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2023 MARITIME SECURITY CONFERENCE

MARITIME SECURITY IN THE GULF OF GUINEA: FOSTERING A COMPREHENSIVE APPROACH TO A COMPLEX PROBLEM

ACCRA, GHANA

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REPORT



Introduction

The 2023 Maritime Security Conference, under the theme: ‘Maritime Security in the Gulf of Guinea: Fostering a Comprehensive Approach to a Complex Problem’, was held in Accra, Ghana on 31st August and 1st September, 2023. The conference brought together representatives from academia, industry, civil society, and national, regional and international agencies that govern the maritime domain. The conference was jointly organised by the Kofi Annan International Peacekeeping Training Centre (KAIPTC), the Royal Danish Defence College (RDDC), and the Security Institute for Governance and Leadership in Africa (SIGLA) of Stellenbosch University, with funding from the Danish Peace and Stabilisation Fund.

Context

There has been a decline in piracy and armed robbery at sea in Gulf of Guinea in the last two years; for example, incidents of piracy have fallen from 16 to eight to five during the same period within the years 2021, 2022 and 2023. This progress is attributed to the stricter legislation, enforcement and committed resources in Member States, particularly Nigeria, which had had the highest rates of piracy, as well as cooperation between the 25 signatories of the Yaoundé Code of Conduct (YCC) and their international partners, for instance, the European Union (EU). However, other maritime crimes persist with national, regional and international perpetrators such as oil-bunkering, drug trafficking, human trafficking, and Illegal, Unreported and Unregulated (IUU) fishing. These threaten the lives and livelihoods of coastal people within the 6000 kilometres coastline of the Gulf of Guinea, and the security of its YCC Member States.

Six of these signatories suffered military coup d’états between August 2020 and August 2023. This has created a political impasse between these individual or combined Member States on the one hand, and their respective regional blocs and the African Union, on the other due to the latter groups zero tolerance policies on unconstitutional takeovers of African states. This, in turn, affects the coordination, collaboration and cooperation foundations for the effectiveness of the YCC in preventing and addressing crimes at sea. This situation could also exacerbate these crimes due to economic sanctions, restrictions and/or blockades imposed on these defaulting Member States and risks of further instability as a result of suspended cooperation in terrorist activities in the Sahel region as well as the threat of military intervention from at least one regional bloc in at least one of its Member States and/or in general, by geopolitical rivals.

In addition, all Member States are affected by the global economic and energy crises arising from the coronavirus disease (COVID-19) pandemic and the war in Ukraine; making marine produce, oil and gas reserves, and other business at sea, more lucrative and more vulnerable to crime.



Main Highlights

The main highlights from the conference are as follows.

1. It was confirmed that the safety, security and sustainability of the Gulf of Guinea remains critical for international, regional and national stability and social, economic, geopolitical, and environmental security. Threats to this space are complex due to the diverse and international nature of perpetrators operating in transnational crimes in borderless seas affecting legal operations in trade and industry and promoting illicit activities across the seas. Furthermore, these threats are complex due to the interconnectedness between political (including, coup d'états) and socio-economic instability on land and instability at sea. Therefore, it would have been expected that with the mutual benefit of safe and secure seas, shared maritime concerns and the complex transnational nature of maritime crimes, cooperation, coordination and collaboration between bilateral and multilateral partners would have been the normal *modus operandi* to counter threats and crimes in the Gulf of Guinea.
2. The signing of the YCC by 25 Member States of the Gulf of Guinea and the development of its Architecture, created a framework for cooperation, coordination and collaboration. To a certain extent, these succeeded by building a foundation for reform, development and harmonisation of legislation on maritime security in the region. Additionally, these provided a foundation for bilateral and regional cooperation and coordination, information sharing, regional and bilateral joint exercises and international support to the Gulf of Guinea maritime security strategies. They are also attributed with ending sea blindness, enhancing the appreciation of the Blue Economy, and extending the notion of stakeholders vis-à-vis maritime security; for example, to immigration and customs institutions. All these results of the YCC and its Architecture have resulted in the dramatic fall in piracy and armed robbery at sea in the past two years and this downward trend appears to be continuing in the first quarter of 2023.
3. Yet, on this 10th anniversary of the signing of the YCC, a fair assessment would conclude that it has not achieved all the objectives expected by this anniversary. Its implementation is still hampered by mistrust, restrictions based on sovereignty, other state security and socio-economic challenges, unpredictable funding, gaps in human and material resources and in human capacity, insufficient political will, among others.
4. Thus, it was recommended that its review from September 2023 to May 2024 should incorporate the following: an examination of the previous review on its third anniversary and the recommendations therein; an incorporation of regular reviews following this 10th anniversary review; keen editing of the translated versions of the framework; and its transition into a legally binding document such as a protocol, which in turn, should be

incorporated into national legislation of Gulf of Guinea Member States. In addition, it was recommended that the review should include realistic measurable goals for the implementation of the YCC and its Architecture especially at national level; specification of roles for each regional economic community in the Gulf of Guinea as well as the Gulf of Guinea Commission; additional punitive measures for criminals at sea; and an overview of piracy infrastructure towards building a resilient counter piracy infrastructure.

5. It was highlighted that the review would include independent experts and consultations at different technical levels of expertise.
6. Capacity building was also recognised as indispensable to the achievement of the different pillars of the YCC such as information sharing and exchange, harmonisation of legislation, training, standard processes, and cooperation with partners.
7. Capacity building has been rolled out by centres of excellence in the Gulf of Guinea region but these centres need to be reminded that when providing maritime security training, they should not only receive participants from their regional economic community but from the Gulf of Guinea as a whole.
8. Capacity building in the Gulf of Guinea is also supported by a myriad of partners such as the Government of Denmark, the Government of the United States, the EU, the International Criminal Police Organization (INTERPOL), the United Nations Office on Drugs and Crime (UNODC), and the North Atlantic Treaty Organization (NATO) Maritime Interdiction Operational Training Centre (NMIOTC); with the potential for others such as the Government of China to add support. Yet, while the knowledge, skills, and training and other resources provided by these partners are critical to the improvement of deterring, apprehending and prosecuting crimes at sea, donor support has a timeline. Thus, Gulf of Guinea Member States and their partners need to engage in sustainable capacity building, for instance, INTERPOL's Training of Trainers strategy, which also requires a follow-up and discussion with nominating institutions to ensure that their trained nominees actually provide training to others in their institutions and beyond.
9. Capacity building should also be needs based and reflect the situation on the ground such as UNODC's strategy of developing a needs assessment. Furthermore, the avoidance of duplication of efforts by partners and the strengthening of contributions of each partner to capacity building, could be achieved by coordination, collaboration and information sharing between partners providing such support such as witnessed between INTERPOL, UNODC and the Interregional Coordination Centre (ICC) in sharing a needs assessment matrix and participating in training provision in each other's programmes.

10. Capacity building should be for all stakeholders affected by and with the potential to support maritime safety and security and not only the military, law enforcement agencies and the judiciary. These should include nonstate actors for example, the media, whose influence in policymaking and monitoring, investigative techniques, and education to a wider public, makes them key partners in any counter threat strategies. Therefore, their understanding and training on issues regarding maritime safety and security is indispensable.
11. Still, above all in capacity building and the implementation of the YCC and its Architecture, there needs to be ownership by Gulf of Guinea Member States, institutions, and individuals trained or stakeholders in curbing crimes at sea. This kind of ownership needs to begin at national level in political will, development, amendment or harmonisation of legislation, funding for the implementation activities, following the spirit and letter of regional maritime frameworks such as the composition of Maritime Operation Centres, and so on. National ownership is required before ownership and commitment can be achieved at regional and international levels. Political will can be enhanced by convening politicians, leaders and policymakers in fora such as the 2023 Maritime Security Conference, to present to them and discuss with them the state and potential of the sea as well as threats to its safety and security.
12. The concept of ownership should not, however, cause Member States to retreat into isolation and individualism or continentalism; thereby shunning outside support. In that spirit, it was suggested that NMIOTC could consider opening a satellite training centre on the continent.
13. Still, the implementation of the YCC and its Architecture appeared to have been heavily screwed towards countering piracy and armed robbery at sea to the detriment of other crimes at sea such as IUU fishing. Yet, IUU fishing poses a threat to the sustainability of fish stocks, economic livelihoods of coastal communities especially those in the fisheries value chain, and marine ecosystems.
14. Nonetheless, unlike piracy and armed robbery at sea, the trends and incidence of IUU fishing are difficult to monitor and assess due to the enormity of its prevalence vis-à-vis the capacity and size of regulatory bodies and staff, the diversity of its perpetrators ranging from artisanal vessels to semi-industrial vessels to industrial vessels and so on, and the variety of its manifestations. These manifestations include but are not limited to overfishing, fishing endangered or protected marine produce, fishing with unauthorised gear, fishing during unauthorised seasons and in unauthorised marine spaces, underreporting or misreporting of catch, and abuse of labour and other human rights. IUU fishing can be a transnational organised crime; for instance, when foreign vessels operate

in another country's maritime space without permission or reflag to deceive national authorities of the provenance of the vessel. IUU fishing can also facilitate other transnational organised crimes such as drug trafficking and human trafficking.

15. It was recommended that Gulf of Guinea Member States can mitigate the threats of IUU fishing through the following: the use of technology; the engagement and training of committed personnel; development and enforcement of related laws in line with regional, continental and international frameworks; repeal of harmful policies such as fishing subsidies, which can indirectly promote IUU fishing; awareness raising, sensitisation, consultation, education, and collaboration between marine governance authorities, fisher folk, coastal communities, industry, civil society and the wider public; and information sharing on incidents and perpetrators (vessels) via official websites and with the ICC by fisheries administrations and international ships.
16. However, before all these actions can be taken, national governments and the wider population would need to appreciate the intensity of the problem in socio-economic and political terms. For instance, in West Africa alone, in 2017 it was estimated that IUU fishing resulted in the loss of over US\$2.3 billion a year and approximately 300,000 jobs a year. Additionally, those whose livelihoods have been adversely affected by this crime and who have no alternative source of income could either turn to illegal activities to replace this income or engage in socio-political unrest. What is more, IUU fishing threatens sustainable food security, with the Food and Agriculture Organization estimating that biologically sustainable fish stocks declined by 64.6 percent in 2019. What is more, IUU fishing harms marine ecosystems.
17. Nevertheless, this trend could be reversed through effective fisheries management using the triple bottom approach, which seeks to balance conservation of fish stock with the preservation of livelihoods of actors in the fisheries value chain and with the protection of marine ecosystems. This starts nationally but the effectiveness of certain fisheries management strategies requires cooperation and coordination with other Gulf of Guinea Member States. For example, if Member States or neighbouring states shared and coordinated the same closed seasons, this would deter fisher folk from averting closed seasons by entering into another state's maritime space; thereby, threatening their fish stocks and the wider marine ecosystem. Still, this joint strategy would also require that Member States make provision for alternative livelihoods and financing of fisher folk during closed seasons.
18. The installation of oil rigs in maritime spaces have become an indirect fisheries conservation strategy as fisher folk cannot operate near oil rigs. However, there needs to be a study in Ghana and if possible, other Gulf of Guinea Member States, to explore the impact of oil drilling on fish, sediment and water in marine spaces around oil rigs.

19. Furthermore, oil and gas installations in marine spaces, and other subsea infrastructure such as telecommunications and data cables, face threats of their own from accidents, natural disasters and intentional sabotage. The importance of the security of subsea infrastructure arises in international debates during cases such as the attack on the Nord Stream pipeline. Yet, the indispensable socio-economic and political nature of telecommunications and data in this era of technological advancements of which Africa is a keen participant, and of energy, invariably makes subsea infrastructure ‘critical infrastructure’. Gulf of Guinea Member States and beyond must place subsea infrastructure within the high security designation given to ‘critical infrastructure’ and enact legislation, develop frameworks, architectures and prosecutorial processes to reflect this designation. Still, subsea cable though an essential component of state and global security, are largely owned by the private sector. Thus, state authorities would need to form public-private partnerships and consult with the private sector on the maintenance, repair and protection of this infrastructure and the responsibility of each party for all these. Non-governmental organisations are also key partners in the preservation of subsea infrastructure and as subsea cables run regionally and internationally, cooperation at these levels is also critical. In all this, the YCC has been credited with minimising or ending “sea blindness”, but it is yet to have this impact on invisible subsea infrastructure.
20. Another security vulnerability that appears to be hiding in plain sight but can have immensely detrimental effects on subsea infrastructure, vessels, ports, and other maritime and non-maritime structures, is cyberspace. The rapid progress of new technology has brought with it increasing, unpredictable, fast, and widely devastating cybersecurity threats in multiple forms; for example, ransomware and malware. Such threats can sabotage operations, communications and surveillance systems on land, at sea, and under the sea; with a risk to lives, economic prosperity, and local, regional, and international stability. However, Africa does not appear to be well prepared for breaches in cybersecurity and data protection, though we live a world of ‘the internet of things’. Preparedness and resilience require the following: legislation in line with relevant regional and international frameworks; strategy; capacity building and education of multisectoral stakeholders in the maritime space and all related staff; multistakeholder collaboration at the national level; and regional and international cooperation. Nevertheless, it should be recalled that even more advanced states and big business have fallen victim to breaches to cybersecurity and data protection; therefore, there needs to be vigilance, continuous education and multisectoral information sharing and cooperation at all levels.
21. Still, although these new and emerging threats and trends should be prioritised and recognised in maritime security frameworks, discourses and counter measures, so too should be women’s participation in the safety and security of the seas and of coastal communities; particularly, at leadership levels. Women play multiple roles in the maritime



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domain that ensure, for instance, food security, socio-economic security, state security, and smooth maritime operations. They mainly operate in the informal fisheries sector from financing to equipping to vessel ownership to fish processing to fish mongering. Therefore, IUU fishing, armed robbery at sea and other factors that affect fishing can highly disrupt women's economic activities, livelihoods and investments. Women do engage in alternative livelihoods in times scarcity of catch but at times, these include sex work and 'sex for fish'. Women can also be perpetrators or facilitators of maritime related crimes such as piracy, armed robbery at sea, IUU fishing and drug or human trafficking. However, their diverse roles and experiences are often overlooked, undocumented, or appear not to be taken seriously. Accordingly, the maritime space remains male dominated and actions to promote maritime security appear to be 'gender blind', as evidenced for instance, from the following: women comprising only two percent of seafarers; masculinised language used within maritime discourses; masculine constructions of working and safety clothing equipment, supplies and spaces; 'gender blind' laws and frameworks; 'gender neutral' actions, strategies and discourses on maritime security; limited gender disaggregated data; insufficient measures to protect women against harassment and gender based (sexual violence) on vessels; cultural, economic and social barriers to women's participation such as cultural barriers in West Africa to women going out to sea; and stereotypical attitudes towards women's capabilities and fragility.

22. Nonetheless, there have been efforts internationally, regionally and nationally to change attitudes and the status of women in society, in general, and in the maritime space in particular. For example, the Women, Peace and Security Agenda, sustainable development goal 5 on gender equality, the commemoration of special women's days to promote women's agency and empowerment and counter discrimination against women, and the formation of professional associations by women.
23. These efforts could be further enhanced by the following: women taking more initiatives to build their capacities, organise and project their leadership and other capabilities; greater participation of women on platforms examining maritime security; sensitisation, education, mentorship and scholarship programmes with respect to the diverse sectors in the maritime domain, from schools upwards; reframing of narratives on women, especially in security discourses, from one of victimhood to agency; conduct of research and adoption or amendment of existing maritime legal frameworks to reflect the participation, concerns, needs and perspectives of the different genders and international conventions signed as well as the effective implementation of these instruments; wider and greater celebration and dissemination of success stories of heroines at sea; review of maritime procurement practices and working and clothing equipment to include women's needs; and the integration of the maritime security issues into the Women, Peace and Security Agenda



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and vice versa. In all, there should be a recognition that ‘women’s rights are human rights and human rights are women’s rights’.

Conclusion

The 2023 Maritime Security Conference concluded with the presentation of the final communiqué from the conference, which was signed by the following: on behalf of KAIPTC, Major General Richard Addo Gyane, the Commandant; on behalf of RDDC, Professor Thomas Mandrup of the Centre for Stabilisation, Institute for Strategy and War Studies; and on behalf of SIGLA of Stellenbosch University, Dr. Michelle Nel, Vice Dean of the Faculty of Military Science. In addition, research papers will be published reflecting the outcomes of this conference.