



ROYAL DANISH DEFENCE COLLEGE



Communiqué from the Maritime Dialogue Platform IV

On the 4th and 5th of May 2022, the Centre for Stabilisation at the Royal Danish Defence College (RDCC) in cooperation with the ECOWAS Multinational Maritime Coordination Centre (MMCC) Zone F organised and facilitated the fourth instance of the Maritime Dialogue Platform. The seminar was held in Accra, Ghana and was attended by a broad range of maritime stakeholders:

Industry: Maersk, MSC, CMA-CGM, PIL, Danish Shipping, BIMCO

Actors in information-sharing: GoG-MCF/SHADE, MDAT-GoG, GoGIN

Maritime authorities: MMCC Zone F (co-host), MMCC Zone E, ICC, CRESMAO, Ghana Navy, Nigerian Navy

Non-regional navies and defence advisors / attachés: Denmark, Great Britain

Other actors: RDCC (co-host), CEMLAWS, KAIPTC

1. Background

The seminar sought to **facilitate, build, and solidify cooperation on maritime security among stakeholders in the Gulf of Guinea** by aiming to achieve three underlying goals: enhancing the relationship between both institutions and individuals, generating knowledge on known issues regarding cooperation on maritime security, and creating specific recommendations for improving the cooperation on maritime security. The seminar centred on two topics. First, the seminar shed light on the lessons learned from cooperation both in the Gulf of Guinea and the Horn of Africa. Second, the seminar touched upon the current situation in the Gulf of Guinea as well as the prospects for future regional efforts. The seminar format necessitated an intimate, intensive, and trust-enhancing atmosphere, for which reason the seminar comprised of several group discussions. To facilitate these objectives, the participants were carefully selected in order to keep the number low.



There has been a distinct downward trend in the number of piracy incidents in the Gulf of Guinea recently. This development can be attributed to the efforts of a broad range of regional and non-regional actors present in the Gulf of Guinea. Nonetheless, the concern for the sustainability of this development is widely acknowledged given the trend's somewhat sudden nature. This begs two important questions. First, how is success in relation to ensuring maritime security measured? Second, what specific efforts in tackling maritime security threats lead to fewer incidents? The topics of measuring success and establishing causal relationships were consistent themes of discussion during the seminar. In this regard, the need for establishing criteria for success and for deducing the effect of the various anti piracy efforts was recognised along with the need to improve critical parts of these efforts, such as trust-building between actors, legal finish, and ways and means of cooperation. Moreover, it was acknowledged that the various maritime stakeholders may hold differing perspectives on what success entails and what efforts provide the most effective outcomes. Likewise, the need to address the root causes of piracy and other maritime crimes was highlighted. The participants recognise that piracy and other maritime crimes are planned on land and that it is vital to consider and determine how to tackle the root causes of why individuals resort to maritime crime. Notwithstanding, this communiqué will mainly focus on perspectives, points and recommendations pertaining to efforts conducted on the sea.

2. Major points inferred from the seminar

The stakeholders welcome the downward trend in piracy incidents albeit the sustainability of the current development must be considered. Therefore, there is a consensus among the stakeholders that the current efforts against piracy and for better security in the Gulf of Guinea need to be maintained and constantly advanced in order to tackle the dynamic nature and flexibility of individuals committing maritime crimes. The seminar provided an opportunity for the stakeholders to present their views on the lessons learned from efforts in the Gulf of Guinea and the Horn of Africa, and the current status and future prospects of cooperation in the region. The section below elaborates on the major points of the seminar as well as the perspectives of the different stakeholders



2.1 Trust

Trust-building constituted the overarching topic of the seminar which saturated all discussions and dialogues. The stakeholders agreed that the ability to trust one another is imperative in order to ensure maritime security in the Gulf of Guinea, regardless of whether this trust pertains to sharing information, responding to incidents, legal finish or consolidating cooperation in general. As regards information-sharing procedures, the maritime industry emphasised their general contentment with the current information-sharing process where the MDAT-GOG is the primary point of entry in the communication interface between the maritime industry and the Yaoundé Architecture. The Yaoundé Architecture as well as the regional navies, on the other hand, underlined the need to further include and solidify their role in the information-sharing processes. Notwithstanding these differences, the participants hoped and anticipated to see rising levels of industry vessels reporting to the structure. In addition, the regional institutions emphasised that regional navies ought to be the first line of defence in the fight against piracy and other maritime crimes.

2.2 Legal finish

Without a sufficient legal basis, the credible deterrence of piracy becomes difficult. All attending stakeholders recognised that the ability to apply a legal finish in the shape of prosecuting and incarcerating maritime criminals is pivotal but, unfortunately, inadequate in its current form. The non-regional and regional *navies* present in the Gulf of Guinea do not have jurisdiction to prosecute pirates, which necessitates further and improved cooperation with national institutions. This, once again, highlights the importance of harmonised standard operating procedures within the coastal states. The maritime industry, the regional navies and the non-regional attendees all called for the solidification of a legal finish to ensure that pirates become aware of the consequences of their actions. Moreover, handover agreements between non-regional navies and the countries in the Gulf of Guinea need to be further strengthened. The importance of this became evident when the Danish frigate, Esbern Snare, encountered suspected pirates in November 2021. This case was widely discussed during the seminar and while all stakeholders agreed that the jurisdictional



element of the frigate's mandate was not implemented sufficiently, views differed on the significance and role of the presence of non-regional navies in the Gulf of Guinea.

2.3 Multiple forms of cooperation

The nature of the maritime domain necessitates cooperation between (and within) numerous actors. All stakeholders agreed that the issue of piracy and other maritime crimes cannot be overcome unless both national, regional, and non-regional actors collaborate. In terms of cooperation *between* the national, regional, and non-regional actors, the stakeholders highlighted the need for non-regional actors to continue to conduct capacity building, comprising training and counselling, of the regional navies in the Gulf of Guinea. Moreover, the role of the non-regional navies in the Gulf of Guinea was discussed. The general view was that the non-regional navies serve as a deterrent against piracy. However, information-sharing on the whereabouts and mandates of the non-regional navies as well as the distribution of roles between the regional navies and non-regional navies needs to be strengthened. Additionally, the Yaoundé architecture, the shipping industry and the non-regional navies have to continue sharing information and report on incidents via the multiple information-sharing platforms. Lastly, it was argued that regional navies should be transparent on what naval capacities they possess, and it was suggested that regional authorities and non-regional navies should align expectations on the mission, mandate, and capacities of the non-regional naval vessels present in the Gulf of Guinea. As regards cooperation *within* the states of the Gulf of Guinea and the Yaoundé architecture, the potential positive effects of having liaison officers were brought up – for example onboard non-regional naval vessels.

3. Ideas for future cooperation

3.1 Continue to build trust among the stakeholders in the Gulf of Guinea by strengthening cooperation and collaboration, being transparent about intents and actions and further consolidating the information-sharing processes. Openness and transparency are key.



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3.2 Clarify and resolve jurisdictional issues pertaining to the legal finish of prosecuting and incarcerating pirates and other maritime criminals. The jurisdictional framework, capacity, and ability of national institutions in countries in the Gulf of Guinea should be defined to follow through on incidents of maritime crime with a view to maritime criminals becoming aware of the consequences of their actions.

3.2 Clarify the distribution of roles and responsibilities between the regional navies and the Yaoundé architecture, on the one side, and the non regional navies on the other side.

4. Future talks

4.1 The stakeholders agreed that the dialogues and discussions which arose during seminars provide a solid foundation for identifying common ground on vital issues. Establishing a mutual understanding is the first step in finding durable and sustainable solutions for all stakeholders. The introductory remarks, the major points inferred from the seminar and the ideas for future cooperation presented above constitute a point of departure in achieving results in the future.

4.2 Stakeholders are recommended to consider the findings of the seminar and take steps together to move the relationship forward and implement the recommended ideas.

4.3 The organisers aim to continue the line of Maritime Dialogue Platform seminars. The format and composition going forward will be adjusted according to lessons learned from this seminar, for example, the need to have more stakeholders represented without a substantial increase in the number of participants.

Date:

18 May 2022

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