Authors
Katja Lindskov Jacobsen is Assistant Professor at Metropolitan University College, Copenhagen. She holds a Ph.D. in International Relations from Lancaster University and an MSc in Global Politics from LSE. Prior to taking up the position at Metropolitan, Dr. Lindskov Jacobsen held a position as project researcher at the Danish Institute for International Studies (DIIS). Part of her research focuses on Danish intervention and stabilization efforts in East and West Africa respectively, with specific attention to the role of regional actors.

Commander Johannes Riber Nordby is the deputy director at the Institute for Strategy at the Royal Danish Defence College. He is educated as a naval officer from the Danish Naval Academy and has a MA from the University of Leicester in International Security Studies. Johannes studies Danish security strategy, interests and how Denmark utilizes its military to gain international influence. He also occasionally works as a commentator in national and international media.
MARITIME SECURITY IN THE GULF OF GUINEA

Katja Lindskov Jacobsen & Johannes Riber Nordby

Royal Danish Defence College Publishing House
2015
About the Authors

Katja Lindskov Jacobsen is Assistant Professor at Metropolitan University College, Copenhagen. She holds a Ph.D. in International Relations from Lancaster University and an MSc in Global Politics from LSE. Prior to taking up the position at Metropolitan, Dr. Lindskov Jacobsen held a position as project researcher at the Danish Institute for International Studies (DIIS). Part of her research focuses on Danish intervention and stabilization efforts in East and West Africa respectively, with specific attention to the role of regional actors.

Commander Johannes Riber Nordby is the deputy director at the Institute for Strategy at the Royal Danish Defence College. He is educated as a naval officer from the Danish Naval Academy and has a MA from the University of Leicester in International Security Studies. Johannes studies Danish security strategy, interests and how Denmark utilizes its military to gain international influence. He also occasionally works as a commentator in national and international media.
Contents

About the Authors .................................................................................................................. 3

Contents ........................................................................................................................................ 4

Chapter I: Introduction ............................................................................................................... 7
  Reading-guide ........................................................................................................................... 9

Chapter II: Danish Interests & Maritime Security in the Gulf of Guinea ................................... 10
  Danish involvement in West and Central Africa: From development towards security ........................................... 10
  Denmark’s counter-piracy engagement to date ........................................................................ 11
  Danish counter-piracy strategy: at present and in the future .................................................. 12

Chapter III: Pirates are not born at sea; how onshore issues affect maritime security ................. 14
  Sea Blindness ......................................................................................................................... 14
  Unemployment / Youth Unemployment & Poverty .............................................................. 15
  Political Disputes ................................................................................................................. 16
  Corruption and Weak Governance ....................................................................................... 17
  Legal challenges ................................................................................................................... 17
  Summary: Reflections on how to address the onshore challenges ........................................ 19

Chapter IV: Four Types of Piracy ............................................................................................... 21
  Kidnapping-for-ransom .......................................................................................................... 21
  Unreported piracy .................................................................................................................. 22
  Petty Piracy .......................................................................................................................... 22
  Summary: why distinguish between these types of piracy? .................................................... 23

Chapter V: From Piracy to Maritime Insecurity ........................................................................ 24
  Smuggling of weapons & drugs ............................................................................................. 24
  Illegal fishery ......................................................................................................................... 24
  Dumping of toxic waste ........................................................................................................ 26
  Summary: Reflections on the move from Piracy to Maritime Security .................................. 26

Chapter VI: Maritime institutions and architecture in West Africa ............................................ 27
  2050 AIM Strategy ................................................................................................................ 27
  Maritime Organisation for West and Central Africa (MOWCA) ............................................ 28
  Maritime Universities ........................................................................................................... 29
  ECOWAS Integrated Maritime Strategy (EIMS) ................................................................. 31
  G7 Friends of the Gulf of Guinea Group (G7++FOGG) ....................................................... 31
  The Gulf of Guinea Commission (GGC) .............................................................................. 32
  Yaoundé Summit, regional zones and inter-regional cooperation ........................................ 32
  MTISC-GoG .......................................................................................................................... 36
  Summary: Three regional maritime initiatives: CIC, MOWCA and MTISC-GoG. ............... 38
Chapter I: Introduction

The Gulf of Guinea is a vast area: 6000 kilometres of coastline stretching from Senegal in the north to Angola in the south, with 20 sovereign coastal states and islands plus a number of landlocked states. The area also spans two regions, namely West and Central Africa. Even though the number of reported piracy attacks in the Gulf of Guinea has recently increased, ‘Somali’ piracy continues to receive far more attention internationally than piracy on the other side of the continent (Hart 2014:2). However, various research institutions have recently begun to address the issue of maritime insecurity in the Gulf of Guinea, an area that the International Crisis Group has recently referred to as “The New Danger Zone” (ICG 2014). Recent statistics seem to support this description (Blombaum 2014). However, given the problem of “massive underreporting of attacks” (Palmer 2014:156; see also Montclos 2012), these numbers must be viewed with a certain degree of caution. Indeed, the problem of underreporting would seem to suggest that the actual number of incidents is in fact even higher.

The problem of maritime insecurity in the Gulf of Guinea is not a new phenomenon. Piracy itself has a long history (Palmer 2014) but a contemporary form of piracy in the Gulf of Guinea has arguably developed over the past 25 years. In the 1990s, “coastal communities of the delta regularly attacked passing boats on an ad hoc basis” (Montclos 2012:534). Such piracy activities were more “akin to sea robbers” and less organised than the piracy activities that we are now witnessing in these waters today. Similarly, it has recently been stressed that, in the past, most of the piracy incidents were cases of maritime robbery (UNODC 2013:46-49). Bearing that in mind, this report sheds light on the contemporary nature of piracy in the Gulf of Guinea as these activities have developed from maritime robbery (petty theft) to being characterised by high levels of violence and high levels of organisation.

Besides the issue of how the phenomenon of piracy in the Gulf of Guinea has developed, another important question is how and when the issue gained attention internationally. It has been suggested that maritime security in the Gulf of Guinea started receiving sustained attention from the U.S. with the publication of “More than Humanitarianism: A Strategic U.S. Approach towards Africa” in 2005. Indeed, this report mentions the oil-production in Nigeria and Angola as part of “vital U.S. interests in Africa” (2005:15) and arguably marks the beginning of the U.S.’s focus on security in the Gulf of Guinea as part of a broader energy security strategy (Watts 2008; see also Ukeje & Mvomo Ela 2013). As Patrice Sartre also notes, “since 2005, West Africa has demanded the attention of the United States, which initially expected
to meet 25 percent of its hydrocarbon needs from the wider Gulf of Guinea” (2014:3; see also Raidt & Smith 2010:23). Besides individual states, influential international institutions have more recently called attention to the issue of piracy in the Gulf of Guinea. The United Nations (UN) has adopted two resolutions on the issue; one in 2011 (UNSC Resolution 2018) which condemns acts of piracy and armed robbery off the Gulf of Guinea and calls on regional actors to take strong action against perpetrators; and one in 2012 (UNSC Resolution 2039) in which the Security Council expresses deep concern and urges states in the Gulf of Guinea region to convene a summit to develop a common maritime strategy. Importantly, it was also in 2012 that the Gulf of Guinea surpassed the Gulf of Aden “as the region with the highest number of reported piracy attacks in the world” (Osinowo 2015:1). Both of these UNSC Resolutions are mentioned in the new Danish Counter-Piracy Strategy (UM February 2015) in which the Gulf of Guinea has been defined as a new focus area, in addition to continued Danish engagement in the Gulf of Aden.

In addition to oil production and related commercial interests combined with the legitimacy conferred by these two UNSC Resolutions, another important factor to bear in mind when considering the question of why the problem of piracy and illegal maritime activities in the Gulf of Guinea has recently become an area of concern for various international actors is that piracy attacks in the region have become more violent.

Finally, the amount of attention that Somali piracy has received internationally may well have contributed to a securitisation of piracy with implications beyond the case of Somalia; the representation of piracy as a global threat has arguably contributed to the recent increase in international attention in piracy activities in the Gulf of Guinea.

Piracy or armed robbery: What is the difference and does it matter?
The United Nations Convention on the Law of the Sea (1982) offers a definition of the criminal activities that the term piracy covers: “a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed; (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft” (UNCLOS Article 101). This UNCLOS definition defines piracy as an act conducted on the high seas i.e. beyond territorial waters. Accordingly, similar criminal activities that take place within territorial waters are not defined as acts of piracy following this definition in international law. However, this distinction between armed rob-

(1) This is also confirmed by the IMO whose annual report for 2012 on Acts of Piracy and Armed Robbery Against Ships notes that “The number of attacks [piracy and armed robbery] in West Africa increased from 61 incidents in 2011 to 64 in 2012, while those in the Indian Ocean decreased from 63 to 33 within the same period” (IMO April 2013:2). See also http://thinkafricapress.com/politics/gulf-guinea-africas-new-piracy-hotspot
bery (in territorial waters) and piracy (on the high seas) is a legal distinction, which is primarily important in settling the jurisdictional issues that are likely to arise when a “pirate” is arrested, prosecuted and convicted. However, regarding the act itself and its impacts on the region as well as on local communities, the distinction between armed robbery and piracy is not of much importance: neither the acts of piracy nor their effects differ depending on whether they occur on one side of a 12 nautical mile border or the other. Since the focus of this report is not primarily on international law but rather on acts of piracy in the Gulf of Guinea, their effects, and the issue of maritime security more broadly, we will use the term ‘piracy’ throughout the report to refer to any piracy activities, regardless of where on the sea they occur.

*Anti-piracy or counter-piracy: what’s the difference?*

The two terms anti-piracy and counter-piracy are used interchangeably throughout the literature. In our understanding, the term ‘anti’ refers to a direct reaction to specific, whereas the term ‘counter’ refers to a broader approach including pre-emptive measures. Accordingly, this report uses the term counter-piracy to reflect our view that piracy requires a broad, long-term approach rather than a reactive response.

**Reading-guide**

Following this introduction, Chapter II introduces this report’s specific focus, that is, Danish interests in maritime security issues in the Gulf of Guinea (GoG). Having done that, the report introduces a very broad understanding of the problem by accounting for how a number of onshore challenges are of direct relevance to the problem of maritime insecurity in the GoG. Some of these challenges have also been referred to as root causes. The following chapter, Chapter III, then takes a more narrow focus on the issue of piracy. More specifically, we propose distinguishing between four types of piracy. In Chapter IV, we argue that these types of piracy need to be understood in relation to a range of other maritime security challenges including illegal fishery and smuggling. Chapter V provides an overview of some of the most important regional initiatives as well as a brief description of some of the extra-regional actors who are already engaged in the region with a view to strengthening maritime security. This section provides the backdrop for a discussion of some of the risks that external actors should pay attention to when contemplating how to contribute to the development of a safer maritime environment in the Gulf of Guinea. Having alerted the reader to these risks and obstacles, the final chapter then offers a list of recommendations and concluding remarks.
Chapter II: Danish Interests & Maritime Security in the Gulf of Guinea

To understand the Danish involvement in maritime security in the Gulf of Guinea, three elements are crucial: strategic maritime interests of the Danish shipping industry, the emergence of a Danish Piracy Strategy with an explicit focus on the Gulf of Guinea, and Denmark's overall involvement in the region.

Danish involvement in West and Central Africa: From development towards security

One way to view the current Danish approach to West Africa is to look at the states in the region with whom Denmark has decided to have close diplomatic relations. Embassies serve different purposes – from political negotiation, to information gathering aimed at facilitating commercial diplomacy or as administration bodies for aid and development (Berridge 2010: 117-122). Through its development agency DANIDA, Denmark has defined twenty-two priority countries worldwide and twelve of these are in Africa, with four in West Africa and none in Central Africa (DANIDA 2013, 37). By comparing this distribution of priority countries with an overview of where Denmark has placed its embassies and representative offices, we can discern a well-defined connection between the two. All of the priority countries in Africa – except for Somalia and South Sudan – have a Danish diplomatic representation (Udenrigsministeriet, 2014), although the Ministry of Foreign Affairs does have an office in Somaliland (Udenrigsministeriet, 2012). And vice versa, only two ‘non-priority’ countries have a Danish embassy: South Africa and Nigeria, the latter having opened in August 2014 (Udenrigsministeriet, 2014).

What this brief overview illustrates is that, given the correspondence between priority countries as defined by the Danish development agency and the location of Danish embassies in West Africa, one of the main purposes of these embassies has been to facilitate development aid – and only as a secondary purpose to facilitate other areas such as security or economic relations. This has at least been the case up until now. A good example to further illustrate this is that for many years Denmark had an embassy and a sizable development program in Benin (U-landsnyt, 2012), yet until recently there has not been a Danish embassy in Nigeria, despite Nigeria's crucial role vis-à-vis economic and security issues in West Africa. Nigeria is for example the largest economy in Africa, the most populous country and also hosts the Headquarters of the Regional Economic Community of West Africa, ECOWAS.
A transition seems to be underway in West Africa, however. Denmark recently decided to close its embassy in Benin and to open an embassy in Nigeria as per August 2014. An important factor that has influenced this decision is that the Danish business community has been pushing for stronger political engagement in the region. At the same time, other reasons for this development should not be neglected; Denmark has for the past three years become more involved in security issues in West and Central Africa. It contributed to the military intervention in Mali (January 2013) and in the Central African Republic (2014), and recently (March 2015) the UN Secretary General Ban Ki-Moon appointed the Danish Major General Michael Lollesgaard to become Force Commander for the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). Such military involvements in West and Central Africa arguably add a security dimension to the importance of having a Danish embassy in Nigeria. Indeed, Nigeria is the largest military power in the region and it also plays a fundamental role in relation to the activities of ECOWAS. In view of this, it seems that Denmark is slowly moving from a purely development-focused agenda in West Africa towards one, which also involves economic and security issues. Thus, the new focus on piracy in the Gulf of Guinea arguably forms part of this broader progression in Denmark’s engagement in this region.

**Denmark’s counter-piracy engagement to date**

When seeking to understand Danish counter-piracy efforts, it is perhaps tempting to only consider the [official] Danish counter-piracy strategies (from 2011 and 2015 respectively). But, for a number of reasons, this is an approach, which would be too narrow. For one thing, maritime piracy already became a separate security issue in 2007 when the topic was included in the Government Platform and mentioned in relation to the elections that took place that same year (Statsministeriet, 2007). This policy attention – as well as a broader public interest – was very much a result of the hijacking of *Danica White* (a Danish cargo ship which was hijacked in the Gulf of Aden in June 2007). And indeed this hijacking also resulted in the Danish ship-owners’ community increasing political pressure in support of action being taken against piracy activities in the Gulf of Aden. Another important point to mention is that whilst Denmark started contributing to counter-piracy efforts in the Gulf of Aden in 2008, which involved Danish naval units protecting UN World Food Programme (WFP) ships sailing between Mogadishu and Mombasa, it was only in 2011 that the Danes first launched their strategy on counter-piracy, covering the period 2011-2014. This strategy provided a framework for different counter-piracy initiatives at the national as well as the international level. Most notably, the strategy provided a framework for allowing private civilian guards on-board Danish ships passing through designated areas in the Gulf of Aden. The strategy also provided a kind of retrospective framework for a number of initiatives that had already been implemented ashore, such as, military...
capacity-building projects for the East African Standby Force. Denmark had previously supported capacity-building through training of military staff as well as supporting various military exercises on land. But, with the new counter-piracy strategy, Denmark included naval capacity-building as part of its efforts in the region, in this case on a bilateral basis with Kenya, initiating a programme which still runs today. Finally, Denmark has regularly deployed warships to international counter-piracy efforts in the region and has also commanded international maritime operations [in this regard].

It is misleading, however, to view Denmark’s efforts as only consisting of its counter-piracy strategy when various developments happened prior to its launch and there are a number of other initiatives which have also had a direct or indirect impact in the area. To better appreciate this argument, it is worth looking at Danish counter-piracy efforts in East Africa. As well as releasing its first official strategy on piracy with a focus on piracy activities off the coast of Somalia in 2011 (Udenrigsministeriet, May 2011), Denmark also issued a Somalia Strategy, which focused on the question of how to improve the on-shore situation in Somalia (Udenrigsministeriet, March 2011) as well as a more general policy on engagement in fragile states (Udenrigsministeriet, September 2010). Denmark’s engagement in Somalia – based on these policy frameworks – has contributed, directly and indirectly, to the ‘fight’ against piracy in East Africa. In other words, initiatives aimed at stabilising fragile states and stimulating democratic reforms and good governance can be considered as equally important in the ‘fight’ against maritime piracy as naval presence and protection of shipping lanes.

Now, in March 2015, Denmark issued a new counter-piracy strategy (Udenrigsministeriet, March 2015). In many ways this current strategy is a continuation of the previous one: it maintains a focus on East Africa but also includes a new focus on the Gulf of Guinea as an area where Denmark will support counter-piracy efforts. The details of this engagement remain, as yet, undecided and not defined, however.

**Danish counter-piracy strategy: at present and in the future**

Maritime strategy will continue to be of crucial importance to Danish policy – certainly as long as the shipping industry (offshore and transportation) continues to have a significant impact on the Danish economy. However, it remains unclear as to how Denmark decides to approach the issue of maritime insecurity in West Africa. There are fundamental differences between the kinds of piracy activities that occur in West Africa and in East Africa, as well as between the on-shore conditions in the two regions (states in West Africa might be weak, but they cannot be labelled ‘failed states’ like Somalia). These differences imply that many of the experiences and lessons learned from the Danish engagements in East Africa cannot be expected to be readily applicable in the case of counter-piracy efforts in West Africa. This notably applies to
maritime protection by international naval units and the utilisation of private security companies. These differences between the two regions also imply that, since states in West Africa are not ‘failed states’, there is an even more pronounced need for external actors to ensure that their counter-piracy activities are rooted in the region and aligned with regional priorities and perceptions of the issue of maritime insecurity. In order to ensure such regional anchorage, at least two things are of crucial importance: a clear understanding of the complexity of the maritime security problems as perceived and experienced by actors in the region, and a thorough understanding of the opportunities and initiatives that already exist or starting up in the region.

Considering these two things – combined with the fact that Denmark has only recently begun to focus on security issues in this region – it is wise that the section on West Africa in the new counter-piracy strategy proposes to proceed with caution, commenting for example that knowledge-building is important. Indeed, to limit the risks that various forms of counter-piracy engagement may present and to increase the chances of success, understanding the specific challenges in the Gulf of Guinea as well as the plethora of regional actors is essential.
Chapter III: Pirates are not born at sea; how onshore issues affect maritime security

Despite our intentional focus on acts of piracy, it is important to acknowledge that: “it is impossible to disentangle the threats to maritime safety and security from the legion of challenges linked to political and governance crisis in the region” (Ukeje & Mvomo Ela 2013:11). Indeed, as has already been stressed, pirates are not born at sea, rather “piracy is a land-based crime that takes place at sea” (Murphy 2013a). Piracy becomes an attractive business when a number of onshore conditions combine in unfortunate ways to make a conducive environment for such criminal activities. Accordingly, any lasting solution to the problem will need to address some of the onshore challenges that make piracy not only an attractive livelihood, but also a business option with a low risk of prosecution. Consequently, this section describes five onshore challenges that in different ways feed into the problem of maritime insecurity in the Gulf of Guinea – to which counter-piracy interventions must therefore take note. Indeed, for counter-piracy efforts to be successful, it is necessary for them to also address some of the more fundamental issues including onshore conditions that help “motivate pirates” and the “support structures on land” that are beneficial vis-à-vis piracy activities (Osinowo 2015:5).

Sea Blindness

Despite the prevalence of a series of maritime security challenges in the Gulf of Guinea, critics have recently pointed out that, “interest at the national level remains limited” (Murphy 2013b: 26). Not only external actors but also researchers from the region have pointed to this issue, arguing that governments in the GoG region suffer from ‘sea-blindness’, defined as a “lack of general maritime knowledge” at the political level and among the public at large (Osei-Tutu 2013: 4).² Up until now, states in the region have mainly focused on inland security issues and on preserving domestic sovereignty within their territorial borders.³ Governments in the region have consequently “been late to realise how their absence in the maritime domain […] also undermines security on land” (Osinowo 2015: 2; see also Ukeje & Mvomo Ela 2013: 20). Importantly, ‘sea blindness’ has been highlighted as a critical obstacle to effectively tackling the threat of piracy in this region; “the intractability of maritime security challenges in the region is magnified by what might be described as a long history of ‘policy

(2) The term ‘sea blindness’ was also used in a number of the interviews that we conducted in the region.
(3) See Stephen Krasner “Rethinking the Sovereign State Model” in Review of International Studies 2001 on different definitions of sovereignty.
blindness’ towards coastal waters” (Ukeje & Mvomo Ela 2013: 23). In other words, a lack of political interest in maritime security issues has meant that little effort has been made to combat piracy in the Gulf of Guinea. Accordingly, sea blindness ought to be recognised as an important onshore challenge that inhibits the level of political engagement, which is needed in order to effectively address the problem of piracy and maritime crime more broadly.

**Unemployment / Youth Unemployment & Poverty**

Unemployment has been highlighted as one of the important conditions that contribute to making piracy attractive. As observers have pointed out, there is a “growing army of jobless youth” (Osinowo 2015:5), one of the unfortunate consequences of which is that “some youths in the region are easily recruited for violent conflicts or take to criminality [e.g. piracy] for survival” (Onuoha 2013:8). This concern was also raised at a UN Security Council meeting in February 2012, which was set to discuss the findings and recommendations of the UN assessment mission to the region: “The mission also concluded that any comprehensive anti-piracy strategy might also need to take into account root causes, including high levels of youth unemployment” (UN Security Council, February 2012). Unemployment is indeed a major challenge for a number of states in the Gulf of Guinea. In some regions of Nigeria – e.g. in the Niger Delta region – a third of the population is unemployed: “Delta is home to 30 million people, 30% of whom are unemployed” (Chatham House 2013). And certainly the Delta region is also an area where piracy activities are prevalent. But high levels of unemployment and poverty are not only a Nigerian problem. For example, according to the Multidimensional Poverty Index, more than 30% of the population of Gabon lives below the poverty line, and approximately 13% live in severe poverty. From the perspective of piracy, the critical thing to note about these levels of poverty and unemployment is that when such a large proportion of the population lives “below the poverty line, it would almost be understandable if those residing in the country’s margins suddenly joined in an illegal activity,” such as maritime piracy (Blombaum 2014). Indeed, unemployment is prevalent in a number of regions throughout the Gulf of Guinea for a variety of reasons (Ukeje & Mvomo Ela 2013:18; interview at KAIPTC) and this condition has increased the likelihood that, to get by, unemployed people have been tempted to engage in illegal activities such a piracy or support industries onshore (such as illegal refineries). Indeed, it has been argued in relation to this issue of unemployment and lack of alternative livelihood options in many

---

(4) The Special Representative of the Secretary-General for West Africa made a similar comment in March 2014: “implementation [of the regional strategy against piracy in the Gulf of Guinea] remains a daunting challenge” […] “Beyond technical and financial assistance to African states … there is also a need to consolidate the political impetus both at national and international level” (UNOWA, March 2014)
coastal communities in the Gulf of Guinea region that, in order to effectively tackle the problem of piracy, it is necessary to “effectively deal with youth unemployment” (Bizziouras 2013:111).

However, as Montclos points out, neither poverty nor unemployment explains it all since “if poverty was a proper explanation, countries like DRC (Democratic Republic of Congo) or Mozambique should also record high levels of maritime piracy, which is not the case” (Montclos 2012:535). Whilst poverty and unemployment are indeed important, there are also other key onshore challenges that affect the prevalence of piracy activities in certain areas.

**Political Disputes**

Another important onshore condition with important implications for maritime insecurity in the Gulf of Guinea is political disputes, some of which have fed directly into an increase in piracy activities. In the Gulf of Guinea, politically motivated piracy activities have largely been connected with the Movement for the Emancipation of the Niger Delta (MEND) in the southern part of Nigeria. (Montclos 2012:534). Indeed, MEND has “admitted to stealing and smuggling oil,” activities that the group justifies by framing them as “re-appropriation of wealth and as a form of protest” (UNODC 2013: 46).5

Not only have domestic disputes fed into the problem of piracy in the Gulf of Guinea, so too have boundary disputes between countries. The dispute between Cameroon and Nigeria over the Bakassi Peninsula and the maritime boundary in the Gulf of Guinea is an important case in point. Throughout the period during which Nigeria and Cameroon could not agree on where the maritime boundary should be, the area was not governed by either country allowing it to become a ‘safe haven’ for pirates (interview, Douala). In October 2002, the International Court of Justice (ICJ) reached various decisions on the issue and “arguably the most significant of them [was] the confirmation of the sovereignty of Cameroon over Bakassi” (IPI 2008:2). To understand the relevance of this case in view of the current situation, it is important to recognise that, although the Bakassi dispute has now been settled, two issues are of continued relevance. First of all, not all actors living in the Bakassi region agreed to the ICJ ruling, which gave rise to an opposition group called the Bakassi Freedom Fighters whose activities have had a direct impact on piracy activities in the region; following the implementation of the settlement, the Bakassi Freedom Fighters for example “claimed an attack on a trawler in Cameroonian waters” (IRIN 2008). Second, this longstanding boundary dispute has produced a critical level of distrust between

---

(5) In 2010 MEND “threatened ‘an all-out onslaught’ on oil companies unless more resources were allocated to the people of the Delta” (UNODC 2013:52)
Nigeria and Cameroon (Vircoulon 2012), with important implications for cooperation in the area of maritime security in the Gulf of Guinea. Disputes over the rights to the oil-rich land and sea reserves (IPI 2008:2) have of course grown increasingly relevant as new off-shore oil reserves are being discovered. It will for example be interesting to see what effect the [potential] discovery of oil will have on the maritime boundary dispute between Ghana and the Ivory Coast.

**Corruption and Weak Governance**

In the case of Nigeria, corruption and complicity are two critical factors that contribute significantly to the prevalence of piracy in the Gulf of Guinea. As a Nigerian security official said to a local newspaper: “we have arrested some of these vessels in the past, only to be told to release them immediately by some big shots in the military. In fact now, they do not even wait for us to arrest any vessel. We are warned in advance to expect these vessels and not to interfere with them” (cited in Palmer 2014:157). Palmer concludes that Nigeria is “an archetype of the predatory state,” referring for example to how two high-ranking military officers were “dismissed from the Nigerian Navy for their negligence in allowing the arrested tanker *African Pride* to escape from navy custody in Lagos harbour in August 2004” (Palmer 2014:158). In a similar vein, others have called attention to the political protection that some of those who attack installations and personnel of oil companies in the Niger Delta enjoy from certain locals in positions of authority (Sartre 2014:8). Although much disputed and questioned, various measures have been taken in an attempt to curb corruption. However, the problem is still widespread and the Nigerian government remains unable to restrict corrupt practices (Sartre 2014:6). Besides corruption, another critical issue is complicity. For example, the “speed and precision” with which some of the attacks occur suggest that the offshore crews are complicit in the theft and illicit sale of oil (Osinowo 2015:3). And on this note, the following section therefore turns to the issue of the rule of law and challenges in the legal domain.

**Legal challenges**

As the United Nations Office on Drugs and Crime (UNODC) has recently concluded on the basis of assessments and fact-finding missions in the region, “no Gulf of Guinea State possessed the necessary mix of jurisdictional provisions, offence-creating legislation, and prosecutorial and judicial capacity to undertake piracy prosecutions. Additionally, many Gulf of Guinea states did not yet have all the links in place to enable prosecution of robbery at sea (piracy-like offences within their territorial seas)” (2014b:21). This section will take a closer look at four interrelated types of judicial challenges that affect the ability of countries in the region to effectively combat piracy and other illegal activities in the Gulf of Guinea: inefficient laws, ineffective implementation, evidence collection and inadequate law enforcement.
Inefficient laws: For various coastal states, a major problem in the ‘fight’ against piracy (and other illegal activities at sea) is the existing laws that need to be revised. This point was often mentioned during interviews [we conducted] with actors in the region. As was explained during an interview at the Kofi Annan International Peacekeeping Training Centre in Ghana, Ghana’s maritime laws are outdated. Along similar lines, regional security expert Dr. Kamal-Deen has recently called for “a review of Ghana’s maritime law to deal with the complexities associated with piracy” (Akweiteh 2015). In short, one of the challenges that make it difficult for Ghana to curb illegal activities at sea is that existing laws need to be revised. This is arguably also true for other states in the region: as noted by UNODC in relation to maritime crime in the Gulf of Guinea, many of the regional states “lack legislation criminalising offences ranging from piracy, people smuggling and drug trafficking at sea” (UNODC 2014a:15). It is therefore important for external actors who consider assisting the relevant states to be aware that legal gaps and insufficiencies constitute a major challenge, to the extent that it has been argued that “the first step for GoG countries is to update existing legal instruments” in the fight against maritime crime (Ukeje & Mvomo Ela 2013:19). Moreover, insufficient legislation is also a critical challenge in relation to port security: “The major ports of the Gulf [of Guinea] claim to have put these measures [ISPS codes] in place, but most of them have not brought their legislation up to date” (Sartre 2014:8; see also Vircoulon 2012:ii).6

Ineffective implementation: Another legal challenge in combating piracy and other illegal activities at sea “has to do with ineffective implementation” (Ukeje & Mvomo Ela 2013:19). Already in 2006, it was pointed out that countries in the region needed to take steps to adopt and implement international conventions and for a number of years a number of external actors, including the IMO, have been working with various African governments to encourage the ratification and implementation of relevant conventions (Gilpin 2007). Yet today, poor implementation of legal requirements at the national level remains such a problem that it hampers efforts at combatting maritime crime in the Gulf of Guinea (Ukeje & Mvomo Ela 2013:20). For example, “the Suppression of Unlawful Acts Convention is not yet being implemented” (Vrey 2009:25; see also Osei-Tutu 2013). In other words, declarations and conventions do exist, but few have been implemented at the regional or national level, effectively preventing any possible benefit they otherwise may have had vis-à-vis the problem of maritime insecurity.

---

6 Sartre therefore recommends for strengthening legal and judicial checks and balances for the security sector” (2014:10-11)
Evidence collection: Even if up-to-date laws had been in place, other problems obstruct the prosecution of pirates in this region, namely a lack of personnel capable of collecting the necessary evidence in the aftermath of a piracy attack. This problem has been widely acknowledged and, in an initial attempt to address this problem, the Maritime Trade Information Sharing Centre (MTICS) in Ghana is awaiting a seconded expert from INTERPOL who, amongst other things, will assist with collecting any relevant evidence. In the long run, however, it will be necessary to help regional actors develop the necessary skills for evidence collection. Whilst the two general challenges (out-dated laws and the evidence collection gap) have been identified during interviews with various actors in Ghana, it will also be necessary to identify more specifically what the domestic legal challenges are for each country in the region.

Inadequate law enforcement: Furthermore, even if laws exist, there are widespread problems with enforcing the law. Countries in the region continue to face capacity gaps with respect to national law enforcement and maritime domain management (UNOWA 2014:6). For example, in January 2015, two policemen in Nigeria were killed in a shootout with pipeline vandals who had been stealing petrol (Punch, 28 January 2015). On the following Monday, the suspected pipeline vandals had stormed the Owutu Police Station and opened fire at policemen who were on duty (Punch, 28 January 2015). Such stories are illustrative of the difficulties that law enforcement agencies confront in some of the areas where these criminal activities thrive. Such a state of ‘lawlessness’ equally creates an environment where piracy activities are more likely to emerge. In some places inadequate law enforcement is due to weak governance, institutions and authority in an area (as in this case), but, in other instances, the lack of enforcement is rooted in corruption, as discussed above. The complexities surrounding inadequate law enforcement has [without doubt] been an important factor in creating conditions that allow for a range of illegal activities to emerge and continue, not only maritime piracy, but also the buying and selling of illegal oil, which is critically important with respect to the ongoing problem of petro-piracy (see below).

Summary: Reflections on how to address the onshore challenges
The onshore challenges set out above illustrate the wide range of areas where shortcomings can be identified – shortcomings that external actors may be able to, in different ways, address. Arguably, a critical task for external actors in this regard is to understand more fully the critical interface between maritime and onshore insecurities. Onshore challenges, such as legal deficiencies, are very country specific and further analysis is needed to identify specific gaps and possible projects aimed at addressing these. In doing so, it is important to be aware of sea-blindness; whilst countries in the region do suffer from a fundamental capacity gap, such as insufficient naval equipment and capacity to achieve maritime domain awareness, the maritime
domain is not sufficiently prioritised, both economically and politically. This neglect is arguably only one expression of a more general phenomenon of ‘sea-blindness’ that characterises the region.

No single external actor can of course address every one of these apparently insurmountable challenges alone. Yet this does not mean that external actors should not take as many of them as possible into consideration when contemplating how to address the problem of piracy and maritime insecurity in the Gulf of Guinea. This complex backdrop is therefore important to bear in mind, despite the focus of the next section on the issue of piracy itself and related maritime security concerns.
Chapter IV: Four Types of Piracy

Understanding the differences between the various kinds of piracy activities in the Gulf of Guinea is an important prerequisite for successful interventions. It has recently been said about piracy in the Gulf that, “the nature of attacks makes it difficult to identify successful countermeasures” (Walker 2015). The aim of this section is to give an idea of the complexity of the issues in the area, including a brief description of the kinds of acts that ‘piracy’ refers to. Whilst risking over-simplification, at least four different forms of ‘piracy’ can be identified Gulf of Guinea:

**Kidnapping-for-ransom**

One type of piracy activity in the Gulf of Guinea is kidnapping-for-ransom. It was recently reported that: “the first ten weeks of 2014 have witnessed the resurgence of maritime kidnap-for-ransom off the coast of Nigeria’s Niger Delta” (Bridger 2014). This was also confirmed by a report from Control Risks, which states that: “the biggest increase in activity in 2013 actually related to offshore kidnap-for-ransom, focused around the Niger delta region” (Hart 2014:2; see also Sartre 2014:2). However, unlike the situation in Somalia where kidnapping-for-ransom has been the dominant modus operandi of pirates, the situation in the Gulf of Guinea is different. First of all, kidnappings do not only occur at sea. Certainly in the past, kidnappings at sea were part of a broader phenomenon of attacks against oil companies. Kidnapping oil company employees was one of the many activities of the Niger Delta militants, and these kidnappings only occasionally occurred at sea (UNODC 2013:50). Another difference between this type of piracy between Somalia and West Africa is the duration; while captives have been kept for months or even years in Somalia, captives in West Africa are often released after days or weeks. This is likely to be because pirates in West Africa do not demand as large sums of money and fear being detected by different authorities. Reports from former hostages reveal that the hostages of pirates in West Africa have often been given take-away food such as burgers and pizzas, which indicates that they have been kept in the vicinity of towns and cities. It is also important to stress though that kidnapping-for-ransom is currently neither the only nor the main form of piracy in the Gulf of Guinea.

**Petro-Piracy**

Another type of piracy in the Gulf of Guinea is theft of cargo, mainly oil. There are three key aspects to oil-related piracy activities. Firstly, such theft of cargo – also referred to as “petro- piracy” (UNODC 2013:47; Murphy 2013) or “hijacking-for-cargo” (Hart 2014:2) – has increasingly come to be associated with violence against
crewmembers (Osinowo 2015; Otto 2014; Osei-Tutu 2013; IMB 2015:20). In the case of kidnappings-for-ransom, the crew is ‘valuable’ (without them, there is of course no ransom). However, in the case of hijacking-for-cargo, pirates are only interested in the cargo and are therefore less reluctant to use violence against crewmembers that get in the way (Bridger 2014; Okoronkwo 2014). Secondly, these activities are very well organised and involve “tasks of considerable logistic complexity” (UNODC 2013:50). Emptying a vessel of tons of oil is not a simple task but requires sophisticated equipment and know-how. It not only requires navigational knowledge to manoeuvre a merchant vessel around for days, but, since an oil tanker has a complicated pipe system, it also requires the knowledge of an engineer to understand where to open and close various pipes, how to start pumps etc. Finally, it also requires the requisite logistics and a good network to be able to sell oil illegally to refineries or to re-circulate it back into the market through an oil terminal in the region. Indeed, questions about where to transport the stolen cargo and where to sell it are also indicative of the high levels of organisation and sophistication, something, which characterises this type of piracy. The third and final key aspect of oil theft is that it too is not just a maritime problem; particularly in the Niger Delta region, oil is being stolen from the 6,000 kilometre of pipeline through which the oil is transported (Chatham House 2013).

Unreported piracy
Attacks on small boats tend to fall outside the statistics gathered by the International Maritime Bureau (IMB) because the IMB only relies on ship-owners’ willingness to report incidents on a voluntary basis as there is no formal requirement that they should do so (ICC CCS; no date). That said, smaller ships and boats are less likely to know about the IMB’s voluntary reporting system or may not have the technical ability to report such an incident. There is in fact another type of piracy, which also goes unnoticed in the IMB statistics, namely, when pirates rob other criminals of their stolen goods (interview at KAIPTC). We have seen instances where pirates in the Gulf of Guinea have attacked a boat which had already been involved in a criminal activity at sea – such as petro-piracy, petty piracy, illegal fishery or the like – and then have robbed this boat of its stolen cargo. Such instances will obviously never be reported through any official channels. In short, a considerable number of piracy incidents thus go unreported and it is therefore extremely difficult to determine the extent of them.

Petty Piracy
A fourth type of piracy is theft from vessels, often whilst in harbour or at anchor close to shore (UNODC 2013:47). “Petty theft from anchored or berthed vessels is the most common but least significant form of piracy that affects vessels across West Africa” (Bridger 2013). It is characterised by theft of stores and equipment from ships docked in ports such as Pointe-Noire in the Congo or anchorages such as Lagos (Walker 2015:1).
Yet, even if this form of piracy is perhaps more widespread, it could be seen as less detrimental when compared with the other types of piracy mentioned above. This is largely because they attacks are understood to be “opportunistic” piracy rather than “organised” piracy (Uadiale 2012; Ukeje & Mvomo Ela 2013:10). Nonetheless, these activities should still be mentioned as they represent a very widespread phenomenon.

Summary: why distinguish between these types of piracy?
Although these acts are often connected, the above categorisation nevertheless serves an important function. First of all, if these different types of activities were grouped together under the heading ‘piracy’, then it would be difficult to recognise the differing initiatives required to counteract them. Additionally, it is easy to fall into the trap of seeing piracy as only those attacks, which are reported to the IMB, however, as set out above, unreported piracy must not be overlooked. If piracy is not further defined into sub-categories, then it is likely that any counter-piracy initiatives in the region may be either without effect or counterproductive.
Chapter V: From Piracy to Maritime Insecurity

Whilst the focus of international actors is on piracy activities, it is important to broaden our conception of threats at sea in the Gulf of Guinea region where a number of other illegal maritime activities also deserve attention. A broader understanding of ‘the problem’ is important particularly when different actors tend to work on countering different maritime threats or aspects of maritime insecurity. For example, whilst international actors such as shipping companies and non-African states are mainly concerned about piracy activities, states and institutions may find that other illegal activities at sea have a more significant impact on their safety and security. Moreover, piracy is also interrelated with these other illegal activities (Ukeje & Mvomo Ela 2013). It is therefore difficult to design solutions to the piracy problem without addressing its links to other illegal maritime activities, some of which we will briefly describe in this chapter.

Smuggling of weapons & drugs

According to the United Nations Office on Drugs and Crime (UNODC), firearms trafficking in West Africa has five sources of which one is related to illegal maritime activities, namely, ships transporting ammunition from outside the region or the continent to West Africa. One example of this is that, “On 26 October 2010, Nigerian authorities discovered 240 metric tons of ammunition from Iran in 13 shipping containers. The destination of this shipment remains unclear: while in bond, the documented consignee was changed to The Gambia” (UNODC 2013: 36). The report also notes, however, that of all the illegal firearms that circulate in West Africa, the quantities that come from the sea “are relatively rare and often disputed” (UNODC 2013: 36). Regarding smuggling of drugs in the region, UNODC notes that, “Around 2005, it became clear that massive amounts of drugs, worth billions of dollars, were being shipped through one of the least stable regions in the world” (UNODC 2013: 9). More specifically, from 2005 to 2007, “more than 20 major seizures were made in the West African region” and of these most were made at sea (UNODC 2013: 9). In this sense, there is a critical link between an insufficiently governed maritime domain and the proliferation of such criminal activities.

Illegal fishery

“West Africa’s waters endure the highest level of illegal fishing in the world” (Osinowo 2015:2) Piracy activities in the region are linked to illegal fishery in a number of ways, for example, it contributes to a depletion of resource-rich waters and thus affects the livelihood of local fishery communities. When this becomes so severe that traditional fishermen lose their jobs, they are suddenly left with few alternative livelihood oppor-
tunities, which is likely to make piracy an attractive alternative. More broadly speaking, the problem is not simply illegal fishing but also unreported and unregulated fishing, which is together referred to as IUU (Illegal, Unreported and Unregulated) fishing. Unreported fishing has been defined by the UN Food and agriculture Organisation as “fishing activities which have not been reported, or have been misreported, to the relevant national authority” and unregulated fishing as “fishing activities in the area of application of a relevant regional fisheries management organisation that are conducted by vessels without nationality, or by those flying the flag of a State not party to that organisation, or by a fishing entity, in a manner that is not consistent with or contravenes the conservation and management measures of that organisation” (Martini 2013:2). In the case of West Africa, a study from the Marine Resources Assessment Group (MRAG) Ltd. has pointed out that three main types of illegal fishing activities occur (Agnew et al. 2010:ii): foreign industrial vessels operating without a license, illegal fishing in prohibited areas, and illegal fishing by artisanal vessels, many of which are unlicensed and/or use illegal gear. It is clear, then, that these activities have both an international and a domestic dimension (Chatham House 2013).

A domestic dimension
With respect to the domestic dimension, two general aspects of IUU fishery can be mentioned here. Firstly, it is reported that various authorities in the region have been involved in and benefit from these illegal activities. Many cash-strapped governments continue to issue poorly monitored licenses in the hope of raising revenues, or receive payment in the form bribes from those who use prohibited fishing equipment or fish in illegal areas (Martini 2013:1). Secondly, it is not only foreign vessels but also local ones, which carry out illegal fishing. In the case of Senegal, this for example involves “illegal mesh used in the shrimp, demersal and small pelagic fisheries” (Agnew et al. 2010:iii).

An international dimension
It is estimated that illegal fishery amounts to approximately 50% of the total catch in the region (MRAG 2005:53). Such a number is illustrative of vastly inadequate patrolling for, although Africa's fishing waters are protected under international law, in reality only few African countries have the capacity to patrol their waters sufficiently to keep away illegal vessels (UN 2009; see also Martini 2013:3). In addition to the enormous adverse economic impact of these activities, given the lost revenue, another critical impact is the livelihoods of millions of Africans (UN 2009). In an MRAG report, the list of countries with vessels involved in IUU activities is long and includes countries such as Argentina, China, Japan, Korea, Mexico, New Zealand, Portugal, Russia, Spain, UK, and the US (2005: 61). Indeed, IUU fishery seems a pertinent concern among states in the region, yet states outside the region have thus far paid little attention to this dimension of maritime insecurity.
Dumping of toxic waste

“There is a clear and lamentable dearth of knowledge in regards to the dumping, and trade, of hazardous waste in Africa” (Walker 2011). Whilst it is again difficult to know precisely the extent of this problem, it was nevertheless a dimension which was mentioned in a couple of interviews, and which also speaks to a broader issue, namely, that sometimes it can be difficult to maintain a simple and clear-cut distinction between legal and illegal activities. In respect of the dumping of toxic waste, as well as IUU fishery, Nordstrom’s concept of “il/legal” (cited in Palmer 2014:71) is useful since it highlights this important point; in some cases, local authorities have for example been accused either of allowing companies “to evade prosecution for [their] role in the dumping of the toxic waste” (Amnesty International 2012) or of selling ‘licenses’ to international companies allowing them to dump their toxic waste (in return for a sum of money), whilst cases of outright dumping may not have enjoyed this ‘illegal legitimacy’. Indeed, as described by the Africa-based Institute for Security Studies, an important part of the problem is “the lack of a functioning state to implement protective environmental legislation” (Walker 2011). The flexibility in the law and lack of governance is a point, which is relevant for external actors to consider when considering legal capacity-building activities in order to counter maritime piracy.

Summary: Reflections on the move from Piracy to Maritime Security

An important issue which becomes visible in the move from piracy to [wider] maritime security, and which was also highlighted during our interviews, is the potential divergence between what local/regional states and institutions and non-African states consider as the most pertinent problem. For non-African states, incidents of piracy are commonly seen as the most pertinent problem. However, for regional states, degradation of sustainable fishery has an immediate impact on the livelihoods of local communities and may therefore be seen as a more pertinent problem.7 This point is important in light of a recent observation, namely, that many initiatives and capacity building efforts aimed at strengthening maritime security in the Gulf of Guinea area are externally driven (Walker 2013:90). It certainly requires further research to determine whether divergent perceptions of ‘the problem’ (as described above) affect the degree of local ownership that specific maritime capacity building efforts enjoy. That said, it would seem wise to identify and address any potential divergence in outlook to avoid adversely affecting any initiatives aimed at curbing piracy.

(7) Such divergent views have also been noted by researchers from the region who refer to “the narrow priorities of the international community” and to how such narrow priorities “may not sufficiently dovetail with those of the countries and local communities within the region” (Ukeje & Mvomo Ela 2013:25).
Chapter VI: Maritime institutions and architecture in West Africa

This chapter will outline a number of different maritime initiatives and institutions in the Gulf of Guinea (GoG). As already mentioned in Chapter II, counter-piracy initiatives are mainly related to what happens at sea and commonly take a problem-oriented approach to the narrowly defined problem of piracy. However, socio-economic initiatives ashore can be just as important as maritime domain awareness, but presenting an overview of all onshore and offshore initiatives in the GoG is beyond the scope and purpose of this report. The following chapter will therefore only mention the most important initiatives and strategies that affect the maritime security situation in the GoG. Although it is difficult to compare them, the goal of this chapter is nevertheless to offer an evaluation of a number of regional initiatives/institutions by examining the extent to which they address piracy, or whether – and to what extent – they go beyond ‘piracy’ to also address maritime security more generally.

2050 AIM Strategy

At the continental level, the African Union (AU) adopted an Integrated Maritime Strategy on 31st of January 2014, also referred to as the “2050 AIM”. In many ways, this strategy is an ambitious document outlining as it does the maritime goals of the AU for the next 35 years. The strategy points not only to a variety of security challenges that confront African states, but also to a number of economic opportunities for the continent. It is therefore an ambitious and important document and the first of its kind in Africa, particularly as it goes beyond piracy to also address various other security challenges, such as IUU fishing, smuggling and terrorism the strategy. It must at the same time be said that it fails to fully acknowledge the importance of land-based challenges, as set out elsewhere in this report. Implementing a new institutional structure on the continent, as set out in 2050 AIM strategy, may indeed be a good idea, but this ‘solution’ completely disregards the land-based reasons for and root causes leading to the current condition of maritime insecurity in the GoG. In other words, the AU’s strategy does not approach the issue from a perspective that addresses the various onshore challenges, including the need for good governance, reduction of corruption, marginalisation, etc. This shortcoming is further illustrated by the Plan of Action for Operationalization (PoA) proposed in the 2050 AIM strategy. The PoA does not address areas such as corruption or bad governance even though most piracy activities in the GoG are closely linked to the ability to, for example, buy or otherwise gain access to information from civil servants. Additionally, the problem of social exclusion is not addressed in 2050 AIM (Ukeje and Mvomo Ela 2013:...
2050 AIM therefore has a number of [significant] shortcomings. Nevertheless, it may still serve an important function, namely to put the maritime domain on the security agenda by identifying security challenges as well as economic opportunities in the maritime domain. In that way, the strategy may well contribute to reducing sea blindness in the GoG region and on the continent more broadly.

**Maritime Organisation for West and Central Africa (MOWCA)**

The Maritime Organisation of West and Central Africa (MOWCA) was established in 1975 and, as such, it can be regarded as one of the oldest maritime institutions in these two regions (AMSSA, 2008). It may be expected that MOWCA would hold a prominent position in West and Central Africa with regard to maritime security. However, although institutions like IMO have supported MOWCA, it nevertheless seems that the institution does not currently hold a particularly strong position vis-à-vis the new structure for maritime security architecture, which was laid down during the 2013 Yaoundé Summit (see description below).

Officially MOWCA’s objective is to “serve the regional and international community for handling all maritime matters that are regional in character” (AMSSA, 2008). As a maritime institution, MOWCA can be compared to a regional maritime authority whose main function is to establish contacts and to negotiate between the private maritime sector, national ports, and maritime authorities and educational bodies. Given this function, MOWCA for example facilitates capacity building projects (such as the establishment of an integrated coast guard network) and the institution can also play an important role in assisting states with the implementation of international maritime standards. Both of these functions are evident from the portfolio of specialised organs that MOWCA collaborates with – a portfolio which includes The Port Management Association of West and Central Africa (PMAWCA), The Union of African Shippers’ Councils (UASC) and The Association of African Armaments (3A), as well as various educational partners (The Regional Academy of Science and Technology of the Sea of Abidjan (ARSTM), The Regional Maritime University of Accra (RMU) and The Maritime Academy of Nigeria (MAN), Oron (OMAOC 2015)).

In 2008, MOWCA – in collaboration with the International Maritime Organisation (IMO) – issued a Memorandum of Understanding (MoU) on the Establishment of a sub-regional integrated Coast Guard Network in West and Central Africa (MOWCA 2008). The aim of this MoU was to establish a coast guard network to improve maritime security in a broad sense of the term. This meant that it focused on anti-piracy as well as on other maritime security challenges, including search and rescue, and the reduction of navigational hazards. However, commitment to the MoU has proved difficult; by 2013, only 15 out of 20 coastal states had signed it (IMO, 2013). There
are different reasons for this slow take-up and for it being difficult to implement. Interviews at MOWCA suggested that MOWCA, and subsequently the MoU, are too far-removed from the real decision-makers when its forum is only attended by the ministers of transport of each state and not by the Heads of State. Another explanatory factor may simply be ‘poor timing’ in relation to the political attention that the issue of maritime security enjoys in the region. Indeed, there is a noticeable difference between the level of awareness and attention to maritime security in 2008 and today (Raith & Smith 2010: 49, 51). Until recently, piracy was viewed as a purely Nigerian problem, not as a regional one (Ukeje/Mvomo Ela 2013:24). Finally, another reason could be that, in a region where there are already very limited resources for navies, pushing for the creation of a coast guard function (as the MoU does) may initiate a competition for scarce funding, leading to national navies resisting the measure in the likelihood that their budgets will be accordingly reduced.

That said, the MoU has accomplished one important task: the establishment of national Maritime Rescue Coordinating Centres (MRCC), institutions which are crucial for any state attempting to create national maritime safety and security (IMO 2010, A-3). Yet, as alluded to above and as will become clear throughout this chapter, the maritime zones established with MOWCA’s MoU (MOWCA 2008: 22) do not correspond entirely to the maritime zones that have more recently been defined during the Yaoundé Summit in 2013. The MoU of MOWCA defines four zones while the Maritime Regional Architecture – defined at the Yaoundé Summit – has six zones.

With the current progress and implementation of the Maritime Regional Architecture, the zones defined by MOWCA may over time become obsolete. Yet, this does not mean that MOWCA will become either obsolete or be entirely derailed as new maritime security architecture is being rolled-out in West and Central Africa. MOWCA still has the potential to remain an institution with important influence in areas of maritime education, port security and in liaising with national maritime authorities for the implementation of international maritime standards. Crucially, all of these are important areas in relation to the aim of improving maritime security in the GoG – but they are not areas that have been included as part of the Yaoundé Summit agreement. As such, MOWCA can still serve an important function. This will however require that the role and mandates of MOWCA are clearly defined in relation to new initiatives and institutions in the domain of maritime security.

**Maritime Universities**

As mentioned above, MOWCA has a special partnership with three maritime universities in the region. Even though these universities cannot be regarded as maritime security institutions per se, they do however – through education – feed into
the field of maritime security in different ways. Importantly, all of these universities offer a broad approach to maritime security, which goes beyond the issue of piracy. Secondly, through their educational activities and research programmes, they can play an important role in reducing the overall level of sea blindness in the region. In line with the maritime universities, military universities in the region are in a position to play a similarly important role as they educate officers at different levels, ranging from officers involved in making decisions at the operational level in the maritime domain, to issues of maritime strategy and beyond:

Regional Academy of Science and Technology of the Sea, Abidjan (ARSTM): The academy facilitates higher maritime education for students from Francophone states – more specifically, from Mauritania to DR Congo, including the landlocked states (ARSTM, no date). The education offered at the academy falls within three overall themes: navigation and ships engineering (to senior deck and engine officers), crew and junior officer education to both merchant and fishing vessels, and finally, logistic education to shipping agent and port control officers.

The Regional Maritime University, Accra (RMU): RMU is the Anglophone parallel to ARSTM with the exception that Nigeria does not contribute to the university. RMU has a similar range of educational offers including navigation and engineering. However, the university has a special focus on education in logistics, port administration, cargo handling etc. (RMU, no date).

The Maritime Academy of Nigeria, Oron (MAN): Nigeria is not part of the two above-mentioned universities, instead they have their own educational institution. Similar to the two other universities, The Maritime Academy of Nigeria (MAN) also offers education within the areas of logistic, navigation and engineering. Furthermore, MAN also educates students in the fields of maritime safety, hydrography and meteorology (MAN, no date).

Military universities in the region: Most states in the region have military staff courses at college/university level (Cotney 2004). If engaging with the region's militaries, one possible approach could be through these military colleges. Given that they educate military commanders who often have closer links to the political level, we should perhaps expect these universities to have a more direct impact on the reduction of sea blindness in the region than many of the comparable civilian educational agencies.

Given the effect of such educational programmes – military as well as civilian – it seems important to acknowledge that, although many counter-piracy initiatives focus on capacity building activities at sea, it may be just as important to cooperate with
Maritime Security in the Gulf of Guinea

educational institutions as a way of increasing awareness and knowledge of piracy and maritime security issues in the GoG region.

**ECOWAS Integrated Maritime Strategy (EIMS)**

Following the launch of AU’s 2050 AIM Strategy, ECOWAS initiated a process aimed at drafting a similar document with a great focus on the regional rather than the continental level. Similar to the 2050 AIM Strategy, ECOWAS’ maritime strategy also focuses on economic opportunities in the maritime domains, including the region’s internal waterways and lakes. Another similarity is that ECOWAS’ strategy also omits some of the abovementioned land-based reasons for maritime insecurity such as corruption and social exclusion. The strategy for example emphasises the importance of improving regional information exchange and of building more effective legal systems. However, the strategy neglects the fact that such initiatives may not contribute to maritime security in states with corrupt legal institutions or where information is a commodity, which can be traded to pirates or other groups without prosecution.

**G7 Friends of the Gulf of Guinea Group (G7++FOGG)**

In 2011, maritime security in the Gulf of Guinea was discussed for the first time during a G8 (later reduced to G7 after the exclusion of Russia) summit (Yeboah 2014). The G7 states collectively decided to include additional states and institutions in its work on maritime security and thus created the G7 Friends of the Gulf of Guinea Group (G7++FOGG), composed of Germany, Canada, the United States, Italy, Japan, the United Kingdom, France, Belgium, Brazil (observer), South Korea, Denmark, Spain, Norway, the Netherlands, Portugal, Switzerland, the European Union, UNODC and INTERPOL (France Diplomatie, 2014). The main focus of G7++FOGG is on piracy – i.e. on one aspect of maritime security – which is also why the group previously have invited representatives from the oil and shipping industry to participate in meetings alongside ECCAS and ECOWAS (France Diplomatie, 2014). An important aspect of G7+++ FOGG is the creation of a working group, which tries to coordinate different maritime capacity initiatives between donors and states in the region. Furthermore, G7+++FOGG has strongly supported and assisted efforts aimed at raising the necessary funds to launch the Maritime Trade Information Sharing Centre (MTISC)-GoG in Accra, Ghana (Ukeje and Mvomo Ela 2013:27-28). In this sense, G7+++ FOGG is indeed involved in efforts aimed at improving maritime security with regard to piracy in the GoG. Yet from a perspective that acknowledges the breadth of the problem of maritime security (including land-based challenges), the G7+++FOGG only aims rather narrowly at the problem of piracy, and mainly from a capacity building approach. Even though it may possibly have the political strength to do so, the forum does not address the various socio-economic root causes of piracy that exist in the region. That said, the forum still serves as an important institution for non-African
states interested in contributing to maritime capacity building efforts in the region and, most importantly, to coordinate different initiatives in order to avoid duplication.

**The Gulf of Guinea Commission (GGC)**
The Gulf of Guinea Commission (GGC) was created in 1999 (Chatham House, 2012). One of the main objectives of the GGC has been to harmonise policies on the management of oil and natural resources in order to avoid conflicts (International Crises Group 2012; 21). Thus, what characterises the GGC is the issue of oil: in 2012 seven of the eight GGC members produced five million barrels of oil every day collectively (Chatham House, 2012) and the GGC has arguably become an institution almost exclusively for oil producing states in the region. This has recently been exemplified by Ghana’s application for GGC membership just as Ghana started to export oil (Government of Ghana, 2013). Although created in 1999, it was only in 2006 that its member states made an attempt to build a functioning institution (Kendemeh, 2006). Beside the delayed interest of member states, the role of the GGC has also been influenced by external developments. For example, with the launch and subsequent implementation of the new African Peace and Security Architecture in 2002, the regional economic communities (RECs) were given a more prominent role with regard to peace and security. One of the reasons why GGC (rather than MOWCA) has been allowed to serve this role is perhaps that the institution has a more forceful drive vis-à-vis combatting the problem of piracy, since the institution is driven by oil producing states, all of whom are affected by the problem (in contrast to institutions with a much broader membership profile – not all of whom are equally affected by and focused on the problem of piracy). This also seems to explain why the GGC, rather than MOWCA, had a more prominent role during the Yaoundé Summit in 2013 together with ECOWAS and ECCAS.

**Yaoundé Summit, regional zones and inter-regional cooperation**
To understand the drivers behind the 2013 Yaoundé Summit, it is important to go back to the maritime initiatives taken by ECCAS in 2009. A number of security initiatives in Africa have, to varying degrees, been formulated with the involvement of external actors (notably donors) and sometimes this has caused a lack of ownership in cases where such initiatives are pushed more by donors than by states on the African continent. Following the conclusion of a regional study in 2009, ECCAS decided to develop a maritime strategy based on the following six principles: *information management; community surveillance through the detection and the sharing of assets; legal and functional harmonization of States’ action at sea; self-financing, through a community tax; logistics; and institutionalization of a maritime conference for Central Africa* (UN 2012:12). Following the launch of this strategy, a regional maritime security centre was established in Pointe-Noire in Congo-Brazzaville (Centre régional de
sécurisation maritime de l’Afrique centrale or ‘CRESMAC’). At the same time, three maritime zones (A, B and D) were also created (see figure). Each of the three zones has its own maritime operation centre called CMC. The CMC for zone D (comprised of Cameroon, Sao Tome e Principe, Gabon and Equatorial Guinea) was placed in Douala, Cameroon and went operational in 2009. To navigate around national legislation and to improve multilateral corporation, the CMC in Douala (zone D) has publicly stated that it will include representatives from the other states within the zone. Furthermore, the navies of Cameroon, Gabon and Equatorial Guinea also do joint patrols and exercises (Fonkoua Mbah, no date).

Besides the effect of such collaborative efforts on the immediate security situation in the waters of zone D, such joint exercises and patrols also serve another important function, namely, to minimise and eventually eliminate mistrust between the participating states. Furthermore, these joint efforts also help decrease the legislative challenges of arresting and prosecuting criminals at sea. An important effect that can be accredited to the operationalization of the CMC in zone D has been to push piracy activities away from especially Cameroonian waters. Yet, whilst this is indeed a significant achievement, it also powerfully illustrates why a broader interregional approach is necessary: the problem of piracy has not been solved – rather the concentration of attacks has shifted to neighbouring waters that are less well patrolled, notably westward to Benin and Togo. Consequently, after the Yaoundé summit in 2013, ECOWAS decided to copy the approach taken by ECCAS. ECOWAS has now
established a similar structure with three maritime security zones: E, F and G. It was decided to establish the first CMC in zone E and, as a pilot project, the centre was to be located in Cotonou, Benin (Osinowo, 2015). From here the centre would cover the waters of Nigeria, Togo and Benin. With this initiative, the region of West Africa is attempting a containment strategy: if both zone D and zone E can be effectively patrolled, then it will be far more difficult for pirates to hijack vessels in these waters, and it may also be more difficult for piracy to spread further into the Gulf of Guinea because they have to pass through zones which are effectively surveyed.

Even though international attention to this new structure has mainly been focused on the anti-piracy aspect of the architecture, the agreed code of conduct actually aims at a broader maritime security agenda which also focuses on additional maritime security challenges such as IIU fishing, terrorism, and various types of smuggling (Yaoundé Summit 2013:4-5). That said, the Code of Conduct still focuses mainly on piracy and IIU fishery, and interviews in Cameroon suggest that both of these problems have been addressed with good results in zone D. From an ECOWAS perspective, the maritime regional architecture is still so new that implementation has only just begun. For example, it has only just been agreed in October 2014 that CRESMAC’s parallel in West Africa – called Centre Régional de Surveillance Maritime de l’Afrique de l’Ouest (CRESMAO) – will be located in Abidjan (Koaci 2014).

From a strategic perspective, the six zones established in this interregional maritime security architecture have partly been inspired by the four coastguard zones, which had been defined earlier by MOWCA. However, and more importantly, the six new zones are defined in such a way that each zone has at least one state with some level of maritime capability. This aspect also explains the sizes of zone F and G. Both of these zones are large, but dividing them into smaller zones would compromise the benefit of having a state with maritime capabilities taking the lead within each zone. To further emphasise this, Ghana preferred to become a part of zone E, however was convinced to stay in zone F (interview).

Finally, to coordinate the effort between the two regional centres (CRESMAC and CRESMAO), an Interregional Coordination Centre (CIC) has now been established with headquarters in Yaoundé, Cameroon. With this interregional centre, the new maritime security architecture for West and Central Africa has thus three different levels: maritime security centres in each of the six zones, regional coordination centres in West and Central Africa respectively, and, finally, an interregional coordination Center (see figure next page).
One concern about this new maritime security architecture is the issue of agreeing a clearly defined demarcation of different responsibilities. The operational part of the structure certainly lies at CMC-level. However, interviews at the CIC headquarters in Yaoundé suggest that the CIC may not only see its role as limited to a matter of coordination – it seems instead that the CIC also aspires to become an inter-regional maritime command centre. This ambition could, however, undermine or at least interfere with the mandate of the CMCs in the six different zones. Insofar as CIC intends to act upon this ambition, there is a risk that a more operational involvement from CIC could be counterproductive when it comes to efforts undertaken at the operational level vis-à-vis the aim of improving the maritime security situation in the GoG. Indeed, part of the reason that CMC Douala has been so successful in zone D can be ascribed to the autonomy of this centre, whose activities have proceeded without involvement from states outside this zone. Furthermore, it is questionable whether the ICC has a clearly defined purpose besides acting as the political body of this ambitious interregional maritime security architecture. Many maritime security issues can be solved very effectively through direct coordination between adjacent zones, rather than through a three-layered institutional structure.

Another important point to be aware of regarding this new interregional maritime structure is that, for the most part, this structure is created from a bottom-up process in the sense that it was initiated from within the region, more specifically with ECCAS as an important driving force. This is important insofar as it contributes to giving the project a regional foundation and a stronger sense of ownership. But, importantly, the fact that the architecture has been established on the initiative of states in the two regions also shows that an important element in driving the establishment and ope-
rationalization of such initiatives is the political will of states in the region to act in a collective manner. The creation and operationalization of zone D could only happen because the states in this zone realised the need for such an initiative. The same can be said about the creation and operationalization of zone E. Furthermore, this point can also be seen from the fact that the states within these two zones have prioritised the development of naval capacities (Vrey 2015:198). Whilst the political will of states in some of the six zones has been a crucial driving factor in the operationalization of centres and functioning cooperation, there is also a risk that the reverse could be true for zones where such a drive and will is currently absent. Therefore, the implementation of these zones is likely to unfold at a rather different pace. As an example, if states in zone G do not see an immediate need to prioritise resources towards the improvement of maritime security, it will be difficult to establish and effectively operationalise this zone as intended. That said, the regional maritime security architecture is indeed an important attempt from within the region to create an improved level of maritime security in the Gulf of Guinea – and in some respect the attempt has already proven successful in certain areas.

This outline of the existing and new maritime institutions in the GoG illustrates the need to clearly define the mandate of and relationship between these various bodies. For example, as noted above, the zones defined by MOWCA in 2008 do not correspond to the zones defined during the Yaoundé Summit in 2013. What is more, the role of MOWCA in this new structure has not been settled or clarified at this point in time. Whilst there is a degree of tension amongst these institutions – as they are trying to define their role and legitimise their existence – it seems that careful coordination and close dialogue could be of crucial importance in ensuring synergy rather than rivalry. Such synergy is indeed possible. For whilst MOWCA is competent in relation to educational aspects of maritime security, including administrative capacity building through its educational connections and specialised organs, the focus of the CIC is very different. The role of CIC architecture is to conduct and coordinate maritime operations, a focus that does not necessarily overlap with MOWCA’s focus.

**MTISC-GoG**

Although the Maritime Trade Information Sharing Centre Gulf of Guinea (MTISC) is not a regional institution, MTISC is mentioned in this chapter because it is impossible to consider the maritime security architecture in the region – notably, the ICI structure – without also taking the role of MTISC into consideration. MTISC-GoG was created in April 2014 at the Regional Maritime University in Accra, Ghana. In October 2014 it was declared fully operational (IMO, 2014). MTISC-GoG was initiated mainly by the industry as a result of the lack of involvement by regional states in maritime security. The inspiration for MTISC-GoG came from a similar initiative, UK
Maritime Trade Operations (UKMTO), established in Dubai in 2001 to cover the sea around the Middle East and Indian Ocean (CINCFLEET, 2009). As with UKMTO, the MTISC-GoG provides a voluntary reporting system where merchant vessels are encouraged to report their position, course, speed and next port of call on a daily basis when transiting in an area from Mauritania to Angola (see illustration below).

Broadly speaking, MTISC-GoG develops, maintains and shares details from the maritime domain picture (MTISC-GOG, 2014b). However, MTISC-GoG focuses mainly on piracy and only to a lesser extent on other maritime issues. Hence, MTISC-GoG contributes less to the broader ambit of maritime security, as it is mainly concerned with piracy and armed robbery. MTISC-GoG does not have the capacity to report or counter threats like UUI fishing, pollution or smuggling. That said, its contribution is substantial compared with many other initiatives for the simple reason that it is presently the only institution capable of generating a level of maritime awareness over such a large area. On average, MTISC-GoG has basic information about the position and data of approximately fifty percent of all merchant traffic in the region. Furthermore, MTISC-GoG also functions as a single point of contact for merchant shipping transiting the region – the centre has, for example, occasionally been contacted by ships requiring medical evacuation (MEDEVAC) or emergency assistance.
With regard to piracy, the centre mainly reports information obtained from other merchant vessels. If a merchant vessel in the region observes any suspicious activities or an attack, it reports it to the centre, which then warns other ships in the vicinity to look out for any suspicious behaviour. The centre has therefore mainly a liaison role, which entails sharing activities experienced by one ship with all other ships in the region. MTISC-GoG has, however, received criticism from different sides. In the region, there is an element of mistrust towards the centre because some actors believe the centre keeps information that it does not want to share to itself. Likewise some ship-owners in the shipping industry fear that the information the centre holds might be sold to pirates by the local naval officers working there. However, the centre does not hold much more information than what is available through open sources on the internet, combined with what is reported voluntarily to MTISC by individual ships. The more detailed information, which is already required by national (mainly Nigerian) institutions such as harbours offices, would arguably be of much greater value to pirates than that which is held by MTISC. The mistrust, which a number of states in the region harbours towards MTISC is arguably rooted in unaddressed questions about the underlying reasons for establishing the centre, as well as questions about whether this centre will compete with the ambitious regional initiatives that are currently being rolled out. This is despite states in the region being invited to participate in the activities and day-to-day management of MTISC; many of the duty officer posts in the centre are for example offered to staff from regional navies. Through the participation of navy staffs from states throughout the GoG region, MTISC is able to contribute to elements of maritime security, which go beyond its main purpose. In inviting regional naval officers to partake in the day-to-day operation of the Centre, MTISC is able to offer insights about the technology used which in turn may be helpful when these officers return to their posts in their national navies. Having seen how MTISC operates, they are better able to transfer to a CMC in Ghana. In short, MTISC is currently the only one of its kind and thus fills a vacuum in the region that no other state has been able to. The role of MTISC might of course have to be revised once the regional maritime architecture from the Yaoundé Summit is implemented and working. It is possible to imagine a scenario in which MTISC is transformed into the CMC for Zone F.

**Summary: Three regional maritime initiatives: CIC, MOWCA and MTISC-GoG.**

Although a degree of institutional competition can be seen in the region, it is important to stress that such competition is not inevitable. For the moment, the CIC initiative seems to be the most promising with regard to the establishment of more effective region-wide maritime domain awareness, at least as far as piracy is concerned. That said, it must be stressed that, in relation to the further development of this ambitious
inter-regional maritime security architecture, it would seem that more focus needs to be placed on the development of the individual zones rather than on the level of the CIC. As the development and relative success of Zone D has illustrated, certain states in the region have been able to mobilise not only the necessary resources but also the equally important will to combat piracy. Arguably, such success stories at the practical level of individual zones have developed independently from overarching processes at the level of the CIC. The zones themselves are intended to be self-sufficient and, by establishing such functioning zones, it is to be expected that the maritime security situation will improve significantly. As the CIC initiative as a whole develops, it seems unavoidable that at some point, the relationship between CIC, MOWCA and MTISC-GoG will need to be addressed more explicitly with a view to defining roles and responsibilities which in turn will help ensure complementarity rather than overlap and competition. MOWCA could for example focus on educational and administrative efforts in the region, which are just as important as presence at sea. Similarly, MTISC-GoG might need to revisit its role, perhaps by entering into dialogue with regional actors about the possibility of transforming MTICS into the CMC for zone F.
Chapter VII: Maritime Security and the role of non-African actors

Besides the initiatives taken by regional institutions and states in West and Central Africa, a number of extra-regional actors are also involved in various counter-piracy/maritime security initiatives in the GoG region. Below we look at a number of carefully chosen non-African institutions that have explicitly formulated policy frameworks and/or specific programmes focused on maritime security in the GoG. We also briefly mention initiatives taken by two noteworthy extra-regional states, namely France and the US.

**The International Maritime Organisation (IMO)**
The IMO strategy on maritime security in the GoG focuses on maritime security at sea and largely omits the socio-economic causes ashore (IMO 2104). It manoeuvres between the different regional initiatives from MOWCA to the GGC and MTISC-GoG without any prioritisation. A reason for this might be that the IMO has supported all three initiatives and therefore sees itself as bound to include them all in the strategy regardless of their future relevance. Furthermore, the strategy includes The Port Management Association of West and Central Africa (PMAWCA) and places considerable emphasis on the importance of establishing secure ports in the region – an institution and locations that are rarely mentioned in any of the other strategic papers described above. What can be said about the IMO is that it seems to support a variety of different maritime initiatives without necessarily paying much attention to the question of how such initiatives obtain regional ownership or long-term sustainability. An illustrative example of this is how the IMO has supported initiatives such as MOWCA, CIC and the MTISC-GoG without explicitly addressing questions of how to ensure that these different institutions and their specific initiatives are complementary, locally owned and sustainable. This lack of attention to regional dynamics was further underlined during various interviews in the region in which the IMO was criticised for being heavily influenced by the UK as well as the maritime industry. The extent to which regional actors see the IMO as a UN organisation was even called into question during one interview.

**The European Union**
The EU strategy on the Gulf of Guinea aims at four overall areas: reducing sea blindness in the region, improving effective governance and national institutions, stimulating the regional economy and finally strengthening regional corporation (EU 2014: 3). The EU strategy is one of the few that also mention the need to try to counter the root causes of piracy and maritime security challenges in the GoG. That said, interviews with actors
in the region did however reveal that regional actors have expressed concern that the EU has not delivered many tangible results – instead the main focus of EU activities has been table-top exercises, which the region, to quote from one of our interviews, is “fed up with” as the EU has neither been the first nor the only actor to conduct such exercises. Another interesting point is that the EU seems, more or less explicitly, to have made a decision about which regional institutions to support. In contrast to the GGC, MOWCA is, for example, barely mentioned in the EU strategy. This seems to indicate that the EU has chosen to follow the agreement from the Yaoundé Summit instead of – rather than in addition to – providing support to the MOWCA coastguard initiative from 2008. This decision may in turn rest on the assumption that the CIC and the underlying architecture has the potential to develop all of the maritime security instruments which are necessary to establish a certain level of maritime surveillance and over time a common inter-regional counter-piracy strategy.

United Nations Office on Drugs and Crime (UNODC)

In various ways, drugs as well as crime make up important aspects of the threats and insecurities that currently exist in the Gulf of Guinea region. Indeed, the United Nations Office on Drugs and Crime had been running various programmes in both West and Central Africa way before the current focus on piracy. In fact, UNODC only started focusing specifically on maritime security issues in the region in late 2013, and the first initiative supported by UNODC was a workshop held in Ghana (“Legal Facilitation of Gulf of Guinea Maritime Law Enforcement”) with the aim of identifying “challenges in the maritime security sector” (UNODC 2014a:21). UNODC’s maritime crime prevention activities in this region are mainly focused on the legal domain. According to UNODC, its activities in the Gulf of Guinea region include “legislative reform, capacity building of maritime law enforcement institutions, training of officials, supporting prosecutions, and strengthening cooperation mechanisms between countries” (UNODC 2014a). Besides judicial capacity building in individual countries (including so far Togo, Benin, Nigeria and Gabon)8, UNODC has also – in partnership with UNOWA – been supporting maritime security initiatives at the institutional level, for example by aiding “ECOWAS, ECCAS and the GGC’s efforts toward the development and the adoption of a comprehensive Joint Regional Maritime Strategy to effectively fight piracy and related transnational criminal activities in the Gulf of Guinea” (UNOWA 2015). To support additional maritime security activities in the years to come – including “critical assessments and capacity building activities”

(8) “In 2014 the MCP [UNODCs Maritime Crime Programme] started a legal reform programme in Togo, Benin, Nigeria and Gabon” (UNODC 2014b: 21)
UNODC has recently boosted its staffing “with the addition of a fulltime UNODC officer to coordinate activities in West Africa” (UNODC 2014b:22).

**United Nations Office for West Africa (UNOWA)**

The United Nations Office for West Africa (UNOWA) is entrusted with the overall mandate of “enhancing sub-regional capacities to address cross-border and cross-cutting threats to peace and security and promoting good governance, respect for the rule of law, human rights and gender mainstreaming” (UN Security Council S/2014/442). To fulfil this mandate, UNOWA often works in partnership with other actors and, in relation to maritime security, UNOWA and UNODC have for example partnered up to offer support to “ECOWAS, ECCAS and the GGC’s efforts toward the development and the adoption of a comprehensive Joint Regional Maritime Strategy to effectively fight piracy and related transnational criminal activities in the Gulf of Guinea” (UNOWA 2015). More specifically, this support has included help with facilitating annual meetings with representatives from the two Regional Economic Communities (ECOWAS and ECCAS) as well as representatives from the ICC. In short, both of these UN institutions – UNODC and UNOWA – have become involved in and have lent their support to various activities aimed specifically at addressing the issue of maritime insecurity in the Gulf of Guinea. Yet, this engagement remains at the level of institutional support and cooperation as well as support to strengthen the juridical system of certain states in the region. Put differently, issues such as poverty, marginalisation, good governance and unemployment are not addressed by these UN bodies.

**INTERPOL**

UNODC is not the only international agency whose work in the region focuses on legal aspects of counter-piracy. INTERPOL also undertakes a number of capacity-building activities in the Gulf of Guinea region that broadly speaking can be referred to as activities to do with forensics and criminal investigation capacity building. More specifically, INTERPOL’s maritime security related activities fall within three areas. The first area concerns activities that aim at improving evidence collection capabilities of relevant actors in the region including exploring the possibilities for formal cooperation with naval forces involved in maritime piracy. More significant than the focus on navies is INTERPOL’s focus on police capacities in the region, and to illustrate this it is worth taking a brief look at two specific projects. First, the main objective ‘Project AGWE’ is to train local police staff in how to preserve a crime scene as well as how to

---


(10) UNOWA and ECOWAS have also met to discuss “cooperation on maritime security” (UN Security Council S/2014/442, page 17).
collect and use evidence in evidence-based investigations. Currently arrangements have been made with five countries: Nigeria, Ghana, Togo, Benin and Ivory Coast, which together will be sending a total of 80 police officers to this INTERPOL training programme. As the project stands now, it is scheduled to run for an initial trial period of three years with the possibility of being extended geographically (e.g. to Central Africa), continuing at a more advanced level and/or broadening out to the five participating countries to give more police staff the opportunity to benefit from the training. With an eye to the importance of ensuring continuity and sustainability of these training activities, INTERPOL has invited the appropriate training institutions in each of the five countries (i.e. the national Police Academies) to participate in the project. Besides a focus on enhancing criminal investigation capacities in individual countries, another aspect of INTERPOL’s counter-piracy activities in the GoG region is to conduct a number of workshops where participants from the five member states meet. One of the aims of these workshops is to facilitate better collaboration between countries, a necessary step given the fact that it is a crime, which cannot be confined to any one country. Additionally, such activities may also help build trust between key actors in these different states – a dimension, which may also contribute in important ways to closer collaboration between these countries in the area of counter-piracy.

In addition to this project, INTERPOL also has experience with another criminal investigation project, which could be of relevance in the Gulf of Guinea context, namely the so-called ‘Hostage Debriefing’ project. The aim of this project is to ensure that people who have experienced a piracy attack are debriefed and interviewed after the incident. Such interview processes are important in relation to the goal of capturing evidence in the form of testimonies, identification of pictures from INTERPOL’s archives etc. Importantly, some of the interviews conducted by INTERPOL have, for example, been presented as part of the evidence in trials of pirates in the Gulf of Aden. A similar ‘Hostage Debriefing’ project could possibly be of relevance to the Gulf of Guinea region where a considerable number of people who have experienced piracy attacks have not yet been interviewed due to a lack of resources and capacity.

The activities of INTERPOL are neither isolated from institutions outside the region nor from regional ones. Regarding the latter, INTERPOL has agreed to second an employee to MTISC (Ghana), and INTERPOL may also soon be have an employee seconded to the CIC in Yaoundé as well. Regarding extra-regional institutions, INTERPOL already has an agreement with EUNAVFOR and is about to conclude another agreement with NATO. Besides these agreements, UNODC is another important institution in relation to the activities of INTERPOL. Whereas the activities of UNODC include building prisons and assisting countries in making reforms to their legal systems, the activities of INTERPOL are focused on a different level in the
sense that INTERPOL does ‘the practitioner’s part’ when they conduct such as things as training workshops in evidence collection techniques. Although the activities of these two organisations are closely related, this difference in focus means that the risk of overlap and duplication is considerably reduced. That is to say, within a broad category of legal capacity building activities, UNODC occupies one role whereas INTERPOL occupies a different niche given its capacity building activities in the area of criminal investigation.

Thanks to its counter-piracy activities in East Africa, INTERPOL already has considerable experience with programmes aimed at providing various forms of capacity building and training, including workshops on law enforcement (see for example INTERPOL 2012) and projects aimed at improving capabilities for evidence collection (see for example INTERPOL 2015). One might argue, however, that the need for criminal investigation capabilities is currently more pronounced in the Gulf of Guinea region. Since INTERPOL’s East Africa activities arguably produced tangible and measurable results, there is currently great optimism within the institution regarding the potential success of the recently initiated projects in the Gulf of Guinea. Yet, since most initiatives in this region are still very new and a number of projects are still in the process of being defined and approved, it of course remains to be seen just how INTERPOL’s counter-piracy activities will materialise and what effect they will have on the problem of piracy and maritime insecurity in the Gulf of Guinea.

**Initiatives by individual extra-regional states**

Besides these extra-regional institutions, a number of non-African states are also present in the GoG region and have undertaken various activities in relation to the issue of maritime security. Whereas many of these extra-regional states have only been present for shorter periods of time, there are two notable exceptions to this, namely France and the US therefore deserve specific mention.

**France:** France has conducted maritime operations in the Gulf of Guinea since 1990 through Operation Corymbe (Steffen, 2014). Operation Corymbe is a permanent French maritime presence in the region. It does not only serve as an instrument through which to provide security at sea, it is also used for flag-waving and to conduct maritime exercises and training in the region. Furthermore, Operation Corymbe is also used as a standby force in times of crisis in the region, for example, during disaster relief operations or if French citizens need to be evacuated. The number of ships in Operation Corymbe differs from time to time. Other European states – such as Portugal, Spain and Belgium – have occasionally participated in the operation.
The US: Through US AFRICOM, the US has a permanent presence in the GoG. Since 2010, US AFRICOM has hosted Exercise Obangame Express, an annual naval exercise. In 2015, 23 states from the region and beyond participated in the exercise (African Defence, 2015). Besides a number of regional states, Belgium, Brazil, Denmark11, France, Germany, Norway, Portugal, Spain, Turkey, the UK and the US all participated in or contributed to the exercise (Naval Technology, 2015). The aim of these annual exercises is to train regional navies in coast guard functions such as surveillance, search and rescue and boarding. In that sense Obangame Express seeks to improve maritime security through training and capability building of navies in the region.

Summary: Three Types of Capacity Building Activities
The scope of the problem of maritime insecurity in the GoG is enormous since piracy cannot easily be isolated from other criminal activities at sea or from various onshore challenges that create conducive conditions for piracy. As we have seen in this chapter, a number of states and institutions (regional and extra-regional) have initiated various activities aimed at addressing the issue of maritime insecurity in the region – or rather specific aspects of the problem. Looking at the actors and activities described above, it becomes evident that the majority of initiatives with a specific maritime security focus fall within three types of capacity building activities:

Institutional capacity building: IMO, EU and UNOWA
One institution whose capacity building activities focus on the development of institutions is the United Nations Office of West Africa (UNOWA). UNOWA contributes to the development of a safer maritime environment in the Gulf of Guinea region through its support of the maritime efforts of regional institutions. The same can be said about the EU's Gulf of Guinea Strategy. Such capacity building efforts have been important in the development of a response to a problem that reaches beyond individual states to an inter-regional level. Yet at the same time, institutional capacity building also has limitations. None of the institutions have, for example, been able to address some of the more difficult and sensitive issues; a state of affairs which means that they currently have little impact on important governance matters that form a key part of the problem. Accordingly, these institutions have been criticised for only doing the “easy” tasks with regard to maritime security. Thus, paradoxically, on the one hand, various institutions have laudable ambitions about the need to address the ‘root causes’ of the problem of piracy and maritime insecurity in the region. On the other hand, however, this ambition seems to be very difficult to realise, particularly in a region where a number of states (notably Nigeria) are unwilling to address various conditions that when put together produce a conducive environment for piracy

(11) Denmark participated with observers during this exercise.
activities to thrive (i.e. immunity, corruption, marginalisation etc.) and/or are reluctant to accept foreign interventions aimed at addressing these aspects of the piracy problem. Given these challenges, institutions may instead choose to conduct table-top or paper exercises. Yet, as already alluded to, the degree to which such exercises have a measurable impact on the problem of maritime security has been called into question by various actors in the region. As a result, it should not come as a surprise that extra-regional states with an interest in contributing to the improvement of maritime security in the GoG often turn to other alternatives such as bilateral arrangements or partnerships with regional initiatives.

Military capacity building: France & US AFRICOM
Concerning military capacity building programmes in the region, such as the ones that France and the US are conducting, two matters or contributions are worth mentioning. First of all, naval presence will always to a greater or lesser extent be representative of national interests. Not that this is necessarily a bad thing; it remains, however, always an underlying element, which must not be neglected. That said, naval presence is potentially capable of taking action that other initiatives are not, in this case most notably training at sea. Such training does not aim at enhancing sea power or at training navies in sea battle. Instead, this kind of military capacity building focuses on training coast guards in how to conduct policing tasks at sea – tasks that rest either with navies or with coast guards – and sometimes external actors are the only ones capable of offering such training. Accordingly, the training exercises that have been conducted by France and the US – regardless of the fact that both of these countries have geo-strategic interests in the region – represent one possible way of contributing to enhancing much needed sea policing capabilities in the GoG region.

Legal capacity building: INTERPOL, EU & UNODC
It is widely recognised that besides inadequate military capacities another critical part of the problem is insufficient juridical capacities of states in the GoG region. To address this shortcoming, a number of institutions have engaged in various forms of training sessions, workshops etc. UNODC has, for example, carried out capacity building in the crime prevention and criminal justice sector and supported the implementation of relevant United Nations conventions. The new EU Strategy (2914) for the Gulf of Guinea similarly emphasises the need for reinforced capacity vis-à-vis the development of a suitable legal framework. As already mentioned, the activities of INTERPOL fall within a specific niche of juridical capacity building, namely that to do with criminal investigation, including crime scene preservation, evidence collection and evidence-based investigation. Operating within this niche, the activities of INTERPOL do not overlap with the other forms of juridical capacity building that are currently taking place in the region.
Chapter VIII: Obstacles and Risks

As described above, some of the capacity building projects for maritime security, which have been initiated in the Gulf of Guinea represent opportunities for engagement for partner states wishing to contribute to the ‘fight’ against maritime crime in the region. However, when considering these possibilities, it is important to be aware of how various risks and options may be attached to such engagement. With reference to capacity building in general, a number of risks are present (see for example Lindskov Jacobsen & Riber Nordby 2013; Beswick 2014; Keenan 2008). Some of these are of specific relevance to maritime capacity building in the GoG. In addition, there are also risks that have received less attention but which seem to be of crucial importance to efforts aimed at developing a safer maritime environment in the GoG region.

Risk of Confusing Incapacity with Political Unwillingness or Sea Blindness

Whilst capacity building activities within these three categories – military, institutional and juridical – address important aspects of the problem of maritime insecurity in the Gulf of Guinea, it must also be said that a crucial aspect is largely overlooked by these approaches, namely that such capacity building activities almost exclusively address the problem of incapacity, not that of unwillingness. For instance, the lack of sufficient legal frameworks may sometimes be a matter of insufficient capacity. Yet, in other cases it is simply due to lack of understanding, ignorance or corruption. That is to say, whilst reinforcing capacities to prosecute suspected pirates is indeed a key element in the effort to establish maritime security, capacity in itself is not sufficient if there is a lack of political will or simply a lack of knowledge (sea blindness).

Unwillingness or sea blindness? Arguably, there is a need to distinguish between political unwillingness and sea blindness: whilst sea blindness refers to a prevalent lack of knowledge about issues related to the maritime domain, political unwillingness refers to political priorities that reflect a lack of will to prioritize resources for maritime security. Setting such political priorities (that pay little attention to maritime security) may be the result of a perception that other political issues are more important and/or high levels of corruption and impunity, which may sway the political priorities of senior politicians away from a stronger focus on maritime security issues. Another closely related point is the landward culture and the perception that regime security is threatened not by insecurity at sea but by onshore insecurity – a perception, which often means that the former becomes marginalised on the security agenda. At the same time, such political priorities may also be influenced in the opposite direction.
through pressure from domestic and international actors, although one must bear in mind that the effect of such pressures cannot be taken for granted. In other words, political unwillingness requires a different kind of long-term engagement at the level of political dialogue, while sea blindness can be addressed through a combination of knowledge and capacity building efforts aimed not only at military, legal or institutional aspects but at the political level as well. An important point to stress here is that there is a risk that these significant nuances may get lost if the problem is reduced to one of ‘incapacity’ within the three abovementioned domains. Whilst overcoming institutional, personal and political unwillingness can significantly smooth the pathway for capacity building within the maritime domain, the opposite also holds true; namely that certain aspects of the problem (unwillingness) cannot easily be dealt with through a capacity building approach. Indeed, there are important aspects of the problem of maritime insecurity in the Gulf of Guinea region which seem to require different kinds of initiatives and capacity building efforts.

**Risk of neglecting the need for ‘capacity’ to deal with root causes**

As pointed out earlier, piracy and maritime insecurity stem from a number of root causes. However, the initiatives taken by states and institutions in order to improve maritime security do little to address these ‘root causes’. Instead they only treat their effects such as unemployment, loss of livelihood, marginalisation or lack of political will. In other words, although initiatives such as those mentioned above are important, they do not cover all of the dimensions of the problem when seeking to provide a safer maritime environment in the Gulf of Guinea. The reason for the discrepancy between causes and initiatives can be found within the West African states. For example, corruption in Nigeria or marginalisation in the Niger Delta are sensitive issues and considered to be an internal matter of the sovereign states in the region. Another example is unemployment. Unemployment amongst coastal communities in the region should be recognised as a root cause vis-à-vis the problem of piracy. Yet, this issue remains largely unaddressed by current initiatives aimed at strengthening maritime security. Whilst the importance of the problem of unemployment in relation to maritime insecurity and piracy in the Gulf of Guinea is one of many root causes, this issue is not addressed through military, juridical or institutional capacity building projects. Rather the kinds of initiatives that could address this problem are of a different kind, for example, building local capacity for alternative livelihood or sustainable fishery.

**Risk of Overlooking Alternative Areas of and Opportunities for Assistance**

If the political will was there, Nigeria could arguably do much more to address pollution problems that severely affect the livelihoods of people in Ogoniland and other places. Equally, the same could be said about other states in the region: if the will was
there, more could be done to prevent the risk of future environmental damage with potentially drastic consequences for local populations. Whilst it may be challenging for external actors to address the region's environmental problems that are inextricably linked to piracy, perhaps because these environmental effects are not perceived to be at the heart of the problem, this should certainly not lead us to conclude that environmental issues can simply be left out altogether. For example, one might consider investing in or developing the capacity to enable a state like Nigeria to remove the 200 or so abandoned vessels off the Lagos coastline (Daily Independent, 2014). Crucially what must be understood is that these abandoned vessels do not only constitute an environmental threat, they also constitute a navigational hazard. On top of that, they also ‘assist’ pirates as they serve as shelters for them to hide in (Associated Press, 2012). The point to stress here is that ‘solving’ the piracy problem in the GoG region is not simply a matter of either development or security related capacity building. Approaching security in a manner that is too narrow might result in states and institutions overlooking other important options and aspects of the problem. The example of the abandoned vessels merely serves to illustrate how a single initiative can have multiple effects within different areas; the point being that a too narrow notion of security may hinder such initiatives being recognised by counter-piracy focused actors. In this way, initiatives to counter the threat of piracy can very well have positive spill-over effects on broader security challenges in the region. Currently, however, there is a risk that such effects – indeed, projects with a potential to generate such effects - are being neglected due to the prevalence of the problem-solving approach to the more narrowly defined problem of piracy. In addition, this example also shows that effective initiatives are not only about negotiations between external states or institutions and states in the region. In fact, the shipping industry may also be able to play a role in proposing and pushing for certain initiatives, notably in places where the shipping industry is close to the problem as the ones on the ground.

**Risk of Divergent Perceptions**

Our interviews suggested that pirate attacks are not necessarily the main concern of local and regional states and institutions with regard to maritime security, in contrast to the shipping industry and non-African states. An important reason why such indications of divergent views between regional and extra-regional states and institutions can be considered a ‘risk’ has to do with the observation that such divergences can have important implications for the sense of ownership of maritime security initiatives, which is crucial to the success of such efforts. For example, in the domain of juridical capacity building, partners need to be aware that there is not only a need to update laws and more generally buttress the capacity of regional actors to tackle the problem of piracy, regional states also need to be aided in their efforts to tackle other problems such as IUU fishery. In other words, if partner states and institutions
define their capacity building efforts too narrowly, there is a risk that these may lack local ownership and long-term sustainability. Narrowly defined initiatives will also not bring about additional ‘non-piracy’ effects, even though such effects may very well have a positive impact on the affected communities. Being better at handling challenges such as IUU fishery and pollution can, for instance, help make the lives of affected communities less dangerous.

**Risk of Duplication**

*Duplication, competition and mistrust amongst regional institutions*

Regarding the maritime security architecture in the Gulf of Guinea region, institutional competition and mistrust (Franke 2007) are not unavoidable since many of the institutions have very different mandates, merits and comparative advantages. As pointed out earlier in relation to MOWCA and the maritime security architecture which is now emerging in the wake of the Yaoundé process, there is a risk of competition between MOWCA and the ICC as both institutions profile themselves as an important part of an inter-regional response to the problem of maritime insecurity in the Gulf of Guinea. Likewise, even though MTISC-GoG may not be regarded as a competitor per se, the institution is nevertheless viewed with significant mistrust. However, relations between these institutions do not necessarily have to be characterised by competition or mistrust. As described in the preceding chapter, they could indeed be ones of complementarity or even with a degree of integration given their different comparative advantages and focus areas. Still, the potential for competition and mistrust is certainly there and, consequently, partners do indeed need to be aware of this risk and ideally support efforts to ensure that maritime security institutions in the Gulf of Guinea region develop in a complementary fashion.

*Duplication of donor efforts*

Whilst there are important gaps to fill within each of these three categories, the tendency for donors to favour similar kinds of projects as well as similar countries (the more stable ones in the region) enhances the need to coordinate efforts very carefully – a problem that regional actors pointed out in a number of interviews. It should of course be said that the G7++FOGG “has been established to better co-ordinate the maritime capacity building efforts of international partners in the Gulf of Guinea” (EU Strategy, 2014:7). Amongst other things, G7++FOGG has produced a “single-source document of all donor activities to reduce duplication of efforts within the international community” (Ukeje & Mvomo Ela 2013:27). Arguably, the recently established IMO West and Central Africa Maritime Security Trust Fund also has a certain coordinating function. Through this fund, individual states can contribute donations and these donations will then be used in a coordinated manner, as ensured by the IMO. Yet, despite such initiatives, interviews with various actors in the region do – as already
mentioned – suggest that there is still a need to further strengthen such coordination and to involve regional actors more in coordination processes.

**Military Capacity Building: Risk of Worsening the Security Situation**

It should come as no surprise that military capacity building in fragile contexts entails risk. This is certainly also true for the GoG region (Ukeje & Mvomo Ela 2013:10). However, such criticism is often aimed at “classical” military capacity building. When approaching the issue of capacity building within the maritime domain, it is important to note that the activities that are categorised as such do not necessarily have to be aimed at enhancing naval power, that is, at the more hard-core aspect of military activities. Indeed, military capacity building activities can also be aimed at strengthening the capabilities of navies or coast guards; actors that serve a much broader purpose, which – compared to building the capacities of armies on shore – is also more directly relevant to a number of critical peacetime functions, such as being able to carry out “search and rescue operations” and “medical readiness” (AFRICOM 2014). Such activities differ significantly from capacity building efforts with a stronger focus on training with and acquisition of weapons and other material, which can more easily be abused, with ensuing negative implications for national or regional security. In the case of the Gulf of Guinea, this critique does not apply to all activities conducted under the rubric of military capacity building. Yet, abuse of equipment provided as military assistance by external partners remains a risk that external partners must not neglect and particularly not in a region with rapidly changing conflict dynamics. In the Gulf of Guinea region, an ‘excess’ of military power could inadvertently have a negative impact on regional security.

**Summary: Risks versus Effects**

Considering the abovementioned risks, it may perhaps be tempting to avoid any involvement in the region or to only aim at “risk-free” initiatives. However, any involvement of external actors will always entail a certain level of risk. Yet, when weighing up such risks against ambitions of making a difference vis-à-vis the problem of maritime insecurity in the GoG, it is at the same time important to be aware that some of the low risk initiatives that donors could choose to engage in – e.g. supporting conferences or desktop exercises, may involve lesser risk but also potentially lesser effect, at least in the short run. For example, the EU, IMO and the UN have launched different initiatives, which mainly aim at conferences and table-top exercises. Whilst, on the one hand, such initiatives may be preferable from a ‘risk-free’ perspective, the impact of such initiatives can however be questioned. On the other hand, training regional navies in maritime surveillance or patrolling can be used to find or deter pirates, but at the same time such activities can also be exploited in a corrupt system. Therefore, deciding which initiatives to support is not simply a question of risk-taking alone but also of gaining the best effect, having taken into account the risks involved.
Chapter IX: Conclusion

To engage in capacity building activities aimed at improving maritime security is a complicated matter. At least six strategic questions must be considered when donor states like Denmark decide to get involved in such projects: *Who, What, Where, When, Why* and *How*?\(^{12}\) *Why* and *When* can be translated into questions about Denmark’s motivation/reason for getting involved in maritime security initiatives in the Gulf of Guinea region. *What* and *How* can be translated into questions about the kinds of risks that such projects may entail. *Who* and *Where* can be translated into questions about the limitations that a given capacity building project aimed at enhancing maritime security may confront. By approaching the issue of future maritime security engagement in the GoG region from this perspective, this concluding chapter offers a set of reflections on how to assess the extent to which various types of maritime security initiatives can serve ‘Danish interests’ and at the same time stand a good chance of success without taking disproportionate risks.

**Motivation/ reason (Why and When)**

So, *why* – and *why* at this specific point in time – do external actors decide to get involved in maritime capacity building projects? There are obviously different reasons for this. When investigating the Danish motives for counter-piracy involvement in the Gulf of Guinea region, some of the key motives fall within three categories: the protection of Danish shipping interests, international/UN attention and involvement, and the broader securitization of maritime piracy as an international threat. In other words, the answer to the ‘why’ question cannot be reduced to a single reason but rather to a combination of at least three important reasons. Whilst it can be argued that Danish shipping interests may be the overriding reason for Danish involvement in counter-piracy initiatives – now also in the Gulf of Guinea – such involvement would arguably not have happened in the absence of UN involvement and a global convergence around the representation of maritime piracy as an international threat.

**Risk (What and How)**

‘Classic’ development projects – which is where the capacity building approach originates – are commonly characterised by a human security approach where the main focus is to provide security for human beings, often at the local level e.g. through initiatives that seek to reduce levels of poverty, enhance food security or provide basic schooling. Capacity building in the domain of maritime security is different, and this

---

\(^{12}\) Called the 5 W’s and H strategy
is particularly true for projects that focus on building military capacities. Capacity building projects that focus on enhancing military capabilities hold an intrinsic risk, namely the risk that such capabilities may be abused and used for purposes with negative implications for the security of the people who live in the region and whose stability these projects were meant to improve. Concerning the issue of capacity building for improved maritime security, enhanced capacities to locate and arrest pirates can potentially have negative implications if, for instance, the handling and conviction of arrested pirates is characterised by torture, violence or trials that are not evidence-based. Given this potential for abuse and unforeseen negative consequences, risk assessments of course become an important part of military capacity building projects, also when the focus is on maritime security.

Should such risks materialise, one potential implication may be that the donors involved in supporting such projects are “discredited” in the eyes of domestic audiences, regional and/or international actors. Besides this risk, capacity building projects that focus on enhancing military capabilities may also entail another set of risks; projects may suffer from a lack of local/regional ownership which in turn will affect their sustainability, or they may overlap with similar activities carried out by other external actors to such an extent that they result in little more than a mere duplication of existing efforts (this risk obviously does not only apply to military capacity building projects).

From a Danish perspective, reducing the likelihood of such risks is essential. From a normative perspective, as well as from an international law perspective, Denmark cannot support initiatives that do not take international laws (such as the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment) and prevailing norms (including respect for human rights) into account. Accordingly, Denmark must, for example, be careful not to support initiatives in which pirates that have been arrested are tortured or do not get a fair trial. That is to say, Denmark should not support military capacity building initiatives if there is a foreseeable risk of severe negative effects that could call into question Denmark’s adherence to its obligations under international law. Besides the importance of international law and prevailing norms, it is also important to remember that the materialisation of negative consequences from a project that Denmark supports may severely reduce Denmark’s credibility in the region, which in turn has implications for future engagements in capacity building projects. In view of this, it must be said that, regardless of any strong impetus for Denmark to take action in the region to immediately help reduce the level of piracy, it is of the utmost importance not to lose sight of the crucial point that such interests must be weighed up against the risks and negative effects that certain projects may entail.
Limitations (Where and Who)

What must also be said is that some of the factors that contribute to the prevalence of piracy in the Gulf of Guinea region entail a high degree of complexity. Poverty, corruption and social exclusion are extremely complicated issues and ones that cannot easily be eradicated. For example, although numerous development projects have unfolded in various African states since the days of independence in the 1960s, a number of these states are still affected by instability, poverty and corruption – although certain projects may well have contributed to help overcome some of these challenges. The point to stress here is that it takes a long time to address and overcome these complex challenges, which in turn means that counter-piracy initiatives that aim at addressing ‘root causes’ must be seen as long-term initiatives whose impact on the current problem of piracy and maritime insecurity may only become visible after consistent engagement over a considerable period of time. Taking Nigeria as an example, a related issue also comes into view: development projects that address politically sensitive issues (such as marginalisation and corruption) may be extremely difficult to implement. Regardless of how donors try to address different root causes, they will find themselves in a difficult position if the Nigerian government is not interested in cooperating with donors in relation to their implementation. In view of the current situation in Nigeria, this may very well be a challenge that external actors will have to find ways of coping with if they wish to address different root causes related to the problem of maritime security.

Confronted with such limitations, Denmark has different options. One option is to partner up with international or regional institutions as a way of, indirectly, trying to push for such initiatives. Another option is to establish and make use of strong bilateral diplomatic relations with specific states. Although there may be ways to work around such limitations, it is also true that they represent a reality in which the most desirable initiatives may not be feasible, and, accordingly, external actors may instead decide to go for ‘the best’ of the more feasible options. The challenges of addressing important root causes in Nigeria may, for example, mean that Denmark is more likely to support projects in neighbouring states or within the framework of international institutions.

Weighing up motives, risks and limitations

In view of the above, a crucial question is of course how – or perhaps whether at all – the three aspects (motives, risks and limitations) can be combined most favourably? On the basis of the above-mentioned motives for engaging in counter-piracy efforts in the first place, Denmark is now also committed to counter-piracy efforts in the Gulf of Guinea region. At the same time, long term initiatives that focus on addressing some of the root causes may not have the immediate impact that a four-year Danish strategy is looking to achieve. Yet, as seems to be one of the important lessons from the
longstanding engagement in the Gulf of Aden, the problem of piracy will not disappear if we only engage in short-term, containment efforts. In other words, it appears that the difficult task before us is one of defining how to engage in short-term and long-term efforts that run parallel and are complementary in their effects vis-à-vis the problem of piracy and maritime insecurity more broadly.

**Long-term initiatives**

Although it requires patience to address important root causes such as unemployment and poverty, this does not mean that Denmark should avoid engaging in socio-economic initiatives. Where such issues are too politically sensitive to be addressed directly, there are still ways to formulate projects that will affect these challenges in a more subtle manner. Examples of such initiatives are support of the dismantling of abandoned ships, capacity building with a focus on environmental protection, or assistance to regional actors in developing capacities to combat IUU fishing. All such initiatives will ideally have positive spill-over effects in the socio-economic domain, for example through the creation of jobs or in supporting the facilitation of local business initiatives.

With regard to another root cause, political disputes, initiatives are equally challenging because of the simple fact that they are obviously political. Denmark should certainly support mediation initiatives in the region – national as well as international ones – but such solutions require strong local ownership rather than being driven by external actors. Externally driven solutions are too often seen as interfering in national matters or bilateral negotiations. That said, regarding international disputes, Denmark should work actively to help ensure that political disputes are resolved in adherence with international law. The International Court of Justice ruling on the Bakassi Peninsula, which was later backed by the UN, showed that even if a decision was opposed by Nigeria, it was finally accepted by the states involved. So if Denmark decides to support different initiatives aimed at resolving political disputes in the region, it is important that such initiatives are anchored in international law as this will ultimately improve the likelihood of reaching a sustainable solution.

**Corruption and weak governance** are extremely complicated matters to engage in as an external donor. In Nigeria – and arguably also in a number of other countries in the region – corruption is so integral to certain aspects of governance that anti-corruption initiatives are likely to meet resistance from politicians as well as civil servants; some of whom may even benefit from the current state of affairs. Even though corruption is illegal in West African states, it flourishes and maintains the sizable illegal economy. However, an example of an institution whose activities address important aspects of these kinds of illegal activities is INTERPOL. Whilst corruption can be difficult to
fight, the work of INTERPOL may not only help bring criminal investigation capacities to the region, it may also in turn have a bearing on corruption insofar as sophisticated evidence collection can contribute to bringing individuals involved in piracy activities to justice and thereby potentially also help to reduce the level of impunity that currently prevails due to high levels of corruption. Critics may of course point out that states and individuals interested in preserving the status quo may simply ignore such initiatives. Even so, a more optimistic view may be that such initiatives can actually help push states in the right direction, for example, by making them look less credible as international partners if they decide not to collaborate. In addition, the politically sensitive nature of issues such as corruption, illegality and impunity implies that it would seem wise to anchor activities aimed at addressing these issues in an institutional framework as this will enhance legitimacy.

**Sea blindness** stem from a lack of knowledge about the maritime domain with the consequence of a similar degree of political unwillingness. With the AU and ECOWAS maritime strategies, a process has begun to slowly raise awareness of the importance of maritime security. Yet, it still remains to be seen whether states as a result of these processes will end up placing maritime security higher on their national agendas. In contrast to the above-mentioned initiatives, efforts aimed at addressing the issue of sea blindness can more easily be carried out on a bilateral basis. Regarding sea blindness, there is a number of ways in which external actors can help address this ‘root cause’. One option is to support and cooperate with civilian as well as military educational institutions such as defence colleges, research institutions, maritime universities and police academies. Within areas such as maritime administration, sea-farer training, inspections, legislation, patrolling and coast guarding, Denmark is in a good position to collaborate with educational institutions in the region to offer training and knowledge-building within the maritime domain (civilian as well as military).

Another option would be to support existing educational programmes in the region, for example maritime courses at universities or research institutions. Here, MOWCA could play an important role because of its focus on education, land based logistics and port administration. By getting MOWCA more involved, the institution will be able to develop into a centre specialising in onshore aspects of civilian maritime security, such as ISPS coding and audits of national maritime agencies. In doing so, MOWCA would be able to push for implementation of international agreements and standards. Such initiatives would only involve low risks, but they may nevertheless contribute to strengthening Denmark’s maritime profile in the Gulf of Guinea region. Another aspect of sea blindness is a lack of attention to economic opportunities in the maritime domain. Initiatives aimed at supporting states in the fight against UUI fishery could help address this dimension of sea blindness insofar as such an initiative could, over
time, help stimulate greater awareness of the economic potential of the maritime domain – and in turn generate greater interest in maritime security. Additionally, such initiatives may also have a positive effect on the development of a sustainable fishing industry, which, in turn, may help improve some of the socio-economic challenges in the region. Furthermore, contributing to the development of a sustainable fishing industry may also lead to better protection of the environment, prohibition of waste dumping etc. In this sense, such projects can potentially address a variety of challenges that confront the region and that in different ways feed into the problem of piracy and maritime security.

Yet another domain where long-term initiatives are needed concerns the **legal challenges** that have been described in this report. Some of these legal challenges are related to corruption and have been addressed above. However, other legal challenges stem from a lack of capacity, out-dated laws or inconsistent implementation. Addressing these different categories of legal challenges would seem to require different – and ideally complementary – initiatives within the political domain (legal reforms), the jurisdictional system (courts) and the enforcement system (police). Some of these legal challenges – e.g. the problem of out-dated maritime laws – cannot easily be separated from the above-mentioned problem of sea blindness; whether due to a lack of political knowledge or a lack of political will, the effect of sea blindness is that reforms of maritime laws have been neglected. For external actors this is an important point to note since projects aimed at supporting much-needed legal reforms are, for instance, not likely to have the desired effect unless such reform processes go hand-in-hand with a more general strengthening of the political will to pay attention to the maritime domain. Other legal challenges can perhaps more favourably be addressed through support of various educational programmes at maritime universities in the region aimed, for example, at enhancing knowledge about international conventions such as UNCLOS and MARPOL. Such courses could be offered not only to high-ranking ministerial professionals, but also to practitioners of coast guard duties or inspection duties ashore. Other more practice-oriented training courses – on issues such as how to collect evidence (INTERPOL) and how to insure that ISPS regulations are being adhered to – might help address other dimensions of the manifold legal challenges which the GoG region struggle with and which severely affect the state of maritime security.

**Short-term options**

Most of the current short-term counter piracy options in the region fall within three broad categories of initiatives. One type of initiative follows a *containment strategy*, and its aim is to ensure that piracy does not spread beyond Nigerian waters. Examples of such initiatives will be presented below. Another category follows a more comprehen-
sive maritime security strategy, which is broader in the sense that such initiatives are intended to reduce a wider range of illegal activities at sea. Examples of such initiatives will also be explored below. Finally, a third category can be referred to as following a protection strategy, which does not primarily aim at countering the piracy threat but instead tries to prevent new attacks from occurring.

In line with our assessment of long-term solutions, it is also helpful to approach the three types of short-term counter-piracy strategies from a perspective that considers the interplay between motives, risks and limitations. Although many aspects of this interplay have already been mentioned above, a somewhat different set of motives, risks and limitations become visible when we briefly assess a number of possible short-term strategies.

Motives
Regarding the kinds of motives that have been important in heightening the Danish focus on piracy in the Gulf of Guinea region, it must be recognised that, although the problem of maritime security does indeed include a broad range of offshore and onshore challenges, it is still primarily piracy itself (violent attacks, etc.) that has been the foremost concern. This does not necessarily mean that Denmark will not support initiatives that have a broader focus when it comes to reducing maritime insecurity in the region. However, UUI fishing, waste dumping, smuggling etc. have not been deemed as acritical neither have they been approached with the same sense of urgency as the issue of violent piracy attacks in the region. That said, Denmark has expressed an interest in finding alternatives to counter piracy and such solutions may at the same time reduce other types of maritime threats.

Risks and programming possibilities
In short, there are close linkages between long-term and short-term challenges. While some of the above-mentioned motives suggest a focus on short-term approaches with an immediate effect on the level of piracy attacks, it is also important to call for careful consideration of possible ways that long-term and short-term initiatives can be combined. To focus narrowly on initiatives with an immediate impact is unlikely to produce the most favourable outcome if the impact is achieved at the expense of long-term attempts. In addition to the links between long-term and short-term approaches, another issue of crucial importance when deciding which strategy to follow is the question of the relationship between risks and specific programmes and partnership possibilities.
**Bilateral projects**

The level of risk represented by a specific initiative is of course a key element when deciding which specific initiative to support. If Denmark wants to support initiatives within one or more of the above-mentioned strategies, then there is a range of different options to consider. Denmark can for instance make bilateral agreements with individual countries in the region – an example could be a specific agreement with Ghana on a capacity building project focusing on education, training and/or equipment. With bilateral agreements, the political stability of the country becomes important considering the risks that are posed if equipment is used for purposes other than those intended or with unintended consequences. On the one hand, such risks of course increase when only one of the parties involved (i.e. the country in question) decides the purpose of any given capacity (notably equipment). On the other hand, bilateral agreements may under certain conditions help reduce certain risks – but this will require that the external partner (in this case Denmark) is able to closely follow the specific initiative that is being supported. This will, however, require well-established and close relations between the two partner states, including a firm knowledge of political developments in the country in question on the part of the external partner (Jacobsen & Nordby 2013). Indeed, one way to reduce this risk of unintended uses/consequences is to only undertake such bilateral projects with states that Denmark already has strong diplomatic relations with. In the case of the Gulf of Guinea region, Ghana would seem the most obvious candidate for such bilateral programmes.

A capacity building programme with Ghana aimed at enhancing maritime security in the region could feed into a containment strategy because of Ghana’s geo-strategic position and close proximity to Nigeria. However, as Ghana is the host country of the MTISC-GOG and is intended to play an important role in the development of zone F, including the CMC for this region, what may begin as a containment strategy could over time evolve into a more comprehensive maritime security strategy in zone F with Ghana and Côte d’Ivoire as the two driving actors. Accordingly, Ghana could potentially over time help advance the development of a broader, region-wide maritime security strategy. Somewhat similar considerations can be made with regard to Nigeria. However, as the Danish embassy in Nigeria only just opened in August 2014, it will be necessary first to build up trust and knowledge prior to initiating any bilateral capacity building programmes in the field of maritime security.

**Partnering with other external actors**

Denmark can also decide to partner up with other donor states, such as France or the US, and in that way become part of their programmes and exercises. One option would be to decide to participate in exercises like OBANGAME or Operation Corryambre. Besides supporting regional maritime capacity building within education and
training, participation in such exercises might also be seen as an important signal to send of Danish interests in supporting existing counter-piracy efforts in this region. Through such participation, Denmark will also be able to assist with capacity building in different areas of maritime security such as surveillance, boarding, control and inspection. Moreover, this model should help reduce the risk of duplication of unco-ordinated donor efforts. On the other hand, to partner up with countries whose past and present political presence significantly affects how key actors in the region perceive them may call Denmark’s current status as a rather impartial actor into question, and this would of course have important implications for Denmark’s future engagements there – potentially even beyond the domain of maritime security.

**Multilateral Institutions**

Denmark could also consider partnering up with other institutions such as the UN (UNODC, UNOWA), EU, INTERPOL or IMO. If Denmark decides to do so, it is important to be aware that, from a regional perspective, such institutions may not necessarily be seen as impartial to the same extent that they are by Western actors. When international institutions get involved in maritime security issues, questions often arise about whether the declared impartiality may hide from view the interests of individual states. This concern was mentioned in a number of interviews conducted with various actors in the region. Furthermore, certain extra-regional institutions often struggle to provide what is much needed, namely “hands-on” training and education instead of more table top exercises, conferences etc. On the other hand, some of the institutions mentioned above also focus on root causes and long term solutions, although without offering short-term options through which to address the current level of maritime insecurity.

**Direct support to Regional Initiatives**

Yet another option is for Denmark to directly support some of the regional initiatives. On the positive side, such support may help ensure local ownership (as such initiatives are primarily driven by regional actors). On the other hand, providing support to a regional initiative may entail a more pronounced risk of unintended use or corruption – a risk that will depend upon the nature of the initiative / institution to which support is provided. Below we look at some specific examples.

**CIC**

The establishment of zone D was the result of a containment strategy in the sense that it emerged as an attempt to hinder pirate activities from spreading into Cameroonian waters and further south. This is important to note because it was this initiative which later played an important role in the development of the CIC and towards a more comprehensive maritime strategy. What can be learned from this initiative is that, even
though it may be tempting to support the CIC as an institution, the success of the CIC from the very beginning depended upon the existence of functioning zones at the operational level. The establishment of a functional operational level in zone D contributed to a reduction in the level of sea blindness of the implicated states and helped create a stronger sense of local ownership. In view of this, it seems wise to suggest that, if Denmark decides to support the CIC, it should be the development of tactical centres in the different zones which should be given priority, since without functioning zones and regional CMCs there will be little need for the more political and coordinating function represented by the CIC. Furthermore, the six zones of this inter-regional maritime security architecture could still function even without the CIC. In addition, initiatives within the different zones and/or at the level of the two CMCs are more likely to come with a level of local ownership that may not easily be replicated at the higher organisational levels of the CIC structure. What must also be said is that to begin with a well-functioning centre in an individual zone may ‘merely’ have effects similar to those of a containment strategy. However, given that these centres are part of a much larger inter-regional architecture, individual centres may end up contributing to a comprehensive maritime security strategy firstly within the zone itself and, secondly, over time between zones.

Hence, supporting the development of zones and CMCs is of great importance if CIC is to develop into a strong institution – rather than just a ‘paper tiger’. Finally, when deciding which zone to support, the political will of states within that zone is crucial. As Nigeria’s involvement in zone E is questionable, it may be wiser for Denmark to focus on capacity building initiatives in zone F. As mentioned above, an important reason to further pursue this suggestion is the fact that Denmark has close relations with Ghana and, secondly, that there is an increasing political will to get involved in maritime security in both Ghana and Côte d’Ivoire.

MOWCA
Concerning short-term options, the role of MOWCA is different to that of the CIC. MOWCA’s initiative to develop national coastguards is difficult to push forward if MOWCA’s member states do not recognise the importance of such an initiative. Furthermore, MOWCA can potentially play an important role with regard to a comprehensive maritime security strategy. Such a strategy can only be comprehensive if legislative, educational, administrative and logistic requirements and standards are applied. Another option would therefore be for Denmark to consider offering support within these areas to capacity building projects which are defined and carried out in collaboration with MOWCA. Such initiatives will of course not counter all aspects of piracy, but they could very well serve an important function in relation to the challenge of reducing petro piracy and petty piracy. Such initiatives could potentially also
help regional actors address other maritime security issues such as illegal fishing and waste dumping, for example by helping the development of capacities to issue licenses which in turn could reduce problems such as corruption.

**MTISC-GoG**

An overall reaction to the region’s lack of involvement in counter-piracy was the establishment of MTISC-GoG. Because of this lack of involvement, MTISC-GoG has applied a *protection strategy*, which focuses on information sharing. MTISC-GoG has, on the one hand, been criticised for a lack of regional and local ownership - which is partly a valid criticism. On the other hand, one cannot neglect the fact that the centre emerged in response to many years of passivity on the part of states in the GoG region. In view of the gap that such passivity resulted in, MTISC-GoG has an important role to play. It can, for example, serve as inspiration for how to create a CMC with limited resources. Furthermore, the centre already works as an institution where naval officers from the region are trained in how to build a maritime picture. Finally, there is a possibility that MTISC-GoG may over time – and if explicitly addressed in a constructive manner by all the involved actors – evolve into the CMC for zone F, which is also the largest zone of the six zones in the CIC structure. Considering Denmark’s good relations with Ghana, there is perhaps an even greater chance that Denmark may be able to help influence the future development of the MTISC-GoG towards its integration into the maritime security architecture. In short, with an eye to ensuring that such developments take place – rather than the emergence of competing and overlapping institutions – Danish support to MTISC-GoG could in the long run help support a *protection strategy* that assures improved levels of security for civilian shipping. Moreover, such developments would also be in line with Danish interests.

**Limitations**

Finally, it is important to stress the point that, regardless of any specific initiative that Denmark may decide to get involved in and offer support to, no choice will be entirely risk-free. Accordingly, the difficult exercise that must be made consists of carefully considering the relationship between potential risks and intended/desired effects.

The different strategies mentioned above are in a certain sense already defined by different limitations. The *containment strategy* is often chosen as a result of Nigeria’s lack of genuine involvement, the *protection strategy* becomes attractive as a result of limitations stemming from a region-wide lack of involvement, and the *comprehensive maritime security strategy* becomes attractive in view of important limitations such as divergences in national maritime legislation with implications for inter-state cooperation. The various limitations that are present in the Gulf of Guinea region ultimately imply that the ‘best’ strategy may not necessarily be synonymous with the best *possible*
strategy. But, importantly, this also means that as limitations change – e.g. because of political developments or because of the effects of various programmes – it is important to see different strategies not as isolated but instead as potentially complementary and that may need to be revisited as conditions in the region change. This for example implies that, if Denmark decides to focus its support around one strategy, it may over time be necessary to change this focus as a result of developments in the region, e.g. as the different aspects of the emerging maritime security architecture develop.

Another important point to realise is that, if Denmark decides to get more involved in maritime security in the Gulf of Guinea, the ability to bring about the desired changes are highly dependent upon the extent to which Denmark is perceived as a serious and credible partner in the implementation of different initiatives at the diplomatic level. Denmark already has a record of credibility from decades of development projects in the region. This means that it is far better to support “minor” maritime security initiatives which Denmark is able to support and follow through over several years than more ambitious projects where political risks or resources over time can be questioned. Limiting factors are, in other words, not restricted to those present in the region, but also include Denmark's will and ambitions to get involved in maritime security in the Gulf of Guinea.
Bibliography


Bibliography

Fonkoua Mbah, Sylvestre, “The Multinational Center Of Coordination Zone D” power-point brief http://amssa.net/actions/documents/MultinationalCoordinationCenter-ChiefofCenter.pdf accessed 8 March 2015


IMO, “Report- IMO/MOWCA Meeting to Progress the Implementation of an Integrated Coast Guard Function Network for West and Central African Countries”, 13-17 December 2010,


IPI 2008 “Pacific Settlement of Border Disputes: Lessons from Bakassi and the Greentree Agreement” International Peace Institute, October 2008


Lindskov Jacobsen & Riber Nordby 2013 “Danish Interests in Regional Security Institutions in East Africa” DIIS REPORT 2013:14

Martini, Maíra 2013 “Illegal, unreported and unregulated fishing and corruption” U4 Expert Answers, 5 September 2013


MOWCA, “Memorandum of Understanding (MoU) on the Establishment of a sub-regional integrated Coast Guard Network in West and Central Africa”, 29-31 July 2008,


MTISC-GOG, “MTISC-GoG PowerPoint presentation” 2014b, given 25 September 2014 at MTISC-GOG


Murphy (2013a) “Petro-piracy: Oil and troubled waters” Orbis, 57 (3), 424-437


Bibliography


Till Geoffrey, Seapower. A guide for the Twenty-First Century, 2013 Routledge, Oxon, United Kingdom


Udenrigsministeriet, ”Politikpapir for Danmarks engagement i Somalia 2011”, March 2011,


Maritime Security in the Gulf of Guinea


UN Resolution 2018

UN Resolution 2039

UN Resolution 21/2 - United Nations Office on Drugs and Crime


UNODC 2013, ”Transnational Organised Crime in West AFrica”


Bibliography


