

The state of Maritime Security in Africa

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Tomorrow (23 July) the African Union (AU) Peace and Security Council (PSC) is set to convene its 1012th session on the state of maritime security in Africa.

Following the opening remarks of the Chairperson of the PSC, Victor Adenkunle Adeleke, the AU Commissioner for Political Affairs, Peace and Security (PAPS), Bankole Adeoye, is expected to make a statement.

Given the increasing maritime insecurity in the continent, tomorrow's session presents the Council the opportunity to assess the overall maritime security situation of the continent with particular focus on the Gulf Guinea, receive update on the status in the implementation of regional and continental maritime security frameworks, as well as explore ways and means to effectively respond to maritime insecurity in the continent.

As recent data demonstrates, incidents of piracy and kidnapping for ransom of seafarers continue to be major challenges along the Gulf of Guinea. According to reports of the International Maritime Bureau (IMB), the region experienced 50% increase between 2018 and 2019, and 10% increase between 2019 and 2020 in incidents of kidnapping for ransom. In 2020 alone, there were 84 attacks on ships and 135 kidnappings of seafarers. In the first three months of 2021, the region accounted for 43% of all reported piracy incidents while over 14 crew members were abducted in three incidents of kidnappings recorded within the year so far. Currently, the region is said to account for just over 95% of all kidnappings for ransom at sea. In addition to piracy and kidnapping for

ransom, the region is also highly prone to other maritime crimes including armed robbery, transnational organised crime, illegal fishing, and illegal trafficking and smuggling of goods.

In addition to the increase in maritime crimes, studies also indicate the increasingly violent nature of such incidents. For instance, the use of guns was reported in 80% of kidnappings for ransom which took place during 2020. This is a sharp shift from the nature of piracy experienced in the region a few years back, which was limited to occurrences of cargo theft. Another growing trend in the nature of maritime crimes in the Gulf of Guinea is the broadening and extension of risk zones. That is, while most cases of piracy and kidnappings initially used to take place within the territorial waters of coastal States, the more recent incidents tend to take place further from shores and within the high seas – at 200 nautical miles from the coastline according to data recorded by the IMB. These trends in turn underscore the importance of strengthening international and regional efforts and collaborations aimed at addressing the risks to maritime security in the region.

Because most of the security challenges in the Gulf of Guinea previously took place under 200 nautical miles from coastline, States in the region resisted the idea of an international presence to respond to maritime security threats which were usually categorised as armed robberies as opposed to piracy. With the distance from shorelines highly increasing and the nature of crimes also getting more volatile, the incidents in the Gulf of Guinea are nowadays prompting comparisons with piracy in the horn region, along the coastline of Somalia. Although shipping companies operating in the region are growingly showing support for international responses, it is more likely that Gulf of Guinea States would prefer continued support from the international community to boost their capacity in averting threats to maritime security instead of

handing over the responsibility to outside entities.

While reflecting on possibilities of new international responses is important, it is also essential to emphasise the importance of effective implementation of existing regional frameworks such as the Yaoundé Code of Conduct and the African Charter on Maritime Security, Safety and Development in Africa (Lomé Charter) in order to effectively address maritime security challenges in the region. At its 858th session dedicated to the same theme, the PSC focused on the finalisation, signature and ratification of the draft Annexes to the Lomé Charter. The upcoming session presents Council the opportunity to follow up on the status of the draft Annexes which are basically aimed at incorporating within the Charter, all relevant AU structures, particularly those relating to economic mandate and were not involved in the development of the Charter. The pilot case of the European Union (EU)'s Coordinated Maritime Presences (CMP) concept, launched at the meeting of the Council of the EU on 25 January 2021 is also one of the most recent efforts representing international collaboration to address maritime security challenges in the Gulf of Guinea. The CMP establishes the Gulf of Guinea as a Maritime Area of Interest (MAI) and aims to support coastal States in addressing challenges which undermine maritime security and good governance in the region.

At the national level, it is also crucial to properly identify and take timely measures against the root-causes of piracy and other maritime crimes including poverty, high rate of youth unemployment, poor governance, lack of education, and weak law enforcement. In addition to locally addressing the underlying causes of maritime crimes, States in the region also need to harmonise their domestic laws with regional and international standards. In this regard, Nigeria's anti-piracy laws (such as the Suppression of Piracy and other Maritime Offences Act of 2019 which prescribes stringent punishments against crimes committed in the maritime domain) and the initiatives such as

the Deep Blue Project (launched in 2019 with the central goal of addressing insecurity and criminality in Nigeria's territorial waters) could serve as lessons for more mobilisation of similar enterprises across the region.

It is also important to pay due regard to the economic impact of maritime insecurity and the constraints it imposes to the flow of trade and investment. As the Gulf of Guinea continues to growingly be regarded as one of the most dangerous shipping routes and insecure maritime environments in the world, the risk to economic development in the region, as well as the continent at large, also increases. Particularly with 90% of trade to west Africa coming by sea, the region's economy is largely affected by concerns of maritime security. Not only is there a likelihood for the region's reputation as a dangerous route to ward off potential traders, the increasing level of insecurity also inevitably results in the rise of business costs and increase in price of goods and services. While this has the potential to eventually devastate the economy of coastal States in the long-run, it also directly affects the livelihood of populations in the region. Hence, it is essential for response mechanisms crafted under any national, regional or international initiatives to take account of the economic aspect of maritime insecurity in the region.

The outcome of tomorrow's session is expected to be a communiqué. In addition to reflecting on the security concerns along the Gulf of Guinea, Council may remark on the importance of strengthening Africa's continental capacity to respond to security threats in the maritime domain, including through taking solid steps towards the implementation of the 2050 African Integrated Maritime Strategy. Council may also call on member States in the Gulf of Guinea to fortify their efforts through, among others, information sharing; interdicting suspicious ships; and apprehending and prosecuting suspected criminals in line with the Yaoundé Code of Conduct. It may also encourage littoral States to allocate sufficient funds

for building up local and regional response mechanisms against maritime security threats. Having regard to the growing trend in further offshore incidents of maritime crimes in the Gulf of Guinea, Council may also stress the need for a more integrated regional approach towards addressing the challenges. Council may also note the low level of ratification of the Lomé Charter and urge member States that have not yet done so, to sign and ratify it (as of 2020, only two of the 35 AU member States that have signed the Charter have ratified it). The AU Commission may also be requested to take the necessary steps towards the finalisation of the draft annexes to the Lomé Charter.