Vorträge, Reden und Berichte aus dem Europa-Institut / Nr. 44
herausgegeben
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AFRICAN NEGOTIATIONS ON THE LAW OF THE SEA

Vortrag vor dem Europa-Institut der Universität des Saarlandes

Saarbrücken, 1. Juni 1984

African Negotiations on the Law of the Sea

During the past decade many Third World representatives at conferences which attempt to regulate international behavior have assumed negotiating postures that are highly colored by ideology and rhetoric[1]. African negotiators at the Third United Nations Conference on the Law of the Sea (UNCLOS III) tended to fit this vein and were highly influenced by Pan-Africanism, nationalism, an abiding fear of multinational corporations, strong support of the New International Economic Order and a growing distrust of the developing countries. These factors caused the African bloc to espouse positions at UNCLOS III sessions which were not always consistent with that continent's economic or geographic realities and which in some cases were actually detrimental to many African countries.

The Organization of African Unity (OAU) attempted to put forth a united negotiating stand for the African bloc. This was probably a serious mistake. Africa is the second largest continent with a great deal of diversity. No single negotiating position could have satisfied even a majority of the African states. No other continent, except Australia, put forth a unified front at UNCLOS III. It was probably naive of the Africans to assume that they could do so.

OAU discussions took place in Addis Ababa in 1971, and Rabat in 1972, which culminated in the Declaration of the Organization of African Unity on the Issues of the Law of the Sea of June 24, 1974[2]. This document purported to set forth a unified stand for UNCLOS III negotiations. The Declaration espoused the 200 miles exclusive economic zone (EEZ) and the provisions permitting the archipelagic states to use baselines to determine their territorial waters. It reaffirmed its support of the common heritage principle for the exploitation of the seabed, but wanted the U.N. machinery to minimize any adverse economic

effects which the deep sea mining would have on mineral producing countries. Although it supported the rights of land-locked countries they were expected to negotiate such rights with neighboring coastal states. Finally, it supported, with stipulations, the right of land-locked and geographically disadvantaged countries to use the living, but not the mineral resources of the EEZ. Today I would like to discuss these stands along with other positions at UNCLOS III and their effects on Africa.

The Exclusive Economic Zone (EEZ)

The OAU stand on this issue is truly baffling. It conflicts with both the OAU Declaration and with the stand of most Third World countries that the floor of the seabed should be used for the "common heritage of mankind". Throughout UNCLOS III sessions the common heritage theme was stressed, but the EEZ removes over one third of the ocean waters from international use and places their resources within the domain of the coastal states. Furthermore, the EEZ contains 95 % of the world's marketable fish catch[3].

The zone made sense to Latin American countries such as Chile, Ecuador and Peru, as it included the rich Humbolt Current off the West coast of South America and kept others from fishing in it. However, the EEZ offered little advantage to most African countries. In fact, it tended to favor the developed countries, for ten developed countries (including Australia, Canada, New Zealand, the U.S. and the U.S.S.R.) received 39 % of the zone[4]. Due to the continental drift by which South America and Africa broke apart, the West coast of Africa has relatively narrow continental shelves which makes the EEZ less attractive as a source of mineral resources. The geography of African entities also prevented them from realizing the full benefits of such a zone. Africa has fourteen land-locked countries which under the 1958 Geneva Conventions on the Law of the Sea were entitled to fish anywhere outside of the territorial waters without permission of the coastal states. Sixteen other Afircan countries are geographically disadvantaged in that

they are either shelf-locked (such as the littoral states of the Bight of Benin), have very short coastlines (Zaire) or face countries across narrow bodies of water which do not permit a 200 mile EEZ (for example, the littoral states of the Mediterranean and the Red Seas). Thus over thirty of the African countries could not realize the full benefits of such a zone.

Previous to the publication of the OAU Declaration of 1974, a Conference of the Developing Land-Locked and other Geographically Disadvantaged States at Kampala had demanded the right to exploit the living and mineral resources of neighboring coastal states outside their territorial waters[5]. The African coastal states absolutely refused to support the rights of such countries to exploit the mineral resources of the EEZ, both at UNCLOS III and in the OAU, but did eventually agree to provisions permitting land-locked and geographically disadvantaged countries to fish in their EEZ although such rights were severely restricted in the United Nations Convention on the Law of the Sea of 1982[6].

Under Article 56 of the 1982 Convention the coastal state has "sovereign rights" to the exploitation of both living and mineral resources in the EEZ. The land-locked states (Art. 69) and the geographically disadvantages states (Art. 70) have the right to fish in the EEZ of states in their region, but the terms of such participation are to be established eventually by concluding bilateral, subregional or regional agreements taking into account the "... need to avoid a particular burden for any coastal state ...". The coastal states also have the right, "... taking into account the best scientific evidence available ...", to restrict the allowable catch when conservation is deemed necessary (Art. 61) and are not bound by Articles 69 and 70 if their economy "... is overwhelmingly dependent on the exploitation of the living resources of the exclusive economic zone" (Art. 71).

Thus, if a land-locked or geographically disadvantaged state is able to negotiate an agreement there are still considerable loopholes whereby the coastal state could escape sharing the living resources of the EEZ.

These provisions are lamentable for the protein short countries of Africa as many lack the modern fishing fleets necessary to exploit the EEZ. Much African fishing is done by small bullom boats which rarely venture beyond the territorial waters. Many African states which lack modern fishing fleets, canneries, freezing facilities and other equipment necessary to take and preserve their catches for local markets will lease the fishing-rights of their EEZ to developed countries. A case in point would be Sierra Leone which permits its waters to be fished by foreign firms which freeze their catch and export it to European markets. Article 72 of the new Convention prohibits land-locked or geographically disadvantaged states from leasing such rights in the EEZ to third states or their nationals. Leasing by coastal countries to non-African states could not only deprive the continent of needed protein, but could cause such waters to be overfished to the detriment of African land-locked and geographically disadvantaged states.

Marine Scientific Research

The negotiations at UNCLOS III sessions and the scientific provisions of the final Convention reflect the Third World distrust of multinational corporations and the high technology of the developed countries. The 1974 Declaration of the OAU maintained that scientific research in the EEZ should only be carried out with the permission of the coastal state concerned which was in agreement with the negotiating position of the Group of 77[7].

Under the 1958 Geneva Convention on the Law of the Sea[8] the scientific community could conduct scientific research anywhere on the high seas outside of territorial waters. The developed countries had carried out a great deal of marine research. In fact, it was the research of the Institute of Marine Resources of the University of California on manganese nodules recovered from the Pacific which called world attention to the potential of the seabed. Studies of world fish supplies, the biological productivity of ocean life, weather conditions, and ocean

pollution could offer valuable aid to African countries. Research on the monsoons has been conducted off Kenya and Somalia. Research had been conducted off the West coast of Africa which involves the cold, nutrient subsurface currents which originate in the Gulf of Guinea and surface as an "upwelling" off the coast of Dakar. The study of this current and its rich sea life entails research within the EEZ of African littoral states from Zaire to Senegal[9].

The Revised Single Negotiating Text (RSNT) of 1976 and the Informal Composite Negotiating Text (ICNT) of 1977[10] resulting from UNCLOS III negotiations were extremely restrictive and provided that such research could not be conducted in the EEZ without permission of the coastal state. Marine scientists were extremely dissatisfied with these provisions. For instance, the U.S. National University Oceanographic Laboratory reported that about half of the scheduled research cruises were cancelled in 1976 because eighteen of the coastal states either refused permission to conduct research in their territorial waters or so hopelessly delayed granting permission that the projects had to be abandoned[11]. It was felt that similar refusals or delays would be encountered in the EEZ of such countries.

The final Convention has improved the provisions of the ICNT and RSNT but still presents problems. Article 246 of the Convention provides that the coastal state has the right to regulate and authorize marine research in its EEZ. Coastal states under "normal circumstances" shall grant consent permission for marine research by states or international organizations in their EEZ, or on their continental shelf, which is for peaceful purposes or to increase the knowledge of the marine environment for the benefit of mankind. However, they may withhold permission at their discretion if such research is "of direct significance for the exploration or exploitation" of living or non-living natural resources, or involves drilling into the continental shelf, the use of explosives or the introduction of harmful substances into the marine environment, or the construction of artificial islands, installations or structures. However,

by Article 246, coastal states may not withold permission to conduct peaceful marine research on the continental shelf outside of the EEZ.

These provisions, although an improvement, still offer considerable loopholes for interference with marine research in the EEZ. Since few African states have marine research capabilities, how are they to determine what resources are available in the EEZ? For example, a coastal state could not refuse to permit a land-locked or geographically disadvantaged country to use its EEZ for fishing on the grounds that conservation measures were necessary under Article 61 of the Convention, but if the coastal state refused permission to conduct scientific research on the living resources of the EEZ, the land-locked or geographically disadvantaged state would have no way of ascertaining the validity of the coastal states' claim. Many coastal states obviously fear foreign marine research in their EEZ but such apprehensions could well delay the utilization of their resources.

Archipelagic Waters

At first glance the support of the archipelagic provisions of the UNCLOS III Convention by the African states is somewhat of an enigma. Although Seychelles and Comoras are archipelagic states, most Africans would have little concern for archipelagic countries. The EEZ had already worked to the advantage of island countries as a one mile island could create an EEZ with a diameter of over 400 miles. For example, the Hawaiian Islands create an EEZ of 629,171 square nautical miles whereas the entire East and West coasts of the continental United States only provide an EEZ of 688,052 square nautical miles[12]! This advantage is compounded by Article 47 of the Convention which permits archipelagic states to draw territorial baselines connecting the outermost islands and reefs as long as the ratio of water to land does not exceed nine to one and the baselines (with certain exceptions) do not exceed 100 nautical miles in length.

Supposedly the African nations supported these provisions because archipelagic states were geographically disadvantaged, but a better explanation of the African stand is to be found in the long-standing ties between Indonesia and Africa. As a matter of fact, the unification of the Afro-Asian bloc began at the 1955 Bandung Conference in Indonesia. Indonesia under Sukarno also served as one of the principle spokesmen of the Third World. African support of Indonesia and the Philippines was also tied to the fact that both of these archipelagic countries produce minerals which are mined in Africa and are also contained in the manganese nodules of the deep seabed. Thus Africa supported the archipelagic states in return for their support of the deep seabed mining provisions favored by African mineral producers.

Deep Seabed Mining

The African stand on the seabed mining provisions in UNCLOS III negotiations was consistent with the stand of other Third World countries in the Group of 77. The New International Economic Order recognized that with the exception of the Soviet Union most developed countries were experiencing shortages of mineral resources and the LDCs hoped to control the supply and price of such resources as a bargaining tool against the developed world. They also realized that only the developed world had the funds and technology to exploit the seabed and they wanted such technology and finances to be available to Third World countries.

The deep seabed nodules contain nickel, copper, cobalt, manganese, iron and other minerals. The supply is virtually inexhaustible as the seabed is estimated to contain sufficient supplies to meet the world's needs for thousands of years[13]. The African stand was not motivated by scarcity of the resources, but by a desire to acquire Third World control of the mineral supply of the developed world in order to utilize the profits for the benefit of Third World development.

In truth , Africa was also motivated by the fact that a number of African countries also produced minerals contained in the nodules. The

United States and the Soviet Union are the largest copper producers, but Africa supplies about 17 % of the world's copper mainly from South Africa, Zaire, and Zambia which produce 3 %, 3 % and 7 % respectively, of the world supply. Most manganese is produced by developed countries, but Africa produces 29 % of the world supply. The major portion comes from South Africa (21 %) and Gabon (6 %), but small amounts are also produced in Ghana, Morocco and Zaire. Canada produces most of the world's nickel, but Zimbabwe and South Africa produce 1 % and 3 % of the world supply, respectively[14]. Thus less than one fifth of the African countries are involved in mineral production which would compete with nodule production from the deep seabed. Furthermore one of the major mineral suppliers was the Republic of South Africa which did not receive the diplomatic support of other African nations.

In the main one must admit that the African and Third World countries achieved their goals at UNCLOS III. The LDCs will undoubtedly exercise a large control over the U.N. institutions which form the policies for deep seabed mining. The Seabed Authority (Art. 156) is to contain one member from each state. Its Assembly, which likewise contains one member from each state, is to be "the supreme organ of the Authority"(Art. 160) and is to establish general policy. Thus with one nation, one vote, the Third World is assured a majority. The thirty-six member Council is the executive organ of the Authority which must contain at least six developing countries and at least two LDCs which are mineral producers. Eighteen other members of the Council are to be elected from geographical regions such as, "Africa, Asia, Eastern European (Socialist), Latin America and Western European and Others." In the elections of the latter special consideration is to be given to ensure that developing coastal states are given "reasonably proportionate representation" (Arts. 161-162). Thus under the Convention the Third World should have major control of the organs which supervise the mining of the seabed.

Seabed mining under the terms of the Convention is to be carried out under Enterprise, the legal entity of the Authority (Art. 170). The Provisions of Annex III require that each applicant which submits a plan of

work for an area must include two mining sites of equal value, one of which must be set aside for Enterprise, which may either mine it on behalf of the Authority or assign the site to a developing country which will mine it (Annex III, Arts. 8-9). Article 5 of Annex III requires the applicant to describe the methods and equipment to be used and to supply information on "relevant non-proprietory technology". The applicant is also required to make available to Enterprise on "fair, reasonable and commercial terms and conditions" all technology to be used which the contractor is "legally entitled to transfer" (Annex III, Art. 5). Payment to the Authority is covered by Article 13 of Annex III.

The Convention has also adopted measures to protect the developing mineral producing countries from the adverse effects of deep seabed mining on their economies (Art. 150). Production quotas on the amount of ore produced from deep seabed nodules may be maintained for twenty-five years (Art. 151). The Convention also envisions that the Authority will play a major role in an attempt to stabilize and control the world price of minerals as the Authority has the right to participate and become a party to any commodity conference which may be held to promote market stability (Art. 151).

Thus, the African countries and the Third World countries as a whole have achieved their aims. However, is this a hollow victory? Did they go too far? Will these provisions be beneficial to Africa as a whole? From an economic standpoint it is truly amazing that the vast majority of African countries which do not produce minerals would support the mining provisions which would limit production and keep the cost of minerals high for all African countries. If mineral costs are high, the cost of finished products will be high, which will greatly increase the costs of development for most African countries. This is indeed a repetition of the OAU support of OPEC which caused oil prices to rise and greatly increased the cost of energy imports for most countries.

The mining provisions of the Convention which require considerable investment risk on the part of developed countries, which impose pro-

duction quotas, and which attempt to force the transfer of technology are simply not appealing to the developed countries capable of carrying out such endeavors. They may be ideologically satisfying to Third World countries, but the bonanza they envisioned shows few signs of materializing. Few developed countries have ratified the new Convention.

The United States would be a case in point. During UNCLOS III negotiations the United States repeatedly stated that the mining provisions of the Convention were not acceptable. The United States has refused to ratify the Convention and has passed the Deep Seabed Hard Mineral Resources Act of 1980[15] which governs deep seabed mining activities conducted by American nationals in the event that we do not become a party to an international treaty governing such activities. Permits for mining under the Act will not be issued until 1988. If an international treaty governing deep seabed mining does go into force in regard to the United States, Congress expresses the desire under the 1980 Act that licenses already issued by the United States will be protected under the terms whereby the United States accedes to such a treaty. The United States is also a party to the agreement concerning Interim Arrangements Relating to Polymetallic Nodules of the Deep Seabed of 1982[16] with the Federal Republic of Germany, France and the United Kingdom which covers conflicting claims of entities which have engaged in the exploration of nodule deposits before the passage of domestic legislation on deep seabed mining[17].

Land-locked Countries (LLCs)

Perhaps the most disappointing provisions of the new Convention are those regarding the land-locked countries. Half (fourteen) of the world's LLCs are located in Africa. With the exception of Lesotho, Zambia and Zimbabwe, they are classified by the World Bank as low income countries and many of them are amongst the least developed countries of the world. Their plight is worsened by a lack of infrastructure. Four of these countries have no railroads. The European LLCs have utilized cheap

water transportation because of navigable rivers, however, Africa has few navigable rivers which give access to the sea. The three land-locked countries of Austria, Hungary and Switzerland have a total land area of 149,911 km^2 but have 108,790 km of paved roads and 19,693 km of railroads. The fourteen African LLCs have a total land area of 5,856,920 km^2 and have only 30,825 km of paved roads and 10,816 km of railroads[18]! Not only is there a dearth of roads, but the World Bank reports that the roads constructed in the 1960s and 70s are in a poor state of repair. These countries will be faced with a maintenance crisis in the 1980s and refurbishing paved roads may cost as much as $ 125,000 to $ 200,000 per kilometer[19].

The problem is exacerbated by the level of development. Whereas Switzerland exports expensive, lightweight finished products, these African countries must export heavy minerals and bulky agricultural products which often must be transported as far as 1500 miles to the sea before beginning their long journey to the markets of the developed world. Once the goods reach neighboring ports there is often a dearth of roadsteads, berthing, loading and storage facilities. Often the goods of LLCs suffer from exposure and long delays in shipment.

The LLCs have made many attempts in the international legal community to gain an unqualified international guarantee of their right to access to the sea[20]. They originally formulated their demands in a set of draft articles which were later expanded in the Kampala Declaration of 1974. The LLCs wanted an internationally guaranteed right of access to the sea definition of the types of transportation to be covered. They also wanted the cooperation of transit and coastal states on matters pertaining to taxes, customs, improvement of port and transport facilities and measures to avoid delays in the use of such facilities[21].

In the same year as the Kampala Declaration, the OAU "Declaration of African Unity on Issues of the Law of the Sea"[22] endorsed the principle of the right of LLCs to access to the sea, but the majority of the OAU and the coastal African states felt that such rights should be negotia-

ted through bilateral treaties with neighboring and coastal countries. They maintained this stand throughout the negotations. As early as 1976, Secretary of State Kissinger noted that he was disappointed by the provisions relating to LLCs[23]. Except for the somewhat qualified right of the LLCs to share in the living resources of neighboring EEZs, which I have already discussed, no major concessions were made to the LLCs throughout UNCLOS III negotiations.

Article 125 (1) noted that LLCs should have the "... right of access to and from the sea ..." and "... freedom of transit through the territory of transit states ...". However, this was qualified by Art. 125 (2) which declared that "... the terms and modalities for exercising freedom of transit ..." were to be agreed upon between the transit, coastal and land-locked states either through bilateral or regional agreements. Furthermore, Art. 126 (3) notes that transit states in the exercise of their sovereignty will have the right "... to take all measures necessary to ensure that the rights and facilities provided for in this part for land-locked States shall in no way infringe their legitimate interests". Thus transit and coastal states could, on the basis of "legitimate interests", withhold such services and the LLCs are still without a guarantee on such rights.

In the Convention transport is defined in Art. 124 to include railway rolling stock, sea, lake and river craft and even pack animals, but no mention is made of pipelines or electric transmission lines. The LLCs were to pay no customs on goods in transit. They were to pay no taxes and charges except for the services rendered and at a rate no higher than that paid by the nationals of the transit state for the use of such services (Art. 127). Although the vessels of land-locked states were given "... treatment equal to that accorded to other foreign ships ...", they were not guaranteed treatment equal to that of the vessels of the transit coastal state (Art. 131).

In 1978, I talked with academics and government officials in a number of African coastal countries about the lack of legal guarantees for the LLCs. I found them, without exception, to be adamantly against

further concessions. The usual reply was, "They can negotiate these matters bilaterally with their African brothers". However, this is not very comforting if your African brother is the Republic of South Africa or an Idi Amin type regime.

Conclusions

Why did the Africans negotiate some of these provisions which were obviously not to the benefit of a majority of African countries? Firstly, we must remember that with the exception of Ethiopia, Liberia and the Republic of South Africa, Subsaharan countries did not handle their own foreign affairs until the recent demise of colonialism. The foreign office staffs are usually small and are often lacking in highly trained personnel. For example, land-locked Swaziland's legal advisor for UNCLOS III matters was a Sri Lankan from an archipelagic state! Most countries do not have the data banks, computer facilities and research staffs which the developed countries have to prepare their position papers. When they send a small delegation, or sometimes a single delegate, to an international conference they feel threatened by the sheer size and expertise of big power delegations. For example, consider how an African delegate must have felt at the World Administrative Radio Conference in 1979, when he faced a United States delegation of 115 members[24], which would be much larger than the entire foreign office of most African countries.

Many African delegates also come from one party states and from military or authoritarian regimes where domestic politics do not require statesmen to have the same degree of skill in negotiation and accommodation required of their counterparts in a highly pluralistic, developed society. They also lack the fully formed pressure groups and Non-Governmental Organizations which play such an important role in forcing compromise in developed societies. They therefore lack experience in the art of compromise and accommodation which is the very basis of diplomatic negotiations.

The African delegates were also very ideologically motivated. The attempt to arrive at a continental stand which would fit in with that of the other Third World countries through the OAU would be a case in point. The LLCs and geographically disadvantaged states would have found much better support by blocing with similar non-African countries, but their ideological commitment tied them to the OAU. This same commitment caused the African coastal states to take highly nationalistic stands on such matters as the EEZ, scientific research and the rights of LLCs. Their ideological commitment to the New International Economic Order is reflected in provisions of the Convention on such matters as the transfer of technology and the mining of the seabed.

Lacking fully developed plans of their own, many delegates are prone to follow highly active leaders and in UNCLOS III we often see such delegates following the representatives of Tanzania, Algeria, Lybia and Mauritania. They turn to ideological stands based on rhetoric rather than examining the data of comparative advantage.

The final element which prevented compromise at UNCLOS III was the fact that the conference proceedings were conducted on a basis of consensus rather than actual voting. For example, the LLCs did not raise serious objections to the EEZ as they felt that they could later achieve the concessions they wanted. However, once the EEZ provisions were included within the draft on the basis of consensus, the coastal states did not feel that it was necessary to make any great compromises on the provisions for land-locked countries. Thus the accommodation achieved through an attempt to alter voting patterns on specific provisions, which normally takes place in international law-making conferences, did not really work well at UNCLOS III.

UNCLOS III makes an interesting case study of the difficulty in creating international law through international conferences. The Third World, of which Africa is an important part, makes up a clear majority which may push through measures which are completely unacceptable to the developed world. However, without implementation by the developed world such measures will probably never become a reality and the results may prove to be a rather hollow victory.

FOOTNOTES

1 See this author, "International Futures", in Gary Bertsch, ed., Global Policy Studies (1982), pp. 171-204.

2 Colin Legum, "OAU Resolution on the Law of the Sea", African Contemporary Record: Annual Survey of Documents, Vol. 5 (1972-73), p. C187.

3 See L.M. Alexander, "The Exclusive Economic Zone and U.S. Ocean Interests", Columbia Journal of World Business, Vol. 10 (1975), p. 35.

4 Ibid., p. 36.

5 United Nations, Third United Nations Conference on the Law of the Sea, Official Records, Vol. III, Documents on the Conference, First Session, New York, 3-15 December, 1973; Second Session, Caracas, 20 June - 29 August 1974, p. 3.

6 The text of this Convention is published in International Legal Materials, Vol. XXI (1982), p. 1261 ff.

7 United Nations, Official Records, as cited in note 5, above, p. 64.

8 450 U.N.T.S. 42, 81.

9 See Deborah Shapley, "Sea Law Treaty: Amid U.S. Gains, the Prospects for Science are Sinking", Science, Vol. 192 (June 4, 1976), pp. 980-981; "The Marine Scientific Research Issue on the Law of the Sea Negotiations", ibid., Vol. 197 (July 15, 1977), pp. 231-233; "Ocean Scientists May Wash Hands of the Law of the Sea Treaty", ibid., Vol. 197 (August 12, 1977), p. 645; Chandler Morse, "Making Science and Technology for LDCs", Columbia Journal of World Business, Vol. 10 (Spring 1975), p. 232.

10 UNCLOS III, Revised Single Negotiating Text (May 1976); Informal Composite Negotiating Text (July 1977). Reproduced by Office of the Law of the Sea Negotiations, U.S. Department of State: Washington, D.C.

11 "The Marine Scientific Research Issue on the Law of the Sea Negotiations", p. 232.

12 Alexander, loc.cit., p. 36.

13 See John L. Mero, "Potential Value of the Ocean Floor Manganese Deposits"., in David R. Horn, ed., Ferromanganese Deposits on the Ocean Floor (1972), pp. 195-196.

14 See U.S. Bureau of Mines, U.S. Department of the Interior, Mineral Industries of Africa (March 1984), p. 4.

15 49 U.S. Statutes at Large (1980), 553.

16 International Legal Materials, Vol. XXI (1982), p. 950.

17 For a succinct, but excellent coverage of the mining provisions of the Convention see Louis B. Sohn and Kristen Gustafson, The Law of the Sea (1984), Chapter IX.

18 Compiled from country reports in Central Intelligence Agency, The World Fact Book (1983).

19 World Bank, World Development Report 1983 (1983), p. 45.

20 See this author, "The International Rights of Land-Locked Countries", Journal of African Studies, Vol. 6 (1979), p. 166.

21 Documents on the Conference, cited in note 5, above, pp. 3-4.

22 Ibid., p. 63; Legum, op.cit., Vol. 5 (1972-73), p. C187.

23 Secretary of State Kissinger, "U.S. Calls for Equitable Solution on the Law of the Sea Issues"., U.S. Department of State Bulletin, Vol. 75 (October 11, 1976), p. 452.

24 "International Futures", cited in note 1, above, p. 183.