

THE JOINT DEVELOPMENT ZONE BETWEEN NIGERIA
AND SAO TOME AND PRINCIPE:
A CASE OF INTERIM ARRANGEMENT IN THE GULF OF
GUINEA

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INTRODUCTION

- 21 February 2001
Sao Tome and Principe AND Nigeria signed a treaty creating a Joint Development Zone (JDZ)
- A major diplomatic achievement for the two States

INTRODUCTION (2)

- Nigeria: A sound diplomatic success as a Regional power opposing the involvement of third party in African disputes.
- Sao Tome and Principe: gaining a recognition of Archipelagic status and fair resource share

PROBLEMS

- To what extent does the treaty of JDZ comply with the maritime delimitation law?
- To What extent is it efficient as a diplomatic tool?
- To what extent is it original from a universal perspective?

OUTLINE

I. Interim Arrangement: an Obligation Under International Public Law?

II. The JDZ between Nigeria and Sao Tome and Principe

I. INTERIM ARRANGEMENTS UNDER INTERNATIONAL LAW

A. THE LEGAL BASIS (Article 74 (3) and 83 (3) UNCLOS)

- **Article 74**

Delimitation of the exclusive economic zone
between States with opposite or adjacent coasts

(3). Pending agreement as provided for in paragraph 1, the States concerned, in a spirit of understanding and cooperation, shall make every effort to enter into provisional arrangements of a practical nature and, during this transitional period, not to jeopardize or hamper the reaching of the final agreement. Such arrangements shall be without prejudice to the final delimitation.

- International Peace and Cooperation principles

I. INTERIM ARRANGEMENT UNDER INTERNATIONAL LAW

B. Interim Arrangement as a major trend in contemporary maritime delimitation.

- A universal State Practice
- An object of Growing Interest in commentators writings
- A relatively insufficient case law

I. INTERIM ARRANGEMENT UNDER INTERNATIONAL LAW

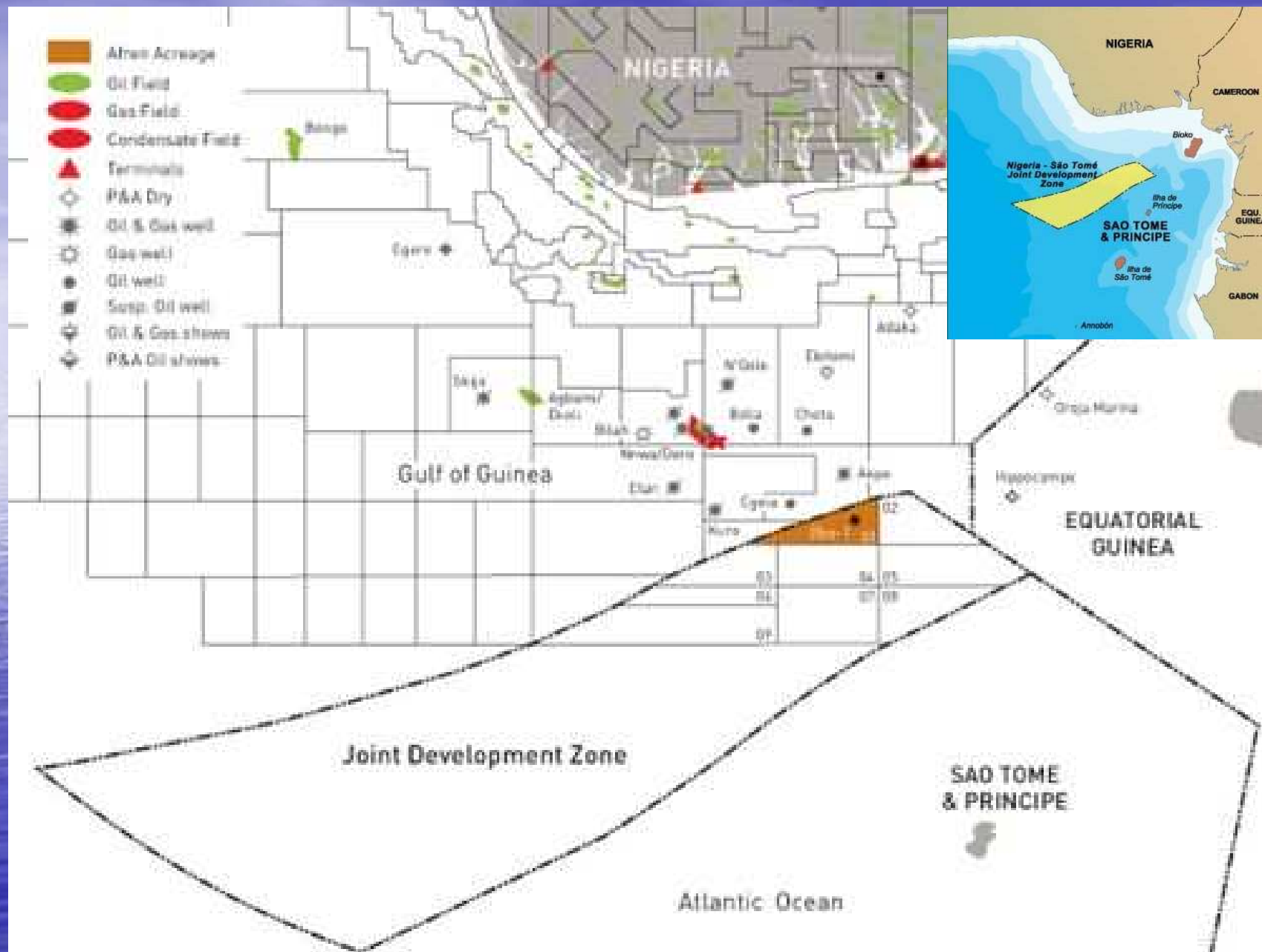
C. The Debate and an attempt of classification

- Interim arrangement negotiation: A principle or rule of international law?
- An attempt of classification

II. THE JDZ Between Nigeria and Sao Tome and Principe

A. General Presentation

- The Geopolitical and legal context of the agreement
- The Agreement and its contents.



II. THE JDZ Between Nigeria and Sao Tome and Principe (2)

B. Compliance with International Law

- Explicit reference to Paragraph (3) of UNCLOS Article 74 and 83
- The Agreement Duration: against land locked states interest in the EEZ?
- State Capacity in implementing marine environmental protection and research policy
- Liability: managing public and private interests in the long run
- Disputes settlement clause

II. THE JDZ Between Nigeria and Sao Tome and Principe (3)

C. Efficiency , Originality and limits

- An Effective and Efficient tool of bilateral cooperation
- A model of Equity at Universal Scale
- The default of development as an objective

CONCLUSION

- The JDZ: an expression of *pax nigeriana* in the Gulf of Guinea
- A Model to be followed in the Guinea Gulf
- Curbing Boundaries as necessity and redefining their function
- Success Factors: International Law Flexibility and Strong Political will.