

Editor's Comments

Dear *JTMS* Readers,

With the world still fighting the COVID-19 pandemic, we are pleased to present the Winter/Spring 2021 issue of *JTMS* to provide some reading material we are sure our readers will enjoy. With a wide range of topics spanning the globe, we hope that the issue is able to provide some perspective and convey that while in some ways COVID seems to have stopped the world, the reality is that there are still many complex issues to solve and we cannot just bury our heads in the sand and ignore them until the pandemic is over. We simply do not know what the new normal will be post-COVID but we can be certain that, even if the methods we use to collaborate might change, the need for us to continue to work to address territorial and maritime issues will stay the same. On that note I am pleased to offer the following articles.

First, Kalu Kingsley Anele addresses the impact of piracy on the implementation of the African Continental Free Trade Area (ACFTA) by Nigeria. Using primary and secondary materials, the history and economic importance of the ACFTA, the nature and legal regime of piracy in Nigeria, and the potential impacts of piracy on the country's implementation of the ACFTA were dialectically analyzed. Anele reveals that the effective implementation of the ACFTA by Nigeria requires the suppression of piracy of its waters. Consequently, the article argues for the adoption of a regional cooperation mechanism to curb the crime.

Second, Yu Long aims to discuss the role and potential of the International Seabed Authority (ISA) in filling the gap resulting from the lack of a framework for implementing the "due regard" obligation which impedes the effectiveness of the coordination of deep seabed mining and submarine cable activities in practice. Yu introduces an analytical perspective on the role of international organization concerning the implementation of the "due regard" obligation. In the context of the conflict between submarine cable activities and deep seabed mining, the article discusses what the ISA can learn from other international organizations' experience. Yu proposes that the ISA, which is the competent international organization over deep seabed mining, can develop a coordinating framework for the implementation of "due regard" obligation through the exercise of its rule-making function.

Third, Julia Cirne Lima Weston examines whether the current International Law of the Sea framework allows for litigation on flag state liability on the grounds of lack of compliance with pollution prevention provisions in the Law of the Sea Convention's Part XII. Her article analyzes the issue according to the current legal

and jurisprudential background, taking into consideration the international law of state responsibility and due diligence obligations. The aim is to establish whether there the possibility for this liability in international law. Weston finds that the existing framework would allow for litigation regarding flag State liability for oil spills pursuant to the provisions of Part XII of the Law of the Sea Convention.

Fourth, David Scott's offering delineates, explains and evaluates large powers' use of small islands in the Indo-Pacific. To this end, island studies, the dual land-sea features of islands, relevant balancing theory, and the geopolitical and geo-economic nature of islands in the Indo-Pacific are explained in the introduction. This is followed by main sections which pinpoint island strategies pursued by its leading powers China, India, Japan, the U.S. and France. Finally, the article concludes with puzzles and paradoxes arising from the preceding evaluation, and the continuity and change concerning the strategic value and place of islands for the U.S., France, India, China and Japan in the Indo-Pacific. Scott finds that China's success in island strategy has generated greater use of island resources by other states and mutual strategic cooperation over their island assets. Secondly, he finds that Alfred Mahan's concepts of *seapower* value in islands are still valid but have been supplemented by various changes.

Fifth, Fred Jérémie Medou Ngoa explores the potential and dynamics of politics among heterogeneous populations of cross-border territories. Kyé-Ossi is at the crossroad of trade between Cameroon (host), Gabon and Equatorial Guinea. For that reason, it has attracted people from different ethnic and national backgrounds. However, political cleavage is strong between Ntoumou (indigenes) and Bamoun (settlers or non-indigenes). Using data obtained from participant observation and semi-structured interviews, Medou Ngoa indicates that while the voting behavior of the indigenous Ntoumou is determined by ethno-regional identification with the Cameroon Peoples' Democratic Movement (CPDM) party, some Bamoun settlers have also decided to support the same party as a means to survive outside their home constituency. Medou Ngoa finds that some indigenous people living in cross-border territories do not always take a positive view of a political behavior against their chosen political leader or party in their "own" constituency.

I would like to thank our editorial board and staff for their dedication to promoting *JTMS* and improving the quality of the journal in spite of the difficult conditions of 2020. I would also like to thank our authors and readers for their continued support. The year of 2020 was not an easy year and I think I can speak for all of us that I am glad to see it go. On that note, I would like to wish everyone involved in *JTMS* in any capacity a Happy New Year and a safe and healthy 2021.

Jongyun Bae
Editor