MARITIME CRIME AND THE EFFECTS ON GROWTH AND DEVELOPMENT IN THE AFRICAN REGION

SEMINAR REPORT
SUMMARY

On October 7th 2014, more than 90 maritime security experts from the public and private sectors met in Copenhagen to discuss the effects of maritime crime on development and growth in the African region. The participants defined visions for African countries, seafarers, and the maritime industry, describing the ideal situation for maritime security in Africa. Among the most important aspects mentioned were:

- Safety for seafarers.
- Unhindered access to maritime trade routes.
- Secure port facilities.
- Improved infrastructure to promote trade and natural resource exploration.

During interactive scenario development sessions, participants identified challenges to achieving these visions and laid out a number of actions that major maritime stakeholders from industry and governments should commit to as next steps towards overcoming current challenges and achieving the overarching vision:

**For West Africa**, the main challenges to maritime security were identified to be: a lack of improvement in support for maritime governance by Nigeria; resumption of Niger Delta insurgency in Nigeria if Goodluck Jonathan loses the 2015 election; slow improvement in the implementation of a regional legal framework related to maritime security; and, a lack of coordination by external actors trying to address maritime security challenges.

**For East Africa**, the main challenge to maritime security identified by the speakers was that a perceived lower threat posed by Somali pirates may lead to decreased naval presence and industry commitment to BMP. This could, in turn, result in a resurgence of piracy without a lasting framework to address the problem and a general increase in maritime crime in the Western Indian Ocean.

The seminar concluded by noting that achieving the desired level of maritime security in Africa requires: a long-term commitment from all stakeholders, including international, local, and regional leadership; industry adherence to cost-effective self-protection measures; incident reporting; and, international support for capability-building and economic development. Finally, all agreed that public-private partnerships should be considered as potential models for cooperation.
Several African countries are currently experiencing high economic growth rates and the continent is expected to continue its growth, both in terms of population and economic activity. Thus, Africa is becoming an increasingly important market for companies in the maritime sector as well as for companies relying on maritime transport of their goods to or from Africa. The maritime domain is crucial to developing African markets and maritime security could potentially foster economic development.

During a seminar in Copenhagen, Denmark, on October 7th 2014, representatives from the private and public sectors defined their visions for maritime security in Africa from three different perspectives: 1) African countries, and 2) the maritime industry and seafarers. This resulted in the following visions:

**African Vision for Maritime Security:**
- Secure port facilities and improved infrastructure to promote trade and natural resource exploration
- Maritime Domain Awareness to provide security of crews, vessels, and cargo in African waters

**Industry’s Vision for Maritime Security:**
- Unhindered access to trade routes
- Safety for seafarers in their daily work

**Seafarers’ Vision for Maritime Security:**
- To be able to sail on the high seas and in territorial waters without risk of attack and the need for security
- To know that companies and states care for them and will protect them

**SCENARIOS**

A key goal of the seminar was to develop new ideas to help maritime stakeholders tackle maritime crime and collaboratively build maritime security. Following the morning’s presentations, two parallel scenario sessions offered participants an opportunity to define the worst case scenario for maritime security 3-5 years from now, and what industry, the international community, regional organizations and national governments can do to prevent its occurrence. Below is a summary of the main findings from each of the sessions.

**WEST AFRICA:**

**General situation:** Participants in the scenario development session for West Africa pointed out that the main threats to maritime security in the region can only be addressed from a long-term perspective. Most countries in West Africa face many different security challenges. Nigeria’s fight against Boko Haram was named as one of the most prominent examples. Addressing maritime crime problems is therefore not necessarily the top priority. At the same time, governments in the region need to realize the potential of maritime trade, offshore oil & gas and sustainably managed fisheries. First steps towards enhanced maritime security have been made, notably through the African Integrated Maritime Strategy 2050 as well as on a regional level through the Yaoundé Code of Conduct and maritime security strategies of ECCAS and ECOWAS. Governments in West and Central Africa have to translate their commitments to these strategies into practice and outside assistance from various actors should be used to speed up the process.
Identified actions/commitments: Participants pointed out that necessary actions and commitments will be very different, depending on the respective actors.

On the national and the regional level, maritime security should be regarded as an enabler, not as the end-state. IUU fishing, smuggling and other illicit activities at sea have been identified as problems, the focus should now shift towards the question of how to deal with such issues. At the same time, the legal framework is an important aspect when it comes to maritime security. Efforts from the fight against Somali piracy should be used as a starting point for national legislation. Responsibilities of various maritime agencies have to be defined on a national level to avoid duplication of efforts. National maritime security strategies are a key feature as they provide the necessary framework.

On the international level, political pressure might be necessary to ensure that governments in West and Central Africa honor their commitments such as those defined by international law and regional agreements. It will take time to change priorities in deal with countries that are historically land-focused, but the Yaoundé Code of Conduct was an important step in the right direction. Finding the balance between bilateral and multilateral cooperation is another important aspect for the international community. Moreover, ongoing projects and initiatives should be better coordinated. Examples of this lack of coordination include, but are not limited to, bilateral agreements between European and West African governments which may duplicate similar projects initiated by for example the EU. In general, governments in West and Central Africa should not be publically pressured, as it is better to identify common problems and strengthen positive initiatives to incentivize change. Engagement with the region is very different from the situation in Somalia where no government was in place to begin with and nation-building had to be started at a very early stage.

On the industry level, shipping as well as oil & gas companies should engage in information sharing with regional governments. While the industry is wary of the privatization of national responsibilities in the security domain, political efforts should be supported through initiatives such as MTISC-GoG in which the industry is engaging on a very practical level with government security forces in West and Central Africa. At the same time, private companies should be aware of the fact that they could be party to a crime that manifests other maritime security problems, e.g. through the payment of bribes or the transport of stolen crude oil and oil products.

Summary of the West Africa Scenario Development Session:

<table>
<thead>
<tr>
<th>WORST CASE SCENARIOS</th>
<th>INDUSTRY</th>
<th>INT’L COMMUNITY</th>
<th>REGIONAL LEVEL</th>
<th>NATIONAL LEVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>- No improvement in</td>
<td>- Awareness of</td>
<td>- Co-ordination of</td>
<td>- Yaoundé code of</td>
<td>- Realize economic</td>
</tr>
<tr>
<td>Nigeria</td>
<td>own role in</td>
<td>international</td>
<td>conduct and</td>
<td>importance of</td>
</tr>
<tr>
<td>Jonathan loses</td>
<td>maritime</td>
<td>initiatives, e.g.</td>
<td>AIMS 2050 (early</td>
<td>maritime domain</td>
</tr>
<tr>
<td>2015 election</td>
<td>crime and</td>
<td>the Friends of</td>
<td>stages)</td>
<td>‘sea-blindness’</td>
</tr>
<tr>
<td>(resumption of</td>
<td>security</td>
<td>Gulf of Guinea</td>
<td>- Regional</td>
<td>- Develop national</td>
</tr>
<tr>
<td>Niger Delta</td>
<td>- Understand</td>
<td>(FOGG)(^1)</td>
<td>engagement</td>
<td>maritime security</td>
</tr>
<tr>
<td>insurgency)</td>
<td>and support</td>
<td>- Put pressure on</td>
<td>(containment)</td>
<td>strategies,</td>
</tr>
<tr>
<td>- No change in legal</td>
<td>African politics</td>
<td>national</td>
<td>of Nigeria</td>
<td>including all</td>
</tr>
<tr>
<td>- No coordinated</td>
<td></td>
<td>governments</td>
<td>- Use</td>
<td>maritime</td>
</tr>
<tr>
<td>external approach</td>
<td></td>
<td>failing to make</td>
<td>toolbox/lessons</td>
<td>stakeholders (IMO</td>
</tr>
<tr>
<td></td>
<td></td>
<td>good on their</td>
<td>learned from</td>
<td>offers support</td>
</tr>
<tr>
<td></td>
<td></td>
<td>promises, e.g.</td>
<td>Somalia?</td>
<td>and guidelines)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>through UNSC</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>resolutions</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Support</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>capability-</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>building</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>framework</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

\(^1\) See for example [http://library.fes.de/pdf-files/bueros/nigeria/10398.pdf](http://library.fes.de/pdf-files/bueros/nigeria/10398.pdf) page 27 for more information about the FOGG
**East Africa:**

**Worst Case Scenario:** Participants in the scenario development session for East Africa agreed the main threat to maritime security in this region would be if a decreased naval presence and industry commitment to vessel self-protection measures, such as the Best Management Practices (BMP) leads to a resurgence of Somalia-based piracy without a lasting framework to address the problem. Concerns were also expressed that a lack of commitment by navies and industry might lead to an increase in other types of maritime crime in the Western Indian Ocean and pose a threat not only to shipping, but also to the growth and stability of regional countries. Most participants in the session agreed that because the main piracy networks in Somalia have not been sufficiently dismantled, a resurgence in pirate activity would be very likely if efforts are drawn down too quickly.

**Identified actions/commitments:** Participants identified the potential for a 2-pronged approach which would address security at sea while at the same time promoting coastal development and capacity-building ashore. These two lines of effort could be brought together by creating links between the international community, industry and local traffic to improve seafarer safety and promote economic development.

Due to a perceived decrease in the risk posed by Somali pirates and pressures to reduce costs related to addressing piracy, both navies and the shipping industry need to develop more cost-effective ways to ensure continued adherence to self-protection measures and reporting of vessel movements by industry and a reliable response capability to incidents by navies. Defining this ‘continued commitment’ is crucial and urgent.

Ashore there continues to be a need for regional and local leadership. However, this is unlikely to happen without significant support from the international donor community. Creating jobs and strengthening governance ashore is widely agreed to be the most effective long-term deterrent to maritime piracy and there appears to be an increased willingness by the private sector to contribute to economic development efforts and this should be encouraged through a better understanding of socio-economic conditions in African countries. Public-private partnerships could be a way to maximize impact and expertise and share risk while helping coastal communities stay immune to predation by criminals.

**Summary of East Africa Scenario Development Session:**

<table>
<thead>
<tr>
<th>WORST CASE SCENARIOS</th>
<th>INDUSTRY</th>
<th>INT’L COMMUNITY</th>
<th>REGIONAL LEVEL</th>
<th>NATIONAL LEVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Decreased naval presence and industry commitment to BMP leads to a resurgence of piracy without a lasting framework to address the problem. - Western Indian Ocean maritime crime increases.</td>
<td>- Need to keep BMP compliance. - Define BMP measures that are cost-effective without diluting the level of protection. - Consider the size of the HRA based on inclusive assessments of risk and current practices.</td>
<td>- Long-term commitment to capacity-building. - Use naval forces to train and build local/regional capacity while providing security to merchant shipping. - Continue political support for counter-piracy C-P.</td>
<td>- Regional commitment to take leadership and ownership.</td>
<td>- Reinforce the local socio-economic structures to strengthen local and national capacity to counter piracy ashore (requires international support).</td>
</tr>
</tbody>
</table>
The plenary session tied together the presentations and scenarios developed during the seminar. A panel of experts provided their perspectives and lessons learned from building maritime security in Africa and engaged with the audience in a lively exchange of ideas. Among the main points raised at the plenary sessions were:

- The need for maritime capacity-building/capability-building in Africa to be based more on ‘pull’ rather than ‘push’, i.e. regional nations should more clearly define and share their needs in order for the international community to be able to help.

- Currently there seems to be a turning point where the maritime industry is ready to consider new ways to contribute to maritime security (such as supporting shore-based capacity building and/or economic development projects) and this opportunity should not be wasted. At the same time the plenary participants noted that expectations regarding such contributions should not be too overwhelming for the industry donors and that projects ashore need to lead to tangible positive results in order for industry to consider a continued commitment.

- Setting up an industry security cluster could be a step towards sharing knowledge and best practices with colleagues. The industry should consider establishment of a cooperative mechanism that would allow industry security experts to share knowledge and best practices with colleagues.

- There are lessons learned from fighting Somali piracy that may be useful to address maritime crime in West Africa, especially the cooperation between all sectors, including governments, industry and civil society. Importantly, the counter-piracy efforts off the coast of Somalia brought together representatives with political clout from ministries of foreign affairs and defense who could advance the work of technical experts from ministries of transportation and maritime authorities.

- Whether or not discussions about maritime security in Africa are being sufficiently inclusive of regional stakeholders. Both the east and west coast of Africa would benefit from ensuring that all regional stakeholders were included in forums discussing and encouraging counter-piracy coordination.
CONCLUSIONS AND WAY AHEAD

A main goal for the seminar was to identify concrete actions that can be taken in the short term to contribute to increased maritime security in Africa.

The overall themes developed by the participants through the working groups and panel discussions were that:

1. The immediate crisis that drove maritime stakeholders towards unprecedented coordinated action may be lessoning – even though the threat remains.
2. Maritime stakeholders need to begin a serious dialogue that addresses a long-term solution to maritime crime in Africa in order to prevent a premature collapse of government and industry commitments.
3. Stakeholders should maintain pressure on governments to remain engaged and committed to stopping maritime crime; and
4. Regional and coastal states must be encouraged and supported to assume leadership of counter-piracy efforts.

In addition to the overall themes, expert presentations, interactive scenario development sessions and plenary discussions developed a number of practical ideas that stakeholders can implement either on their own or in cooperation with actors from other sectors. These actions include:

- Providing experts to regional maritime security centers. This could include seconded government officials or merchant navy liaison officers.
- Capacity-building support such as training, advice and hardware.
- Continued industry reporting of all incidents at sea to relevant reporting agencies, such as the Maritime Trade Information Sharing Center-Gulf of Guinea (MTISC-GoG) in West Africa and MSCHOA in East Africa as well as the IMB PRC on both coasts.
- Setting up more public-private partnerships (PPPs) in the region to bring together core competencies from the government and industry spheres. The newly opened MTISC-GoG is a good example of a PPP.
- Investing in Africa to promote growth and business opportunities.
- Building continued political support for counter-piracy efforts until a lasting and sustainable solution has been developed.