THE LAW OF THE SEA AND ITS APPLICATION IN THE EXPLORATION OF HYDROCARBON DEPOSITS IN DEEP OFFSHORE NIGERIA.

INTRODUCTION

The Truman Proclamation of 28th September, 1945 started a process which has culminated in the 'rat' race by coastal state to extend the limits of their control, of expanse areas of the sea with the objective of harnessing the natural resources therein for the benefits of their people. Prior to that the freedom to navigate on and fish in the high seas were being challenged in the 15th and 16 centuries with Spain and Portugal, and to some extent Britain laying claims to areas of the open sea.[1] These claims of sovereignty were hardly distinguished from ownership. Portugal claimed the whole of Indian Ocean and a very large portion of Atlantic, Spain claimed for herself the Pacific and the Gulf of Mexico, while Britain arrogated unto herself the Narrow Seas and the North Sea.[2]

The reasons for the truman Proclamation includes

that the effectiveness of measures to utilize or conserve these resources would be contingent upon cooperation and protection from the shore.

That the continental shelf may be regarded as an extension of the landmass of the coast nation and thus naturally appurtenant to it.

That these resources frequently form a seaward extension of a pool or deposit lying within its territory of the coastal nation.

That shelf protection compels a coastal nation to keep close watch over activities off its shores.

Though these reasons appear plausible, they are founded upon the fact of discovery of mineral deposits in offshore California in the late 19th century.[3] Subsequent upon this declaration, coastal nations have claimed either exclusive jurisdiction and control or sovereign rights over the mineral and living resources of the seabed and subsoil. Latin American countries extended their sovereignty over seabed and subsoil of the continental shelf and also on the superjacent waters of the shelf area and the air space above. These claims by coastal states led to the status of customary international law in respect of delimitation of the seas being in a state of flux inspite of the fact that the International Court of Justice (ICJ) through its jurisprudence has consolidated Customary International Law in a number of cases.[4] The general uncertainty in this area was a function of the economic, security and social interest of individual coastal states in the light of the great significance of the wealth in the continental shelf. It was against this background that the United Nation (UN) held various conferences to date. The first convention was in 1958 specifically between February 24 to April 18th. This conference produced four separate conventions; the Convention on the Territorial Sea and Contiguous Zone; the Convention on the High Seas; the Convention on Fishing and the conservation of living resource of the high seas; and Convention on the continental shelf. Although the United Nations adopted the convention on territorial sea and contiguous zone, it was unable to reach agreement on the specific breadth of the territorial sea and contiguous zone. This led to the second conference convened between March 17 to April 26, 1960. At this conference the issue of breadth of territorial sea (hereafter T.S.) and contiguous zone (hereafter CZ) was unresolved as a result of one vote short of the required two-thirds majority.[5] Unilateral claims of coastal states continued until the third conference was between 1974 and 1982. These conferences, are generally referred to as United Nation Conferences on Law of the Sea (UNCLOS I 1958, II 1980, & III 1982) respectively. It is in spite of these conventions of the UN to resolve or set a standard for maritime delimitations that the continental shelf cases[6] came up for determination. It was for want of the application of the provisions in the convention (particularly UNCLOS III) that Cameroon took Nigeria to the International Court of Justice to challenge not only the land, but also the maritime boundaries between the two adjacent states. The reason for the Cameroon/Nigeria case is the location of hydrocarbon deposit across undefined boundaries between the two states. These two countries, Nigeria and Cameroon, in addition to Equatorial Guinea, Gabon and Sao Tome and Principe share the larger oil-rich region of the Gulf of Guinea. The seeming conflict between international conventions and municipal laws give rise to issues of precedence in areas of the sea which limit is beyond the local legislative competence while being within the limits as determined by the international conventions.

This article will therefore examine the law of the sea, particularly with reference to UNCLOS III and how it applies to Nigeria in her quest to exploit the oil deposits within its territorial sea, contiguous zone, contiguous zone, continental shelf and exclusive economic zone, and in the light of the shift in focus from the onshore to deep offshore Nigeria.

OWNERSHIP OF MINERAL OILS IN NIGERIA.

The ownership of mineral oil deposits in Nigeria is, statutorily vested in Nigeria[7]. The minerals include those within the land and internal waters as well as those within the Territorial Waters, Contiguous Zone, Continental Shelf and Exclusive Economic Zone. Section 1 subsection 2 of the Petroleum Act, 1969 provides specifically, "This section applies to all land including land covered by water) which:-

a) is in Nigeria; or
b) is under the Territorial waters of Nigeria; or
c) forms part of the continental shelf; or

d) forms part of the Exclusive Economic Zone of Nigeria

This provision was an amendment to the Petroleum Act 1969 to bring it in line with the provisions of the UN conventions on the law of the sea, which Conventions enunciated the method of measuring the breadth of the Territorial Sea, Contiguous Zone, Continental Shelf and Exclusive Economic Zone. These areas, that is, TS, CZ, CS, and EEZ are provided for in the Nigerian Statutes each having its specific dimension measured form the baselines form which the breadth of the territorial waters is measured.

NIGERIAN INTERNAL WATERS

The baseline demarcates the area of territorial sovereignty of the state from the area which is subject to the provisions of the UNCLOSIII. The territorial sovereignty comprises of the internal waters and the landmass. In respect of these areas the Nigerian government has total and absolute sovereignty over the administration and natural resources therein located. The United Nations recognizes this sovereignty.[8] This concept of sovereignty gives effective exercise of power over a geographic expression with all its people and resources. The Nigerian government recognizes no law or charger in the exploration and exploitation of its hydrocarbon deposit, in, under or upon any land,[9] which land includes water[10] in the geographic expression called Nigeria. In the exploration and exploitation of its hydrocarbon deposit, the government is free to construct and carryout ancillary activities, such as rigs, platforms and others.

TERRITORIAL WATER

Waters to the seaward side of the baseline is known as the Territorial Sea (hereinafter TS) and coastal states including Nigeria, have the right to establish a TS which will not exceed a width of 12 nautical miles from the baseline.[11] In Nigeria, section 1 of the Territorial Waters Act, 1967 provides that T.S. for Nigeria shall for all purposes include every part of the open sea within twelve (12) nautical miles of the coast, measured from the low water mark, or of the seaward limits of inland waters. The earlier Acts still retain the breadth of the T.S. as 30 nautical miles.[12] This, however, has been corrected by the current Territorial Water Act (as amended), which came into effect on 26th August, 1971. In spite of this, one still finds writers[13] and judges[14] still making copious references to the 30 nautical miles breadth of the Territorial sea. If it is for historical purpose, one would want to push it further by observing that had 30 nautical miles still been current, then there would have been an apparent conflict with the provision of the LOS III. And, it is here submitted that a conflict between Nigeria and any country over resources outside the law of the sea permissible 12 nautical miles, Nigeria cannot plead local laws against it. Therefore, the international conventions, such as UNCLOS III, simply provide guidance for navigation and economic activities at sea.

Nigeria's sovereignty as a coastal state extends beyond its land territory and internal waters to the Territorial Sea, and this includes the airspace over and the seabed and subsoil of the TS. Thus, as far as over-flight, fishing, laying of submarine cables and mining in the TS are concerned the jurisdiction of Nigeria (and all coastal states) is uninhibited or unhindered as the international conventions have no application over these areas. The exception is limited to right of innocent,[15] and transit passage. It is in keeping with the spirit of the Harry Truman declaration that territorial waters (TS) are treated as part of a Nation's land territory to acquire the characteristic of the landmass of a coastal state that confers sovereignty on the nation over superjacent waters. The sovereignty of Nigeria is exercised in the arrest, trial, search, seizure or custody with respect to offences committed within the territorial sea.[16] This sovereignty over TS is subject to the UNCLOS II[17]

THE CONTIGUOUS ZONE

A coastal state, as Nigeria, may establish a zone contiguous to the Territorial Sea (TS), but that the zone may not extend beyond 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.[18]

This effectively means 12 nautical miles from the outer limit of the TS as the first 12 nautical miles is co-extensive with the TS. The establishment of the contiguous zone is predicated upon the necessity to exercise control over the sea in respect of the prevention of infringement of its customs, fiscal, immigration as well as sanitary laws and regulations within its territory or TS and where this happens to punish the culprits accordingly.[19] The grounds for the establishment of a contiguous zone preclude the power of the coastal state to explore and exploit the natural resources (living and non living) for economic development. Shortly after the coming into effect of UNCLOS III, that is, 1982, Nigeria experienced the infringement of its customs, fiscal, immigration and sanitary laws and regulations when a group of unscrupulous individuals, probably under the prompting of an European country, dumped toxic waste at Koko Port near Sapele in the then Bendel State.[20] The explorative/exploitative rights of coastal states do not extend to the contiguous zone except in circumstances where an exclusive economic zone has been proclaimed, in which case, the 24 nautical miles delimitation of contiguous zone will fall within the exclusive economic zone of 200 nautical miles for the purpose only of exploration and exploitation of natural resources. The continued relevance of this zone was questioned at the UNCLOS III[21]. Writers have expressed this view of the contiguous zone losing its relevance and appeal in the face of other zones which lie beyond the 24 nautical miles.[22] The notion of a contiguous zone arose from the need to temper what would otherwise have been a rigid dichotomy between the two extremes of the freedom of the high seas and the exclusive sovereignty over the territorial sea. It was also prompted by the need to accommodate the interests of coastal state in securing maximum protection against infringements of domestic laws and regulation.

THE CONTINENTAL SHELF (CS)

The continental shelf of a coastal state comprises the sea bed and subsoil of the submarine areas that extend beyond its territorial sea (TS) throughout the natural prolongation of its land territory to the outer edge of the continental margin, or to a distance of 200 nautical miles from the baselines from which the breadth of the TS is measured where the outer edge of the continental margin does not extend up to that distance.[23] The law of the sea recognizes the usefulness and richness of the CS when it expressed the CS to be the natural prolongation of the land territory of a coastal state, and in doing so permits coastal states to extend the breadth of the CS to not more than 350 nautical miles, which constitute the outer margin of the CS. The seabed and subsoil of CS coincides with those of the exclusive economic zone (EEZ) up to the 200 nautical mile limit. This area of coincidence is commonly referred to as "Primary Seabed'. This primary seabed is governed by EEZ regime, but with reference to CS provisions.[24] Only where the continental shelf extends beyond the 200 miles limit does an independent CS regime exists.[25] The coastal state exercises over the CS exclusive sovereign rights for the purpose of exploration and exploitation of the natural resources, living and non-living. These rights (explorative and exploitative) are exclusive because if the coastal state does not explore the resources no one may undertake such exploration and exploitation without the express, not implied, consent of the coastal state. The enjoyment of these rights do not depend on proclamation or occupation of the CS, as is the EEZ; they are rights attendant up the existence of a country as a coastal state.

However, these rights are subject to and do not affect the legal status of the subjacent waters or of the air space above those waters. This is to allow for free and innocent passage and the over flight of aircraft. It is not allowed also for these CS right to unjustifiably interfere with navigation and other freedom as enunciated in article 87.

7. THE EXCLUSIVE ECONOMIC ZONE (EEZ)

The Exclusive Economic Zone or EEZ is a post 1958 development and it arose out of the need to extend coastal state rights beyond the Territorial Sea (TS). The zone is particularly important for those states that have little or no geological continental shelf, as with many South American States. Although the principle of the EEZ has been firmly established in customary international law,[26] it is important to examine the relationship between this maritime zone and that of the TS and Continental Shelf (CS) as all three represent different aspects of the seaward extension of coastal state jurisdiction.

The law of the sea (1982) or LOS describes the EEZ as an area beyond and adjacent to the territorial sea, and shall not extend beyond 200 nautical miles form the baselines from which the breadth of the TS is measured.[27] In Nigeria, Exclusive Economic Zone Act, 1978 proclaims a zone to be known as the Exclusive Economic Zone of Nigeria, which shall be an area extending from the "external limits" of the territorial waters of Nigeria up to a distance of 200 nautical miles from the baseline from which the breadth of the territorial waters of Nigeria is measured.[28]

A proper study of the underlined words in the EEZ Act will bring out an inherent contradiction in respect of which point the EEZ would be measured. The 'external limit' presupposes the end of the territorial sea, which is the 200 nautical miles which if followed would increase Nigeria EEZ to 400 nautical miles measured form the external limit of TS. If the EEZ is measured from the baselines from which the territorial waters is measured them the breadth of the EEZ would be 200 nautical mile in consonance with the LOS. This ambiguity can be remedied by an amendment of this provision, as it would impact on Nigeria's right to exploration of natural resources by the time the deep offshore exploration gets to these dimensions.

Within the EEZ, a coastal state has sovereign right for the purpose of exploring and exploiting, conserving and managing the natural resources living and non-living and with regard to other activities for the economic exploitation and exploration of the zone such as the production of energy from water, currents and wind.[29] The sovereign rights include the establishment and use of artificial Islands, installations and structures marine scientific research and the protection and preservation of the marine environment[30].

Against the rights of the coastal state to explore and exploit the seabed and subsoil for economic development, all states, whether landlocked or not, enjoy the freedoms contained in Article 87 of Law of the Sea (LOS). The peculiarity of the EEZ is the reservation of the right of geographically disadvantaged states (landlocked or neighboring state) to participate in the exploitation of an appropriate part of the surplus of the living resources.

The establishment of the EEZ has significantly increased the resource base of coastal states, and for small island states deficient in land resources. It has also provided a framework for management of ocean space of about 40 million square nautical miles, which contains approximately 85% of world's known and probable reserves of hydrocarbon.[31] Finally the EEZ has stimulated scientific and technological developments of coastal nations as they must struggle to enhance their social and economic living standards.

8. OFFSHORE EXPLORATION OF PETROLUEM UNDER THE STATE JURISDICATION

The law of the Sea (LOS) grants rights to coastal state, including Nigeria, in respect of Territorial Sea (TS) Continental Shelf (CS) and Exclusive Economic Zone (EEZ) for the purpose of fishing, mining, exploration and exploitation of natural resources both living and non-living. These rights are also re-enacted as local or municipal laws which vest the ownership of mineral resources, that is, non-living resources in the federal government. The living resources, while being vested, in respect of ownership, in the federation, the harvesting is carried out by Nigerian citizens as well as corporate Nigerians. Within the contiguous zone, the coastal state, such as Nigeria has not been granted explorative or exploitative rights over natural resources as the CZ is only declarable for purpose of the prevention of infringement of its customs, fiscal immigration or sanitary regulations and prescribing punishment for offenders. The CZ, for the purpose of harnessing its natural resources is explored and exploited under the regimes of the CS and the EEZ.

Within these maritime zones, Nigeria, upon the authority of section 1 of the Petroleum Act, 1969, which confers ownership of all hydrocarbon in its natural state in strata in the Federal Government and section 2 empowering the Petroleum Minister to grant licences and leasses, can legitimately harvest the hydrocarbons located in the inland basins, internal water and territorial sea. The nation neither suffers any obstacle exploring resources in inland basins and internal waters nor is such right subject to any international convention. It is, however, in the TS that exploratory rights exercised by any coastal state, such as Nigeria, are subject to the right of other states whether coastal or landlocked. In effect, no coastal state is to explore and exploit its natural resources within the CS to the detriment of right of transit or innocent passage and such other freedoms as enshrined in article 87 of the Law of the Sea.

Nigeria lies between 4°16-13°52 North and Longitude 2°49 '37' East of the Equator. A coastal line of about 850km bordering the Gulf of Guinea and an Exclusive Economic Zone of 200 nautical miles covers marine area of approximately 210,900 square kilometers within which Nigeria exercises sovereign rights in respect of exploring, exploiting, conserving and managing the resources of the sea bed and subjacent waters and has jurisdiction with regards to installations, structures, marine scientific research and protection of the marine environment. Nigeria is endowed with a CS which narrows in the west to between 8-25 nautical miles, but widens off the Niger-Delta to the Eastern flanks to approximately 43 nautical miles.[32] With a shelf Creak of 200 meters contour line marking the outer edge, the total surface area is about 41,000 square kilometers.[33] Therefore, within this area, EEZ and CS, Nigeria is empowered by our municipal Acts and allowed by the LOS to harness whatever natural resources (living and non-living) that are located in these maritime zones. Nigeria, having leased out all the block in the conventional terrain (onshore and shallow offshore), exploration moved into deep offshore in 1990s. Fifty-five (55) blocks so far leased during the 1993/2000 bid rounds are located within the continental shelf and the Exclusive Economic Zone. Out of the 60 blocs bidded for in July/August 2005, 12 are within the deep offshore and 6 in the continental shelf. All these explorative activities carried out within the continental shelf and Exclusive Economic Zone are required by the law of the Sea (LOS) to be carried out in reasonable contemplation of and subject to the right of innocent and transit passage as well as the freedoms enshrined in article 87 of LOS.

9. OFFSHORE EXPLORATION BEYOND THE LIMITS OF NATIONAL JURISDICTION

The law of the Sea (LOS) regime is one of the achievements of the United Nations and it is a culmination of the achievement of the following;

The seabed and ocean floor beyond national jurisdiction were not to be allowed for appropriation;

The exploration and exploitation of the seabed and exploration of the seabed and ocean floor shall be undertaken in a manner consistent with the principles and purposes of the UN.

The exploration of the seabed and ocean floor beyond national jurisdictions shall be carried out in such a manner that the benefits accruable there from shall be used for the development of poor nation/state.

The resources within this area commonly referred to as 'beyond the limits of national jurisdiction" is regarded by the LOS as 'common heritage of mankind,[34] which doctrine or concept was to prevent the total division of ocean space among states, ensure non-discriminatory resource management and to promote equitable distribution of benefits from the area to all states. The LOS forbids any state from laying claim or exercise sovereign rights over any part of the area (Deep Seabed and Ocean floor) or its resources. The LOS goes further to vest the rights in the resources of the area in mankind, on whose behalf the International Seabed Authority (ISA) shall provide for the equitable sharing of financial and other benefits,[35] accruable from the exploration and exploitation of the area.

It is clear, therefore, that a coastal state cannot have sovereign rights over mineral/oil deposits since the exploration and exploitation in the area is to be done by the ISA or it can go into joint ventures with companies[36] upon terms favourable to mankind. Nigeria cannot operate oil rigs or wells here as it would be in contravention of the LOS and for which no appropriation shall be recognized by the United Nations.

A percentage of the revenue realized from the exploration and exploitation of hydrocarbon beyond the 200 nautical miles up to 350 nautical mile of the CS by coastal state, shall be paid to the ISA which shall in turn disburse same on equitable basis to poor nations.

10. LAND AND MARITIME BOUNDARY BETWEEN CAMEROON AND NIGERIA

In 1994, Cameroon filed a case in the International court of Justice (IJC) requesting it to rule on a dispute relating essentially to the question, of sovereignty over the Bakassi Peninsula, which ir claimed was in part under military occupation by Nigeria, and to determine the maritime boundary between both countries. The peninsula and the disputed waters off its coast are potentially rich in oil and gas. Later in the same year, Cameroon extended the case to a further dispute relating to question of sovereignty over a part of the territory of Cameroon in the area of lake Chad which it also claimed was occupied by Nigeria.

Prior to this case, there was no clear maritime delimitation between the countries as their continental shelves and other maritime regimes crossed each other, including that of equatorial Guinea and São Tome è Principe. In 1999 Equatorial Guinea stepped into the case, concerned by Cameroonian claims over maritime borders in the potentially oil-rich offshore areas. This anxiety and concern of equatorial Guinea was heightened by Cameroon's claim that it had no maritime boundary with Equatorial Guinea.

From the facts of the case, it is reasonably inferrable that the Kernel sought after in this case is the presence of hydrocarbon deposits within the Bakassi Peninsula. The five (5) countries that share the Gulf of Guinea base their economy on the oil resources in the Gulf and Cameroonian oil resources in the Gulf are near depletion.[37] There is no maritime delimitation in the Gulf, although Nigeria and São Tome è principe have gone into joint economic zone. This case, though was found in favour of Cameroon, typifies the rule of the law of the sea that coastal state exercise sovereign rights for the purpose of exploiting and exploring its natural resources.[38].

11. CONCLUSION

This article has tried to highlight the international law of the sea in respect of mineral deposits trapped in the oceans of the world. the oceans contain vast natural resources, living and non-living, the struggle for which, by states (coastal and non-coastal) may lead to unprecedented hostilities akin to a likely war. Therefore it is the light of resolving this potential crises that may likely arise form the scramble for the resources of the seabed that the UNCLOS may be seen. The LOS, recognizing the desire of coastal states to harness natural resources located within the adjacent and superjacent waters of their coast, granted specific dimensions of the sea as coming under the sovereignty of a coastal state for purpose of exploration and exploitation of natural resources, installation and research as well as conservation and protection of the environment for future generations.

Nigeria, desirous of tapping the resources of the ocean, enacted various laws[39] empowering it to explore and exploit natural resources located in the ocean. The presence of the LOS has put restraint on national governments from individual struggle and claims of the open sea. It therefore behooves coastal states in particular to enact laws that would conform with United Nations conventions on the Law of the Sea. This cooperation becomes even more compelling as a consequence of the effect of globalization and world peace. Left to the individual nations to scramble for the resources of the seabed it would become a potential cause for another world war. Iraq acted unilaterally and in disregard of the International Conventions when in 1990 she annexed Kuwait together with its natural resources claiming that is was part of Iraq. The motive behind the military escapade was the hydrocarbon deposits within the maritime zone of Kuwait. Nigeria must, therefore, in harnessing the natural resources and particularly hydrocarbon deposits, act to further the aims and purposes of the LOS, for in this would the entire world have peace when they so collectively act.

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ENDNOTES ANDREFERENCES

BY ILOBA ANINYE, OKECHUKWU, LL.B, LL,M, BL, *Lecturer faculty of Law, Ahmadu Bello University Zaria.*

1 Eze C.O:"Historical overview of thė 1982 UN convention on the law of the sea: fifteenyears After Signature" In Ayua I.A. et al The Nigerian Law of the? Sea and the Nigerian maritime Sector Issues and Prospects for the Next Millennium NIALS. Lagos, 1998 at page 3.
2 Starke 'Introduction to International Law' 9th edition, Butterworths, London 1984 234.
3 Ayua I.A. 'Delimitation of Maritime Boundaries in the Light of the New Law of the Sea.' In Ayua et al 'The Nigerian Law of the Sea and the Nigerian Maritime Sector, Issues and prospects for the next Millennium." NIALS, Lagos, 1998 p.60
4 Gulf of Maine Case (Canada V. USA) ICJ Rep 1984 246; and others
5 Tagowa, W.N. "Political Economy of Ocean Law and prospect for Integrated Maritime Policy in Nigeria in ayua, et al 'the Nigerian Law of the Sea and Nigerian Maritime Sector, Issues and prospects for the Next Millennium" NIALS, Lagos, 1998 p. 186.
6 Tunisia V. Libya KJ Rep 1982 18; Libya V. Malta KJ Rep 1985, 13.
7 Section 44(3) The Constitution of the Federal Republic of Nigeria, 1999, and Section 1 of the Petroleum Act, 1969.
8 Article 2 of the United Nations Charter.
9 Section 1. Petroleum Act, 1969.
10 8 Ibid Section 2 (1) (a)
11 Art. 3 of the LOS III, 1982.
12 Section 1, Territorial Waters Act, cap 428. Laws of the Federation of Nigeria.
13 Aluko A.F.: Maritime Zones Within the Limits of National Jurisdiction in Ayua I.A. et al "The New Law of the Sea and the Nigerian Maritime Sector: Issues and Prospect for the Next Millennium. NIALS, Lagos 1998.
14 Onu, S.U. in A.G., Federation v. A.G. Abia State & Ors (2002)4 SCNJ 1.
15 Corfu Channel Case (U.K.V. Albania) ICJ Rep 1949
16 Ayua I.A. supra p. 65
17 Art. 2 para 3.
18 Art. 33
19 Sorensen and Hensen Case No. 3134 89 ILR 78 (1991)
20 The Nigerian Observer of Thursday 16th Nov 1988. Vol 5 page 13.
21 The Third United Nations Conference on the Law of the Sea Official Records Volume III.
22 ILOBA-ANINE,O. The Application of the International maritime Law in the Offshore Exploration of Natural Resources "being a paper presented at the Seminar of the Law of the Sea, Jaji, 8th Nov., 2005.
23 Art. 76 1.
24 Art 56 para 2
24 Art 56 para 2.
25 Part IV of UNCLOS III.
26 Tunisia V. Libya supra.
27 Art. 57
28 Section 1, Exclusive Economic Zone Act, 1978.
29 Art 26
30 Ibid.
31 Borgese E.M: "Ocean Governance and the United Nations, Centre for foreign Policy Studies, 1996, Dalhouse University, Halifax-Nova Scotia page 36.
32 Tagowa W.N. supra
33 Green C.O. & Tobor J.G.: "Marine Resources and Activities in Nigeria" 1992, Nig. Inst. Of Oceanographic and Marine Research (NIOMR) Lagos, pg. 3.
34 Article 136.
35 Art. 140
36 Section 2 of the Annex Agreement of 1994 to Part XI of UNCLOS.
37 www. afrol.com/News 2002
38 Art. 77
39 Exclusive Economic Zone Act 198, Deep Offshore and Inland Basin production sharing contract Act, 1999, Sea Fisheries Act.