



**TRANSNATIONAL MARITIME THREATS OFF AFRICA  
GROUP 1: CONSOLIDATION - POLICY & CAPACITY BUILDING  
5 MAY 2017**

**CHAIR: Dr. H. Fouché ; CO-CHAIR: Dr. A. Malaquias**

**Introduction**

**Dr. Fouché opened by indicating that this session provided an opportunity for the participants to provide comments and recommendations on the themes discussed during the previous two days. Dr. Fouché further indicated that each session would be discussed in turn, and that all comments would be captured and organized with the hope of developing a “thought paper” that would be published as a product of the workshop.**

**It was noted that although the working group was tasked to deal with policy and capacity building issues, comments on the themes would be recorded. Both the Chair and Co-chair specifically noted that a great deal needs to be done on the themes and that some of the comments and recommendations would apply across multiple themes. These comments and recommendations have been captured in the “General Comments” section provided below. The number at the right of the bullet indicates the theme discussion that the particular comment came from.**

**General Comments**

- **Expand or enhance view of national security from a land based view to a land and maritime view (2)**
- **Develop a coordinated approach to maritime issues (2)**
- **Maritime Security must be part of a national and regional security strategy (1)**
- **Build national “champions” for the importance of the maritime domain (2)**
- **Enhance awareness of international agreements and provide countries with the tools and training to better address threats (2)**
- **Build understanding of security trends and the changing threat picture, nationally and internationally (2)**
- **Build relationships with agencies and organizations nationally and internationally that can provide assistance in maritime security efforts (2)**
- **There is both a lack of capacity and integration of resources to address maritime security (3)**
- **Embrace technologies and efforts that enhance maritime domain awareness (2)**

## **Theme 1: Illegal Fishing - Wildlife Crime**

- **An analysis to accurately determine the scope and complexity of the problem needs to be conducted**
- **There is a need for focussed interdisciplinary quantitative and qualitative research on fisheries crime (legal, criminology, economics,)**
- **There is a perception that natural resource crime is less serious- public awareness/political recognition is required**
- **The lack of uniform reporting of fishing must be addressed**
- **A whole of society approach needs to be taken to educate the public on the social and economic impact of natural resource crimes**
- **An integrated approach to stakeholder awareness needs to be developed – stakeholder networks need to be leveraged to enhance fishery enforcement**
- **Strengthen the intelligence gathering, analysis and sharing process – enhance interagency and intergovernmental collaboration**
- **There is a need to develop programs to enhance sustainability of fisheries and examine alternative avenues to transition traditional fishermen into other areas**
- **Resource constraints adversely impact enforcement efforts – enhance interagency and intergovernmental enforcement efforts**
- **Provide cross disciplinary training for law enforcement /embarked law enforcement officers**
- **Establish mechanisms/policies for international cooperation**
- **Change the litigation process – the outcome of prosecution is usually an administrative fine resulting in low risk and high returns for illegal fishing**
- **There is a need to strengthen and streamline the illegal fisheries and wildlife crime prosecution process**

## **Theme 2: Maritime security: Crime, Political and Fundamentalist Threats**

- **Embrace a whole of government and whole of society approach to policy and capacity development**
- **The Lome Charter covers prevention and control of all transnational crime at sea - 1 state out of 34 states ratified - states need to be encouraged to ratify and implement charter**
- **Establish appropriate legal frameworks for ratification of international instruments – these frameworks need to be in place to implement and enforce these instruments**
- **A coordinated and comprehensive approach is required to ensure that maritime crime is addressed through addressing the root causes thereof.**
- **Address the underlying causes of cultural acceptability of piracy and marginalisation of coastal communities**

- **Communities need to receive more focussed attention in terms of capacity building rather than a focus on state and institution capacity building?**
- **Lack of funding and resources severely hampers maritime security efforts**
- **Encourage cross-training of personnel to be able to respond to emerging maritime threats**

### **Theme 3: Cutting Across Boundaries and Best Practices to Combat Crime**

- **Adopt an international approach to maritime crime – don't allow crime to cross borders or ignore crimes which may not happen in your country**
- **Leverage international relationships to inform countries known for illegal activities and leverage enforcement efforts**
- **Enhance regional and international coordination to respond to migration of threats**
- **Be mindful of criminal trends and adjust enforcement efforts based on these trends**
- **Leverage non-tradition approaches to maritime crime investigation**

### **Theme 4: Drugs and Maritime Means**

- **Raise political awareness of the drug problem and its impact on the security of the countries and region**
- **Enhance international intelligence analysis and dissemination of the African drug problem**
- **Enhance intelligence sharing and collaboration of drug information**
- **Raise awareness of the role that government corruption plays a role in the escalation of the drug problem**
- **Raise awareness of the security implications of the drug problem for African states –individuals in this trade also involved in other maritime crimes.**
- **Disruption requires more immediate and severe measures - vessels need to be confiscated and crew imprisoned**

### **Theme 5: Africa and WMD**

- **Non-proliferation concepts are new to Africa awareness needs to be built with respect to the problem and its scope**
- **A regional and Africa wide efforts need to be encouraged - AU could take a greater role in this area**
- **National WMD Strategies need to be developed – these strategies need to be aligned with and part of National Security and National Maritime Strategies**
- **Intelligence sharing should be a key component of any WMD strategy**

- **National legislation needs to be developed to enforce all types of UNSC Resolutions, including financial and commercial sanctions**
- **Listings of terrorists and associated organisations needs to be shared regionally, including information related to WMD, arms embargoes, travelling bans and financial networks**
- **Much information regarding proliferation methods, trends and training is available from the United Nations and other sources – a database in this area is recommended**
- **A “WMD Toolkit” on WMD program development would be a valuable resource – there are organizations that could lead or contribute – UNODC, WCO, IAEA, IMO, INTERPOL, etc.**
- **Countries need training to build capacity and equipment to identify WMD and dual use goods**
- **Need to build awareness of what training is available to provide assistance – a data base should be developed**
- **Training and capacity building efforts are needed with a goal of building sustainable programs**

#### **Theme 6: Cutting Across Boundaries and Best Practices to Combat Crime - Capacity Building**

- **A number of legal gaps exist with respect to prosecution of crimes committed at sea**
- **Maritime crimes need to be reviewed and criminalized**
- **A maritime crime database would be useful to identify gaps and gauge the extent of the problem**
- **Corruption continues to be a major problem in the prosecution of maritime crime**
- **An international approach to combatting crime is essential to success**
- **Important international instruments need to be implemented as national laws and these laws need to be enforced**
- **International law needs to be improved to combat the dumping of nuclear, toxic and dangerous waste at sea.**
- **Lack of regulation, using flags of convenience and the inability of the registering state to enforce the law in respect of a vessel registered to the country must be addressed.**
- **Attention must be given to effectively implement the Port State Management Agreement.**
- **Through global cooperation the focus must be on the organisers, financiers and coordinators of crime committed at sea and to fully utilise asset freeze and money-laundering measures.**
- **The lack of a legal framework respect of the prosecution of offences related to trafficking in drugs, small arms and light weapons committed on the High Seas is a serious gap.**

## **Theme7: Cutting Across Boundaries and Best Practices - International Cooperative Effort**

- **More maritime training needs to be made available to African countries – this is an area where international cooperation is essential**
- **It is critical to know what training is available – perhaps a national and international training database should be developed**
- **Many capability gaps cross many law enforcement areas or programs – it is important to coordinate assistance to be most efficient**
- **Countries need to implement international instruments and to make these instruments national law**
- **Regional and international cooperation is essential to successful interdiction and prosecution efforts**
- **The AU should take a greater role in coordinating these efforts**
- **National and regional capability assessments should be conducted and regional training should be encouraged**
- **Regional Maritime Domain Awareness centres should be developed**