriate development of infrastructure, like cottage industries and regular electricity, to engage the Niger Delta youths in entrepreneurship. This can be achieved under Dahlrud's five dimensions of CSR, to wit, environmental, social, economic, stakeholder and voluntariness.²²⁶ The stakeholder dimension lends credence to the fact that stakeholders in the oil industry, such as the government, IOCs, Niger Delta communities, investors and shipowners, could deliberate on the application of CSR to reduce pollution due to oil exploration, effectively clean up the polluted environment, build infrastructure, and support entrepreneurship in the Niger Delta. It is observed that the Niger Delta communities, as part of the stakeholders, can be effective in preventing the pollution of the environment and securing CMT locations.

Pointedly, the use of Dahlrud's environmental dimension of CSR aligns with the environmental criminology theory in eliminating crimes.²²⁷ The environmental dimension of CSR is congruous with environmental criminology theory, which ultimately provides an understanding of the possible solutions to curb crime by integrating factors such as crime prevention through environmental design (CPTED).²²⁸ The introduction of CPTED in curbing piracy should be done after risk assessment, and it must be adopted for 'specific situations, places, and times'.²²⁹ the Niger Delta region. It must also be holistic in its adoption in the Niger Delta region in terms of liveability, safety

²²⁶ Dahlsrud op cit note 18.

²²⁷ R Paynich & B Hill *Fundamentals of Crime Mapping* (2010) 4/6.

²²⁸ T D Crowe *Crime Prevention Through Environmental Design: Applications of Architectural Design and Space Management Concepts* (2000) 2 ed; D P Rosebaum, A J Lurigio & R C Davis, *The Prevention of Crime: Social and Situational Strategies* (1998). For a comprehensive reading of the use of the CSR to curb piracy in Nigeria, see Anele 'Theoretical analysis of the linkages between the IOCs' oil exploration activities and piracy in Nigeria' op cit note 15.

²²⁹ P Cozens & T Love 'A review and current status of Crime Prevention through Environmental Design (CPTED)' (2015) 30(4) *Journal of Planning Literature* at 406 available at <https://journals.sagepub.com/doi/10.1177/0885412215595440393>

and a higher quality of life.²³⁰ In other words, once a specific CMT policy is introduced, the use of CSR to curb piracy and implement CMT policy and other related policies would culminate in CMT development in Nigeria. As Dimitrovski suggest, a ‘multi-stakeholder approach’ is crucial in engendering a holistic and sustainable development of CMT ²³¹ in Nigeria.

VII CONCLUSION

In concluding this paper, it is notable that CMT plays a pivotal role in achieving both economic development and the sustainable management of the ocean and its resources, which is key to MDGs, SDGs and the African Union’s Agenda 2063 for African countries. Specifically, CMT is a significant aspect of the Nigerian government’s diversification policy. As an offshoot of tourism, CMT contributes, inter alia, to job creation, foreign exchange earnings, cultural heritage conservation, the development of the art-craft industry and infrastructure development. Despite being a coastal country with a multicultural society and policies that encourage the diversification of the country’s economy, Nigeria has no policy to develop CMT. More importantly, incessant piratical attacks off the waters of Nigeria, despite the existence of an antipiracy legal regime, institutional framework and policy architecture, potentially threaten the development of CMT in the country. Specifically, such attacks not only threaten tourists’ participation in CMT activities, like boating, but also potentially endanger the safety and lives of tourists traversing to tourist locations on board cruise ships, ferries and yachts. Consequently, this article suggested the use of CSR to encourage the introduction of a CMT policy, which can be integrated with an antipiracy policy to eliminate some of the causes of piracy in Nigeria. It is argued that the use of the CSR mechanism to combat piracy to facilitate CMT in Nigeria complements the diversification policy in Nigeria, strengthens the tourism policy, aligns with antipiracy initiatives, such as the Deep Blue Project, and creates an environment for the effective utilisation and management of the ocean resources. Relevant agencies, such as NIMASA

²³⁰ M Mihinjac & G Saville ‘Third-generation Crime Prevention Through Environmental Design (CPTED)’ (2019) 8(182) *Social Sciences* 1 at 1–20 available at <https://doi.org/10.3390/socsci8060182>

²³¹ Dimitrovski et al op cit note 32.

and NOSDRA, should be saddled with the responsibility of implementing CSR in preventing the pollution of the coastal environment, thereby repressing some of the causes of Nigerian piracy, exemplified by poverty and unemployment.

NOTES TO CONTRIBUTORS

I INTRODUCTION

The editors of *Journal of Ocean Governance in Africa (JOGA)* – *Amalwandle Ethu* ('Our Seas' in isiXhosa) under the editorship of the South African International Maritime Institute (SAIMI), welcome the submission of manuscripts in English for publication, provided that the topic under discussion relates to ocean governance, including the law of the sea and maritime law, as it applies either in the whole African continent, in a specific African region or in one or more African States.

JOGA accepts manuscripts of four types. These are:

- (a) **Articles.** Articles are the feature pieces of each issue of *JOGA*. 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 discuss any specific issue, development, event, instrument or decision of interest to ocean governance in Africa. Notes should be between 3 000 and 8 000 words long. Longer notes are not considered. Notes do not include an abstract or keywords. All references must be footnoted.
- (c) **Updates and reports.** Updates are brief descriptions of legal or policy developments which have taken place at the continental, regional or domestic level. Reports are brief summaries of events that have taken place or research that has been undertaken or is in progress. Updates and reports should not exceed 3 000 words. They do not include an abstract or keywords. All references must be footnoted.
- (d) **Book reviews.** Book reviews are critical discussions of scholarly books on any topic relating directly or indirectly to 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, 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 *JOGA*;
 - (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 *JOGA* and to check their manuscripts carefully against the guidelines that follow.

NOTE: Regrettably, a manuscript that does not accord with the house style of *JOGA* 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 *JOGA*. This document is merely a general guide because it is not possible to cover every possible referencing and stylistic issue. Where this document does not provide assistance, authors are requested to either:

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

- (ii) consult the main *House Style for Juta Publications*, which may be found at <https://www.jutajournals.co.za/jolga-style-guide/>; or
- (iii) contact the editors for advice at Joga@saimi.co.za (the email address for the editing team).

(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 sub-subheading (in which case there must be one line space after the paragraph).

(ii) Font and type

A Times New Roman font is used by JOGA. 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 right-justified.

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 *JOGA*). Main headings are in caps and bold. The headings in articles are numbered in roman numerals (e.g. '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

JOGA uses the ‘s’ form of English spelling (e.g. 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 (e.g. 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 (e.g. ‘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 (*JOGA* 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 USD, GBP, €, ¥.

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’.

JOGA 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.

(iv) Quotations

Quotations are reproduced exactly, including all original italics and original punctuation, notwithstanding that the original forms might not comply with the *JOGA* 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 by other words, 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 date of adoption (date, month and year); the date when the instrument came into effect or the fact that the instrument has not come into effect (‘EIF: not yet’); and the status of the instrument with regard to the State(s) concerned (e.g. ‘signed in 2002’ or ‘ratified in 2010’). 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; adopted: 10 December 1982; EIF: 16 November 1994]. South Africa ratified the Convention in 1997.

2000 Constitutive Act of the African Union [2158 *UNTS* 3; adopted: 11 July 2000; EIF: 26 May 2001]. 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 (e.g. ‘the 2008 Protocol to the 2000 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) a division within one of the seventeen parts of the UN Convention on the Law of the Sea; or (b) 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 ‘and Another’ or ‘and Others’).

Examples:

M/V ‘Saiga’ (No 2) (Saint Vincent and the Grenadines v Guinea) 1999 ITLOS Reports 10 at 23.

Broad (Pty) Ltd v Thin 2008 (4) SA 456 (SCA) 15.

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, the *JOGA* 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, e.g. '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 (e.g. 'J Smith & M Dlamini'). We cite up to three authors (e.g. 'J Smith, M Dlamini & R Pillay'). Thereafter use 'et al' (e.g. 'J Smith et al'). Avoid as much as possible to refer to authors in the text (rather give whatever credit is required in a footnote).

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 (in the case of first editions) or edition.

The precise page number(s) 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:

John D Smith & Sipho 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) 23–27.

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
SAJMET	South African Journal of Maritime Education and Training
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).

(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

Give the short title and year in the text (e.g. ‘the Maritime Zones Act, 1994’ or ‘the Maritime Zones Act, 1994 (MZA)’ (when you are referring to the Act and/or its specific provisions more than once)) and indicate the number and year of the statute in a footnote (e.g. ‘Act 15 of 1994’). Thereafter, use the acronym (e.g. ‘Section 4 of the MZA’, ‘See s 5–6 of the MZA’).

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, e.g. ‘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:

Example:

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 (e.g. 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 (e.g. 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 (e.g. ‘the Benguela Current Commission (BCC) governs ...’). (*JOGA* 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 (e.g. 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 (e.g. ‘34–35’ and not ‘34–5’).