

This document outlines IMO's strategy for enhancing maritime security in West and Central Africa in order to counter piracy, armed robbery against ships and other illicit activities and to support the development of a vibrant, sustainable maritime sector



Implementing sustainable maritime security measures in West and Central Africa

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Table of Contents

International Maritime Organization (IMO) Strategy for Implementing sustainable maritime security measures in West and Central Africa	Page 2
Annex A – Critical measures to be implemented	Page 11
Annex B – Description of cost elements	Page 12

International Maritime Organization (IMO) Strategy for Implementing sustainable maritime security measures In West and Central Africa

Maritime economic and social development

1. International trade is critical to many African economies, with over 90% of African States' imports and exports conducted by sea. The population of Sub Saharan Africa is forecast to double by 2050. Safe and secure maritime transport is therefore key to successful trade and growth in Africa and fundamental to the sustainable development of African States' economies.
2. It is therefore necessary to address the long-time challenge of piracy and armed robbery in the Gulf of Guinea. At the same time, the coastal states of West and Central Africa are facing a range of equally pressing concerns in their maritime domains, all of which - like the challenge of piracy - will benefit from increased capacity to monitor territorial and international waters and to enforce relevant laws both ashore and at sea.
3. African States' share in world trade stands at about 3% on average, while intra-African trade averages around 10% of Africa's total trade. The continent's share of exports to the world has declined over the years - standing at an average of 2.5%, a net decline from 10% in the 1950s. In addition, African States attract only 2-3% of global Foreign Direct Investment (FDI) and contribute another 1% to world GDP.¹
4. The African Union's (AU) Integrated Maritime Strategy 2050 (AIMS 2050) recognizes that Africa's maritime domain has vast potential for wealth creation and that support is needed in the effort to boost intra-African trade. Thirty-eight (38) African countries are either coastal or island states while fifty-two (52) of its over 100 port facilities handle containers and various forms of cargo. A realization of the potential would require identifying, strengthening and supporting sectors with the most growth opportunities (such as ports, aquaculture, renewable energy, submarine telecommunications, tourism and marine biotechnology). Furthermore, both renewable marine resources as well as hydrocarbons in the African maritime domain (with global oil and gas prices driving new exploration projects in several countries) hold significant promise to boost economic development and sustainable job creation.
5. International shipping in itself also presents a substantial employment opportunity. Today there are approximately 1.5 million seafarers worldwide, and this number is expected to rise in the future. Given that seafarers from African countries are currently under-represented, there is considerable room for growth in this area. Moreover, ancillary services in ports as well as operational and managerial tasks based on land also provide employment opportunities. To this can be added the related industries that supply goods and services to the maritime companies, which together, comprise the entire maritime cluster.

¹ According to African Union's Integrated Maritime Strategy 2050, adopted on 31 January 2014.

6. To capitalize on their considerable assets, African States must confront and overcome major challenges in their maritime domain. These include illegal activities such as piracy and armed robbery against ships; illegal oil bunkering and theft of crude oil; threats to offshore oil and gas production; illegal, unreported and unregulated fishing; arms, drug and human trafficking; environmental damage caused by dumping of toxic waste and discharge of oil and other pollutants; and general threats to navigational safety.

IMO role in capacity building

7. IMO is the United Nations specialized agency responsible for safe, secure and efficient shipping and the prevention of pollution from ships. The Organization has a robust technical cooperation programme that gives priority to African States in the allocation of resources to assist them to build their capacity, including the training of government and private sector officials in the implementation of international instruments.
8. Developing nations recognize the important potential benefits of improved port operations and resilient, secure infrastructure. IMO can help build legal and technical capacity for improved maritime transport opportunities in regions which have yet to fulfil their economic potential in international markets. This assistance aligns closely with the UN Millennium Development Goal (MDG) of developing a global partnership for development, and also contributes to the MDGs of eradicating extreme poverty, promoting gender equality and empowering women, and ensuring environmental sustainability. Such activities will also support the post-2015 development agenda.
9. In addition to IMO's regular integrated technical cooperation programme (ICTP) which focuses on strengthening institutional/human capacities for uniform and effective compliance with IMO instruments and quality standards, IMO has developed a specific framework for West and Central Africa as updated in this strategy paper, enabling stakeholders, recipient countries, regional organizations and others to cooperate to ensure secure ports, anchorages and offshore installations; to counter piracy, armed robbery and other illicit activities; to protect the marine environment; and to enhance navigational safety.

West and Central Africa Maritime Security Trust Fund

10. The West and Central Africa Maritime Security Trust Fund was established by the Secretary-General of IMO to support the implementation of IMO projects for maritime security capacity-building in West and Central Africa, in particular to support the implementation of the *Code of Conduct concerning the prevention of piracy, armed robbery against ships and illicit maritime activity in West and Central Africa* and the IMO/ Maritime Organization for West and Central Africa (MOWCA) integrated coast guard function network project.

Contributions can be made for general maritime security purposes or may be earmarked for specific activities in relation to the work programme.

Strategy for West and Central Africa, including Gulf of Guinea

11. In addition to the normal programme of technical cooperation activities, IMO has had an interest in assisting Member States in West and Central Africa to develop and enhance their capacity to address issues and challenges in their maritime domain for some time. In 2006, IMO and 25 countries of the Maritime Association of West and Central Africa (MOWCA) initiated a process that led to the signing of an MOU on the Establishment of a Sub-Regional Integrated Coast Guard Function Network (the IMO/MOWCA MoU). These coast guard functions include countering piracy and armed robbery against ships; maritime and offshore energy supply security; addressing illegal migration; preventing the trafficking of drugs, weapons and people; operating search and rescue services; and the prevention of pollution and protection of the marine environment. Since then, IMO has been conducting capacity building activities in the region under a modest programme that includes table top exercises, seminars and maritime security related training.
12. IMO's initiatives take place within the wider context of United Nations Security Council resolutions 2018 (2011) and 2039 (2012); United Nations General Assembly resolutions including resolution 67/78 on Oceans and the Law of the Sea; the Zone of Peace and Cooperation in the South Atlantic; the maritime strategies of the African Union, the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS) and the Gulf of Guinea Commission (GOGC), MOWCA and, in particular, the Code of Conduct concerning the repression of piracy, armed robbery against ships and illicit maritime activity in West and Central Africa. The Code of Conduct was adopted formally in Yaoundé in June 2013 by Heads of State or their representatives from 25 West and Central African countries, including 13 Presidents.
13. The Code of Conduct welcomes the initiatives of the IMO and other donors to "provide training, technical assistance and other forms of capacity building to assist Governments, upon request, to adopt and implement practical measures to apprehend and prosecute those persons engaged in transnational organized crime in the maritime domain, maritime terrorism, and illegal, unreported, and unregulated (IUU) fishing".
14. The 28th session of the IMO Assembly in December 2013 unanimously adopted resolution A.1069(28) on the Prevention and Repression of Piracy, Armed Robbery against Ships and Illicit Maritime Activity in the Gulf of Guinea. The resolution, *inter alia*, calls upon Governments, in cooperation with the Organization and as may be requested by Governments of the region, to assist these efforts and to consider making financial contributions to the recently created IMO West and Central Africa Maritime Security Trust Fund.
15. This strategy focuses on providing direct assistance to Member States in the region with a view to developing and enhancing their capacity to address issues and challenges in their maritime domain. This includes development of national maritime strategies, national maritime security strategies, national maritime security committees and national maritime security implementation plans and procedures.

16. The Strategy provides an overview of the activities which IMO considers to be priorities in addressing the challenges to enhance maritime security in West and Central Africa. IMO's activities are designed to create sustainable national and regional capacity to counter piracy, armed robbery against ships and other illicit activities and to support the development of a sustainable, vibrant maritime sector.
17. The Strategy is a living document and will be updated as the project progresses. Activities will be implemented subject to availability of funds

Effective implementation of IMO Conventions

18. IMO is working to implement all of the key areas identified in the Code of Conduct and the IMO/MOWCA MoU. Depending on the level of contributions received, the IMO West and Central Africa Maritime Security Trust Fund will sustain and escalate the intensity of IMO's engagement to achieve these goals. In general terms, the aim is for IMO Member States in West and Central Africa to put in place national legislation to criminalize piracy, attacks against ships, and other illicit maritime activities; coordinate structures and procedures; and have in place well-trained operational, technical and logistical personnel to effectively discharge their responsibilities in all aspects of maritime safety, security and marine environmental protection, thereby also enhancing regional trade by sea. A more detailed analysis of the measures to be implemented is given in Annex A.

Assistance on the implementation of IMO maritime security instruments

19. The strategy also aims to undertake capacity-building related to the development of the West and Central African maritime sector and the implementation of, compliance with, and enforcement of, the provisions of SOLAS chapters V and XI-2 and the ISPS Code, with particular emphasis on SOLAS regulation V/19.2 on Long-range identification and tracking of ships (LRIT); SOLAS regulation XI-2/7 on threats to ships; and the port facility related sections of the ISPS Code.
20. The expected outcome is to improve the implementation of the provisions of SOLAS chapter XI-2 and the ISPS Code and the enhancement of maritime security at the ship/port interface, as well as improved maritime situational awareness.
21. Two types of assistance may be delivered under this item: technical and legal. Assistance will be based on needs assessments carried out by Member States or IMO and/or specific requests from Member States.
22. As regards legal assistance, at the request of the Member States, IMO will assign an expert to provide legal assistance on the implementation of IMO Conventions and its transposition to their domestic instruments, such as the Maritime Code, Criminal Code and related legislation. IMO may also provide training through seminars and workshops.
23. Under technical assistance, with particular emphasis on LRIT and ISPS Code, a range of different activities may be offered at the request of Member States, such as:

National drills and exercises

24. These have been designed to provide participants with practical tools for improved implementation of the periodic drills and exercises required in SOLAS chapter X1-2 and the ISPS Code by familiarization of participants on the drills and exercises and emergency preparedness concepts described therein. The main objective is enhancement of maritime security at the ship/port interface.

SOLAS XI-2 and ISPS Code Self-Assessment National Workshops

25. These workshops are designed to strengthen the technical capability of Administrations responsible for oversight, as well as that of port security officials and managers, with respect to standardizing the process of self-assessing the port facility implementation of Port Facility Security Plans required under the ISPS Code.

National or Regional workshops on enhanced Maritime Situational Awareness, including AIS and LRIT

26. The purpose of these seminars is to provide information and guidance to Member States on enhancing maritime security situational awareness including the provisions of SOLAS regulation V/19-1 (LRIT) and the E-Navigation strategy.
27. The training also aims to provide information to the recipient countries to assist them in establishing or enhancing existing maritime situational awareness systems and to share related information with each other and with ships navigating in the areas under their jurisdiction, with a view to enhancing safety, security and protection of the marine environment.
28. The exercises will assist Member States to enhance their coastal security and maritime situational awareness through better use of ships' AIS, LRIT, coastal radar, monitoring control and surveillance systems and through the enhanced exchange of such information on a regional basis. In addition, the training will assist in the implementation of the provisions of SOLAS regulation V/19-1 by recipient countries which have not yet done so and will improve utilization of LRIT information to strengthen safety, security and environmental protection. A final aim is to identify areas where further specific assistance may be required.

Bilateral Assistance and continued follow up engagement

29. IMO's continuing programme of table top exercises in West and Central African coastal States has proven to be highly successful. The expected outputs from these are the development of national maritime strategies, national maritime security strategies, national maritime security committees and national maritime security implementation plans and procedures. The table top exercises have first and foremost raised awareness of the importance of the maritime domain and have helped stimulate an appetite for increased inter-agency cooperation and capability development in the countries visited. Secondly, they have helped recipient States to identify their needs, including implementation strategies, and thus IMO (in partnership

with other agencies where appropriate) will be able to offer technical assistance to these Member States to enable them to enhance their capabilities. It is important to stress that such support is at the request of the Member State.

30. Despite the set-back caused by the Ebola outbreak in the region which has restricted some of our planned activities, interest and demand for IMO's capacity building assistance has continued throughout 2014 and 2015 as a result of the table top exercises. The principal reason for the positive reception by former host countries and the "knock-on effect" with their neighbouring countries is the realization that well implemented coast guard function responsibilities can play a major role in unlocking the potential of coastal states' exclusive economic zones by developing the off shore sector, including viable national fishing industries. The table top exercises are only the first step in a phased approach to achieving this.
31. A number of countries require tailored assistance, such as legal reviews to ensure that the national legislation, practices and procedures meets the countries' obligations and their aspirations to manage their maritime domains. IMO provides a range of training and education options but can also facilitate broader assessment and mapping of needs, acting as an 'honest broker' with appropriate international development partners to provide specific expertise outside of IMO's direct remit. The IMO Secretariat makes a point of emphasising the need for sovereign IMO Member States to determine their own capacity building needs in support of their national objectives as this will lead to the most efficient coordination of efforts, including a more likely match between needs and offers, as well as national ownership of the process. In IMO's experience, the latter element is key to ensuring success and sustainability. Following the table top exercises, it has become clear that an on-going dialogue with national authorities is vital to identifying the next steps and appropriate follow-up assistance.
32. The speed with which a country makes progress is dependent on numerous factors, and especially the clear commitment to change by national decision makers at all levels. The signatories to the Code of Conduct and the IMO/MOWCA MoU include countries that are well ahead in the implementation of IMO instruments and requirements under SOLAS and MARPOL as well as countries which have only recently begun the implementation process. Thus, technical assistance programmes must be tailored to the needs of each Member State, and the IMO Secretariat coordinates its efforts actively with international development partners.

Regional training

Legal

33. UN Security Council Resolution 2039 (2012) urges States of the region of the Gulf of Guinea to take prompt action at national and regional levels, with the support of the international community, to implement national maritime security strategies, including developing legal frameworks for the prevention and repression of piracy and armed robbery at sea. While IMO's principal focus has been to highlight the need for an

integrated approach to maritime law enforcement as well as promote the establishment of national maritime security committees, policies and procedures, no less significant has been strengthening oversight and governance.

34. IMO has been collaborating fruitfully with different stakeholders to deliver technical cooperation through regional training. For example, IMO will continue to partner with UNODC, the African Centre for Strategic Studies (ACSS), AFRICOM and Interpol for legal reviews and assessment and follow-up assistance to States.
35. Many efforts have been undertaken for the establishment or updating of legal frameworks, and coordination and communication between stakeholders are vital to maximize resources. Taking this approach into account, one example of the type of assistance IMO can provide under this heading is the workshop on Maritime Security and Law Enforcement for the Gulf of Guinea States, in Yaoundé, in April 2015, co-organized with ACSS, AFRICOM, and UNODC.
36. The primary objectives of the workshop were to determine and meet African priorities by critically evaluating maritime security challenges and gaps facing the ECCAS-ECOWAS Member States' ability to implement the *Code of Conduct* and to assess and reinforce interregional processes focused on information sharing, the interdiction of vessels of interest and the apprehension and prosecution of maritime criminals. These focus areas are key pillars within the *Code of Conduct*.
37. Further work will be done to update the ECCAS Multilateral Agreement which will be vital to ECCAS/ECOWAS Cooperative Law Enforcement Operations. In general, the participants demonstrated a collective willingness to collaborate to combat transnational crime and showed a strong commitment to operationalize the *Code of Conduct*.

Operational

38. IMO has been working together with NATO's Maritime Interdiction Operational Training Centre (NMIOTC) in Crete for a number of years and States under the Djibouti Code of Conduct have sent various officials to the Centre to be trained in various disciplines. In view of the success of this partnership, it has been decided to extend the training programme to West African States. To this end, a two-week workshop on criminal investigations at sea took place in mid-2015. The course was designed for national maritime law enforcement officials from the marine police, coast guard and navy, and focussed on the investigation of piracy and other criminal acts. Officials from Angola, Benin, Côte d'Ivoire, Gabon, Ghana, Liberia, Nigeria and Togo attended the training.
39. NMIOTC has a comprehensive catalogue of training, and we will continue to work with them to build capacity for law enforcement agencies from West and Central African States.

Assigned expertise to accelerate change

40. In order to help in the thorough identification of needs and implementation requirements under the *Code of Conduct* and the IMO/MOWCA MoU, IMO envisages assigning carefully selected experts in a number of countries which have expressed an interest in making progress to regulate their maritime domains. Such a programme of assigning experts will also cement the idea that the sovereign Member State is the coordinating and authoritative entity. Assigned experts will have the opportunity to maintain a close, confidential dialogue with local officers to establish assistance needs and cooperative mechanisms, both nationally and regionally.
41. By assigning expertise simultaneously in a range of countries and facilitating communication channels between participating countries, IMO will move forward both national and regional cooperation and information sharing at an accelerated pace. States leading by example will create peer pressure and the selected countries will demonstrate possible paths to successful implementation.
42. Based on the recommendation of assigning experts and upon request from member countries, IMO is offering tailored technical expertise on ship and port facility security (ISPS Code and ILO/IMO Code of practice on security in ports), maritime situational awareness, the conduct of harmonized maritime security control and compliance and port State control inspections (in line with the work undertaken by the Abuja MoU), information sharing, mutual support, contingency planning, joint operations and response, based wherever practicable on existing infrastructure and procedures, including the IMO-developed maritime rescue co-ordination centre (MRCC) networks and oil spill response programmes.

Educating the next generation of African maritime leaders

43. Subject to the availability of funds, IMO envisages promoting the study of maritime subjects and, in particular, maritime technology, in African universities, e.g. the Regional Maritime University (RMU) in Ghana and L'Académie Régionale des Sciences et Techniques de la Mer (ARSTM) in Cote d'Ivoire. IMO would also attach great value to sponsoring African personnel to study at the World Maritime University and /or International Maritime Law Institute. In accordance with the *Code of Conduct*, countries have also agreed to the offer of places on national training courses to other States, subject to payment of relevant costs – another facet of Africa to Africa assistance.

Cooperation with development partners

44. Key to the unlocking of many countries' maritime potential will be improved utilization of existing resources and assets. It is not important to build a new Coast Guard *per se*, rather, it is important to perform maritime law enforcement with the national assets which are available, including vessels of the navy. IMO is working to promote increased inter agency cooperation, including civil-military cooperation.

45. In every initiative, IMO is working in close cooperation and coordination with other UN bodies, particularly UNODC, FAO, UNHCR and the regional offices of UNOCA and UNOWA, as well as other international partners such as Interpol and WCO, together with development partners such as Japan, France, US Africa Command, China, the United Kingdom, the European Union, Norway and others. IMO is also supporting developments led by the Oil Companies International Marine Forum (OCIMF) to make operational a regional Maritime Trade Information Sharing Centre (MTISC) in Accra, Ghana, and as stated, above the Organization has a highly successful on-going cooperation with the Ports Management Association of West and Central Africa (PMAWCA).
46. Further details on the strategy, its cost elements, and more detailed breakdown of critical measures to be implemented are given in the annexes as follows:

Annex A: Critical measures to be implemented

Annex B - Description of envisaged cost elements

Annex A: Critical measures to be implemented

In order to achieve the objectives of the Code of Conduct and the IMO/MOWCA MoU a number of critical measures need to be developed at the national level. These include:

- Establishment of a *national maritime security committee* or other system for co-ordinating the related activities between the departments, agencies, control authorities, and other organizations of the State, port operators, companies and other entities concerned with, or responsible for the implementation of, compliance with, and enforcement of, measures to enhance maritime security and search and rescue procedures.
- States will establish, as necessary, a *national maritime security plan* with related contingency plans (or other system) for harmonizing and co-ordinating the implementation of security measures designed to enhance their security in the international maritime transport sector with those of other modes of transport.
- In order for the countries to be able to *effectively prosecute* in their domestic courts, and in accordance with relevant domestic laws, perpetrators of all forms of piracy and unlawful acts against seafarers, ships, port facility personnel and port facilities, training and legal assistance will be offered in cooperation with UNODC and others.
- The designation of a *national focal point* to facilitate coordinated, effective, and timely information flow among the Signatories is fundamental. The national focal point must represent the decisions of the national maritime security committee.
- It is envisaged that countries will establish *piracy information sharing centres* capable of receiving and responding to alerts and requests for information or assistance at all times. States in the region that have signed or will sign the Code of Conduct would have access to the information sharing network and arrangements. The network should include information links to coastal and fishing communities to report on coastal activity and crowd-source information.
- Long range identification and tracking of ships (LRIT) systems, ships' automatic identification systems (AIS), land based or airborne radars, fishing vessel monitoring systems, vessel traffic systems and airborne surveillance platforms as well as ship security alert transmissions can provide valuable and real time information that can be used, and be a great aid to, law enforcement authorities and the military in their efforts to protect ships, as well as to interdict, pursue and arrest suspected criminals. Hence, the establishment of a *maritime surveillance system* which would integrate the available data would be conducive to the successful implementation of the provisions of the Code of Conduct and the IMO/MOWCA MoU.

Annex B - Description of envisaged cost elements

Principal recipient countries

Angola, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Republic of Congo, Democratic Republic of Congo, Cote d'Ivoire, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Equatorial Guinea, Liberia, Mali, Mauritania, Niger, Nigeria, Sao Tome and Principe, Senegal, Sierra Leone, Togo.

Cost elements

In order to ensure the effective implementation of the adopted Code of Conduct concerning the repression of piracy, armed robbery against ships and illicit maritime activity in West and Central Africa, the IMO Secretariat is coordinating and conducting national needs assessment and assistance missions as well as legislative, policy and governance inter-agency workshops, including table top exercises.

The focus is on working with IMO States and regional bodies to generate the implementation of appropriate national maritime security policies to safeguard maritime trade from all forms of unlawful acts; ***national legislation, practices and procedures***, which together provide the security necessary for the safe and secure operation of port facilities and ships at all security levels; and national legislation which ensures effective protection of the marine environment.

National and sub-regional ***training courses*** (group training) comprising participants from neighbouring countries and regions is envisaged with a view to exchanging best practices, confidence building and cross-border cooperation.

Using selected high-level subject-matter experts to work with individual States to mentor and facilitate progress at the national level, for example to help establish and institutionalise the national maritime security committee and steer the drafting of national maritime security programmes, is a cornerstone of the programme. Running such projects simultaneously in a number of countries accelerates change by maintaining close local dialogues, identifying gaps and establishing cooperative mechanisms, both nationally and regionally.

Missions undertaken in regard to information sharing would be to enhance the ***information sharing network*** and arrangements from a technical point of view for the purposes of training and engaging identified focal points; second, to further develop technical specifications and to identify training needs; next, to identify and assess the condition of any existing facilities that may be integrated; fourth, to identify any facilities that States in the region contemplate establishing which may be integrated and lastly, to collect related information.

Missions undertaken in regard to ***maritime situational awareness*** would be with the purpose of developing a preliminary maritime surveillance system at a national level that can later be integrated regionally by using data which States in the region would be willing to share; developing preliminary technical specifications, providing cost estimates, identifying any training needs; identifying and assessing the condition any existing facilities that might be

integrated; identifying any facilities that States in the region contemplate establishing which may be integrated and for collecting related information.

Funding of study programmes would be dedicated to the sponsorship of African personnel to study at the UN World Maritime University and the International Maritime Law Institute. Costs would also cover promoting the study of maritime subjects and, in particular, maritime technology, in African universities, e.g. the Regional Maritime University in Ghana and L'Académie Régionale des Sciences et Techniques de la Mer in Cote d'Ivoire.