

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.