

JOURNAL OF OCEAN GOVERNANCE IN AFRICA

JOGA VOLUME 3 2025



juta

Journal of Ocean Governance in Africa

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First Floor, Sunclare Building,
21 Dreyer Street,
Claremont 7925

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ISSN: 2710-4044

Typeset in Melior 10.5pt on 13pt
Typesetter: Wouter Reinders
Cover design: Drag and Drop

Printed and bound by

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EDITORIAL TEAM

Dr Nomtha Hadi (South African International Maritime
Institute) [Managing Editor]

Mr Yamkela Ntola (University of South Africa) [Assistant
Editor]

Miss Zizonke Dlamini (South African International Maritime
Institute) [Assistant Editor]

Blockchain technology: exploring opportunities, challenges, and applications by S Vyas, V K Shukla, S Gupta & A Prasad (eds)
1 ed (2022) CRC Press
ISBN: 978-0-36768-560-7
Price: \$243-27

RILWAN F MAHMOUD[†]
Faculty of Law, University of Ilorin, Nigeria

Smart contracts, hyper-ledgers, and real-time tracking and registration of ships and cargo are only a few of the potential benefits that blockchain technology offers the shipping industry. However, the adoption and implementation of blockchain-based solutions have not been without their challenges.¹ This review discusses the evolution and development of blockchain technology in the maritime industry through the lens of Sonali Vyas et al (eds) in their book, *Blockchain Technology: Exploring Opportunities, Challenges, and Applications*. The author examines the contribution of Sonali Vyas et al (eds) to the implementation of blockchain-based platforms in the maritime industry with a focus on African countries, including South Africa, Zimbabwe, and Botswana. While the book focuses on a general overview of blockchain technology, it also provides invaluable insight into the multi-sector application as well as the challenges to the adoption and implementation of blockchain technology by stakeholders, including maritime corporations and government authorities. As with other technological innovations, there remains an overall hesitancy to embrace their novelties across the board.² Three central themes are highlighted throughout the book: the potential of blockchain-

[†] Senior Lecturer, ORCID: <https://orcid.org/0000-0002-1162-149X>

¹ I Bashir *Mastering Blockchain: Distributed Ledger Technology, Decentralization, and Smart Contracts Explained* 2 ed (2018) at 28.

² R F Mahmoud 'An analysis of the judicial and legislative attitude to hearsay electronic data in South Africa' (2023) *SAS Open Journals* at 10-29 available at <https://journals.sas.ac.uk/deeslr/article/download/5566/5266>

based technologies; the impediments to their adoption; and the challenges to their implementation. This review shall examine the book through the lens of these key themes. Through sixteen chapters, Sonali Vyas et al (eds) identify various potential applications of blockchain technology. Blockchain is a ‘tamper-proof digital ledger’ that can be used to generate, store or exchange digital data.³ The book identifies various applications of blockchain which are, digitised land registration (Chapter 6); documentation and transactions in the energy, oil, and gas industries (Chapters 7 and 11); cryptocurrencies and tokenisation of assets (Chapter 13); and digital forensics (Chapter 14).⁴

Regarding the shipping industry specifically, there is a broad range of application potential in the maritime industry, including ship registration systems; smart contracts to manage financial flows within the industry; crew certification systems for training and qualifications; bunker tracking systems to monitor fuel consumption; marine insurance; international contracts of sale; documentation flow (principally, transfer of the bill of lading); and container and cargo tracking in real-time.⁵ Sonali Vyas et al (eds) also point out the benefits of smart contracts in logistics. They opine that the integration of blockchain technology in global shipping business models would provide a secure, immutable digital record of transactions and documentation across all industries ultimately improving efficiency in operations, transportation, and overall decision-making.⁶ In the maritime industry, a blockchain can be used to store a comprehensive shipping contract in the form of a

³ S Vyas, V K Shukla, S Gupta & A Prasad, A (eds) *Blockchain Technology: Exploring Opportunities, Challenges, and Applications* (CRC Press 2022) at par 3.22.

⁴ The chapters highlighted in this paragraph are most relevant to the first theme identified: The applicability of Blockchain in the maritime industry.

⁵ Vyas et al op cit note 3 at pars 14.1.1 and 14.2. See also F Zhang *Approach to an Equivalent Freight-Based Sustainable Joint-Quotation Strategy for Shipping Blockchain Alliance* (2022) available at <https://doi.org/10.3390/su141610441> (accessed 19 February 2023).

⁶ Vyas et al op cit note 3 at pars 3.4.2 and 11.3.1. See also K Takahashi ‘Blockchain technology and electronic bills of lading’ (2016/3) *Journal of International Maritime Law* at 202–211. See also, A Tricoli *Legal Considerations on Blockchain-based Bill of Lading* (2016) available at <https://fichtelegal.com/news/legal-considerations-blockchain-based-bills-lading/> (accessed 1 December 2022).

block of smart contracts that includes the terms of the contract of carriage; receipt of shipment; transfer of title; and a bill of lading issued under charter-party.⁷ With the coming into effect of the African Free Trade Area agreement (AFCFTA), blockchain technology offers the opportunity to lower the cost of operation, bypass maritime insecurities including piracy and increase multilateral trade. The book provides a multi-industry-wide approach to identifying the potential of blockchain technology allowing for a more comprehensive understanding of the technology's applicability. The shipping industries' intersection with various sectors such as energy, oil, gas, the agricultural sector, etc., makes this book vital research in understanding the potential application of blockchain technology in shipping.

The book highlights the efforts, progress, and hindrances of governments, corporations, and other stakeholders in the adoption of blockchain-based technology so far. The book employs a region-based approach in assessing the developments of blockchain-based solutions identifying countries including Zimbabwe (Chapter 6), India (Chapter 8), South Africa, The United States of America, and Botswana etc.⁸ Unlike South Africa which is a coastal country Botswana and Zimbabwe are landlocked consequently, blockchain-based platforms offer the opportunity to be a stakeholder in the maritime industry.

The book also carries out a sector-based analysis of the use of blockchain products such as Hyperledger, smart contracts, and cryptocurrencies in industries such as oil and gas, logistics, and finance. One conclusion remains consistent throughout the book on blockchain adoption, which is the substantial hesitancy by the relevant stakeholders. Sonali Vyas et al (eds) opine that the scepticism around the adoption of blockchain technologies is caused by legal and regulatory concerns, including data privacy and security, antitrust policies, and inadequate governmental framework (pars 7.4–7.6).

Specifically in Africa, policies such as the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention) 2014 have been instrumental in setting out guidelines on data privacy and antitrust regulations, but the stakeholders remain sceptical in adopting blockchain technology. Another key reason for the hesitancy highlighted in the book is

⁷ Vyas et al op cit note 3 at pars 11.6.4 and 1.3.5 See also Bashir op cit note 1 at 28.

⁸ Vyas et al op cit note 3 at par 6.2.

the overall reluctance of governments and companies to adopt new technology.⁹ These barriers to the adoption of blockchain platforms are also evident in the shipping industry.¹⁰ They include the high implementation cost for willing stakeholders, lack of technical know-how, as well as limited interoperability and standardisation of blockchain platforms. It is widely acknowledged that blockchain-based solutions have significant potential in the maritime sector; however, an industry-wide adoption seems far from being accomplished. Unfortunately, a sector-wide adoption of blockchain technologies, especially secure document exchange solutions like AP Moller-Maersk and IBM's joint venture, TradeLens, is necessary for blockchain to reach its full potential.¹¹ Some of these benefits include streamlining overall maritime operations by accelerating supply chain documentation processes, enhancing transparency and coordination among shipping companies and government authorities, and reducing financial expenses. Two primary reasons have been identified for the reluctance to adopt blockchain technology by stakeholders.¹² The first reason is the paradox of shipping companies holding off on committing to the investment in technology infrastructure until a substantial number of companies join the blockchain platforms. Switching from the current traditional platforms to a digitised system is not only expensive but is also profitable only when other interested parties have migrated as well.¹³ The second reason

⁹ Vyas et al op cit note 3 at pars 1.3, 5.3 and 6.4.

¹⁰ A H Gausdal, K V Czachorowski & M Z Solesvik 'Applying blockchain technology: Evidence from Norwegian companies' *Sustainability* (Switzerland) (2018) 10/6 available at <https://doi.org/10.3390/su10061985>

¹¹ M-N Papadakis 'Innovative Maritime Operations Management Using Blockchain Technology & Standardization' (2022) 10/4 *Journal of ICT Standardization* at 469–508 available at <https://doi.org/10.13052/jicts2245-800X.1041>

¹² R Mahmoud, H Hamukuaya & D-L Donnelly *Challenges to Blockchain Adoption in Global Shipping: Insights from a Systematic Literature Review* 2025; 6(1):23–34 available at <https://ajms.alam.edu.my/index.php/ajms/article/view/66>. See also F Lorenz-Meyer 'Blockchain in the shipping industry: A proposal for the use of blockchain for SMEs in the maritime industry', *Procedia Computer Science* 814 (2023) available at <https://doi.org/10.1016/j.procs.2023.01.354> (accessed 17 March 2023).

¹³ T Jensen, J Hedman & S Henningsson 'How TradeLens delivers business value with blockchain technology' *MIS Quarterly Executive* (2019) 18(4) at 221–243.

for the reluctance to adopt is the scepticism about the security of blockchain technology. The stakeholders are cautious about divulging confidential information, proprietary knowledge, and intellectual property on blockchain platforms that they are unsure about.¹⁴

Sonali Vyas et al (eds) also address the challenges to the functional implementation of blockchain-based platforms. They identify challenges such as the initial high cost incurred by companies to deploy and transition to the new systems, regulatory compliance, and the potential for security breaches.¹⁵ The maritime industry has seen a significant uptake in the use of blockchain-based platforms for the registration of transactions, cataloguing of shipping containers, and the execution of trade.¹⁶ Before its dissolution in 2022, TradeLens was the leading blockchain platform in the container shipping industry. The TradeLens blockchain platform provided three distinct features which were the platform, marketplace, and ecosystem.¹⁷ The platform provided user interface programming to allow its users to build their own applications on the platform.¹⁸ The marketplace function provided real-time connectivity across the supply chain, linking cargo owners, freight forwarders and regulators such as customs and border management agencies.¹⁹ As of 2022, TradeLens had processed over 20 million documents, over 2 billion events, and more than 42 million shipments.²⁰ The platform has attracted some of the biggest ocean carriers and major terminal operators such as Hapag-Lloyd, the biggest German shipping company; ONE – Japan's biggest shipping company; and HSBC – one of the world's largest banks and financial service providers.²¹ However, the platform failed to

¹⁴ Lorenz-Meyer et al op cit note 12 at 814.

¹⁵ Vyas et al op cit note 3 at pars 1.3, 2.10, and 7.2.

¹⁶ S Shin 'Blockchain Application in Maritime Supply Chain: A Systematic Literature Review and Conceptual Framework' 51/6 (2024) *Maritime Policy & Management* available at <https://doi.org/10.1080/03088839.2023.2234896> (Table 5 accessed 6 July 2024).

¹⁷ Lorenz-Meyer et al op cit note 12 at 814.

¹⁸ R Philipp 'Blockchain and Smart Contracts for Entrepreneurial Collaboration in Maritime Supply Chains' *Transport and Telecommunication* (Dec 2019) at 378 available at <https://doi.org/10.2478/tjt-2019-0030> (accessed 1 December 2022).

¹⁹ TradeLens 'Solution Brief' (2020) available at <https://www.tradelens.com/> (accessed December 2022).

²⁰ Lorenz-Meyer et al op cit note 12 at 814.

²¹ Ibid.

achieve ‘full global collaboration’ which was cited as the main reason for its discontinuation.²²

Another example of blockchain-based products in the shipping industry is T-Mining, a Belgian company, that built a blockchain platform to efficiently catalogue the process of shipping containers by assigning digital tokens to each container as an alternative to the traditional method of pin codes.²³ In addition, the company created ID wallets which serve as a Self-Sovereign-Identity (SSI) tool to provide a secured medium for its members to connect and transact on the platform.²⁴ In the United States, ShipChain, a US start-up developed an Ethereum-based maritime logistics system.²⁵ ShipChain’s platform monitored the movements of all types of shipping products allowing for the execution of smart contracts and trading, through the company’s cryptocurrency called Ship Token.²⁶ However, the company was shut down in 2020 due to licencing issues with their cryptocurrency.²⁷ In addition to these implementation challenges, Chapter 11 of the book also highlights additional challenges in the oil and gas sector including data theft and greedy exploitation by mining companies. The chapter also notes that ‘unlawful contracts can be published into decentralised blockchains and impose tax evasion’.²⁸

One key deduction from the book is that due to the relative novelty of blockchain platforms, user confidence remains low,

²² A P Moller–Maersk ‘A.P. Moller – Maersk and IBM to discontinue TradeLens, a blockchain-enabled global trade platform’ *Maersk* (2022).

²³ K Loohuis ‘Benelux ports use blockchain in major efficiency drive’ (2020) *ComputerWeekly.com* available at <https://www.computerweekly.com/news/252490022/Benelux-ports-use-blockchain-in-major-efficiency-drive>

²⁴ Ibid.

²⁵ M Kückelhaus, *Blockchain in Logistics*. (2018) available at <https://www.dhl.com/content/dam/dhl/global/core/documents/pdf/glo-core-blockchain-trend-report.pdf> (accessed 1 December 2022).

²⁶ Ibid.

²⁷ J Kingston ‘Logistics provider ShipChain, which built on blockchain, shutting down after big payment to SEC. Freight Waves’ (2020) available at <https://www.freightwaves.com/news/logistics-provider-shipchain-which-built-on-blockchain-shutting-down-after-big-payment-to-sec> (accessed 1 December 2022).

²⁸ J Lindman, V K Tuunainen & M Rossi *Opportunities and risks of Blockchain Technologies: A research agenda* (Hawaii International Conference on System Sciences 2017).

and this has caused a slow adoption rate despite their obvious benefits. While Sonali Vyas et al (eds) extensively addressed the overall impediments to the application, adoption, and implementation of blockchain-based technologies, the book's focus on a limited number of regions and applications gives the readers more questions than answers. The book highlights several potential applications of blockchain technology but its focus on cryptocurrencies appears to provide a myopic analysis of the challenges of blockchain products. Regardless, the book is undoubtedly one of the most comprehensive research projects to date on the challenges to the adoption and implementation of blockchain technology and it is expected that a subsequent edition will include a broader evaluation of blockchain-based technology.

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’).