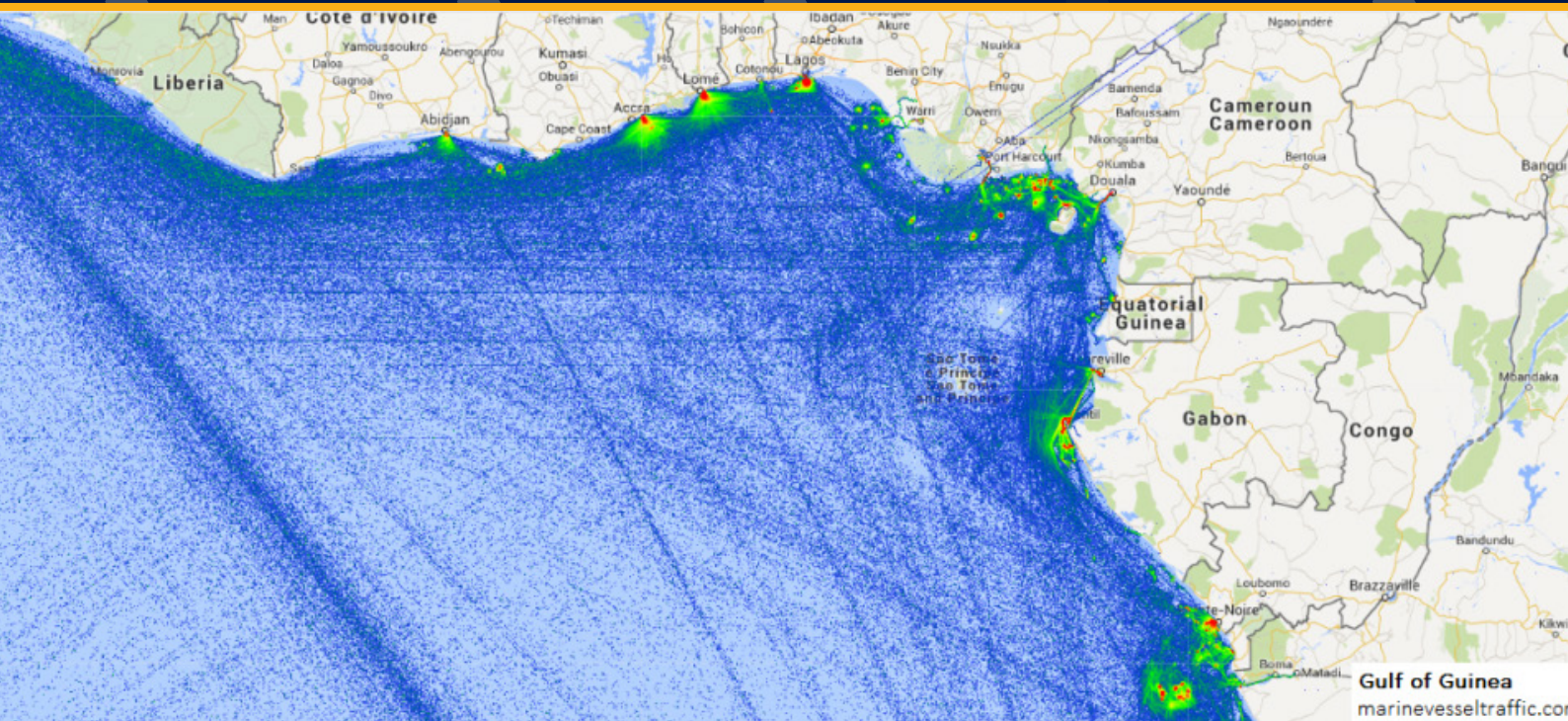


# Context and stakeholder analysis of Maritime Security and Justice in the Gulf of Guinea

## Final Report

August 2023



## Executive summary

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In 2022, Ireland's Department of Foreign Affairs (DFA) requested DCAF-ISSAT to analyse the maritime security and justice context in the Gulf of Guinea with a focus on West Africa. The request included an abridged presentation of the critical challenges triggered by maritime crime, an identification of the leading international and local stakeholders involved in addressing these challenges, an assessment of the Yaoundé Architecture (YA) and its implementation. Germany's Department of Foreign Affairs also expressed interest in supporting this analysis but requested stronger focus on an initial analysis of the Yaoundé Code of Conduct (YCoC).

The primary purpose of this mandate is to enable International Partner Group Members (IPGMs) better understanding of the maritime security challenges in the Gulf of Guinea, from Senegal to Nigeria, and the current initiatives to address them at regional and zonal levels. Another objective is to provide IPGMs with potential entry points for go further in supporting the implementation of a regional response to security and justice challenges for the maritime domain. Finally, the mandate explores some of the ways environmental issues in the Gulf of Guinea, from Senegal to Nigeria, impact communities.

In the longer term, it is essential that the concept of SSR/G is more systematically integrated into the thinking and architecture building on maritime security, and related assessments consistently include the impact of security and justice institutions delivery or lack thereof on maritime security. This direct support to improving maritime security governance is a contribution to improving the international effort in the maritime domain and falls within the context of a desire by United Nations headquarters to strengthen the implementation of the security-environment-development nexus.

### I. Interlinkages between maritime security, human security, and the Blue Economy in the Gulf of Guinea

The Gulf of Guinea (GoG) is a region rich with fisheries and other economic resources, but faces security challenges including piracy, kidnapping, and illegal, unregulated, and unreported fishing (IUUF). The human development of the region is most strongly impacted by IUUF and piracy, which contributes to poverty, food insecurity and generates a chain of problematic coping mechanism.

In 2013, the Yaoundé Architecture (YA) was established by the Heads of State of the countries of GoG to address these security challenges through regional cooperation. However, different States have different capacities, structures, and interests, making inter-state collaboration and trust-building a work in progress. The international community, including the UN, EU, and ocean-focused States, has been involved in implementing the YA to address security threats in the GoG.

While the number of incidents of piracy has been dropping since April 2021, factors such as domestic Nigerian politics and climate change megatrends could affect security in the future. There is a projected increase in demand on fisheries across the region, which may collapse fish stocks without changes in governance, leading to further insecurity issues. Local communities and non-governmental organisations (NGOs) are urging for more attention to be brought to this problem.

### II. Maritime security governance frameworks in West Africa

The African Union (AU) and regional economic communities (RECs) - ECOWAS and ECCAS - have recognized the importance of maritime security governance, particularly in the GoG, through establishing inter-regional cooperation and through the development of the YA. However, the implementation of these strategies has been challenging, and awareness of the critical dimension of maritime security governance is still lacking.

The YA provides a good framework for preventing and prosecuting illicit activities in the waters of the GoG. It requires signatories to enhance maritime security, establish national and regional maritime security centres, share maritime information, prosecute pirates and armed robbers, and promote sustainable use of maritime resources. However, funding remains an impediment, and the original intention to upgrade the YCoC into a binding multilateral agreement is yet to be achieved.

### III. Analysis - Quality of governance in Maritime Security Governance in West Africa

Inadequate maritime security governance in the region is attributed to factors such as corruption, lack of trust and competing interests, which contributes to systemic corruption, the flourishing of criminal organizations, and mistrust between communities and State institutions. To improve governance, initiatives must address systemic corruption, establish real maritime cooperation, and involve civil society and local communities.

Political leaders' competing priorities, lack of political ownership, and limited financial and human resources hinder the allocation of necessary resources to improve maritime security governance. There is a need for sustained engagement strategies at the political level and sustained support to RECs.

Regarding the YA, after ten years of implementation, several challenges remain, including incomplete staffing, unclear mandates, and malfunctioning of the chain of command. But the YA has several important strengths including its multilateralism, a comprehensive approach, and enhanced maritime domain awareness; its tenth anniversary presents an opportunity to reenergize the YA and gain further commitment from States to implement the structure.

### IV. Overview of international programming in maritime security in the Gulf of Guinea

Prominent partners in maritime security in West Africa include the EU, USA, Denmark, France, UNODC, FAO, the UK, Japan, and Norway. The EU, the US, Denmark, France, and UNODC have the greatest financial footprint, contributing approximately 90% of the total spending, with the EU contributing about 40% of the total spends and the US contributing approximately 25%. Programs cover a wide range of thematic concerns, treating around twenty different areas, with about half of the programs pitched at the regional level, and the rest conducted at the national level across nine countries.

International programming is overwhelmingly targeted at State institutions, rather than non-state actors or community associations. About half of the international engagements aim to support the judicial system and judicial chain, including law enforcement, while about one third of engagements focus on maritime surveillance, domain awareness, and intervention. IUUF and fisheries governance is addressed through support to State institutions; gender, and community engagement are given less attention.

### V. Conclusion and recommendations: A roadmap for reinforcement

This assessment identifies the progress made in African countries in addressing the threats and opportunities provided by the seas with the support of the international community. The assessment gives **six core recommendations** where the international community could support the improvement of maritime security governance:

1. Include communities more in maritime security governance
2. Enhance the YCoC, including considering making it a binding agreement
3. Build a dedicated financial structure for the implementation of the YA and avoid incremental tinkering at the margins of this issue.
4. Invest more in the sustainable management of marine resources, particularly in controlling IUUF.
5. Tackle corruption and work on improving procurement and budget management.
6. Coordinate international cooperation more effectively.,

These are proposed as package of recommendations rather than an “à la carte” approach of options, given the nature of the challenges involved.

## Acronyms

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AU	African Union
AFD	Agence française de développement
CoC	Code of Conduct
CSDP	European Union Common Security and Defence Policy
CSO	Civil Society Organisations
CRESMAO	Centre Régional de Sécurité Maritime d'Afrique de l'Ouest
DCAF	Geneva Centre for Security Sector Governance
DCAF/ISSAT	DCAF/International Security Sector Advisory Team
DFA	Ireland's Department of Foreign Affairs and Trade
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EEAS	European External Action Service
EEZ	Exclusive Economic Zone
EIMS ECOWAS	Integrated Maritime Strategy
EU	European Union
FAD	Fish Aggregating Device
FAO	Food and Agriculture Organisation of the United Nations
FoGG	Friends of the Gulf of Guinea
GCS	Guinea Current System
GGC	Gulf of Guinea Commission
IC	International community
ICC	Interregional Coordination Centre
IMO	International Maritime Organisation
INGO	International NGO
IPGM ISSAT	International Partners Group Member
ISMI	Institut de Sécurité maritime interrégional
KI	Key Informant
KII	Key Informant Interviews

MMCC	Multinational Maritime Coordination Centre
MOC	Maritime Operational Centre
NGO	Non-governmental organisation
OECD-DAC	Development Assistance Committee of the Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Cooperation in Europe
RECs	Regional Economic Communities
PASP	Political Affairs, Peace and Security
PSMA	Port State Measures Agreement
SAS	State Action at Sea
SDG	Sustainable development Goals
SSG/R	Security Sector Governance/Reform
UEMOA	Union Economique et Monétaire Ouest Africaine - West African Economic and Monetary Union
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNODC	United Nations Office on Drugs and Crime
UNOWAS	United Nations Office for West Africa and the Sahel
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
YA	Yaoundé Architecture
YCoC	Yaoundé Code of Conduct
YARIS	Yaoundé Architecture Regional Information System

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## Introduction: Maritime security in the Gulf of Guinea

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The Gulf of Guinea became an acute security concern to the international community in the 2000s. Frailties of maritime and continental governance, the presence of important shipping lanes and natural resources, and underperforming regional economies attracted a clutch of illicit and criminal activities. And all these activities were taking place in a vast geographical zone of crisscrossing political interests and natural resource competition that was under no single multilateral organization's mandate.

Among the important international interests affected by this insecurity are European interests. As a result, European warships have been patrolling off the coast of West Africa supporting local navies and law enforcement services with capacity building activities. But for the region's population the price is higher as illicit activities directly impact a key source of livelihood. Coping with such livelihood challenges can drive communities into partaking in opportunistic illicit activities.

Through the 2000s, international, regional, and national interests therefore converged on improving security and justice provision in the GoG, and two United Nations Security Council Resolutions (UNSCRs) in the 2010s urged coordinated action. In 2013, African Heads of State, ECOWAS, ECCAS and the Gulf of Guinea Commission (GGC) gathered in Yaoundé, Cameroon, and committed to arrangements to meet the security and justice challenges in a coordinated way committed. This commitment took the form of what is now called *Yaoundé Architecture (YA)*.

An important question is what is meant by 'maritime security'. In a 2023 backgrounder paper, DCAF notes: "The maritime security agenda is concerned with how States and other actors grapple with these challenges [including pirates, smuggling and terrorism]. It incorporates a diverse range of issues, and different actors often vary quite substantially in what they emphasize and prioritize. For this reason, pinning down a single, universally shared definition of maritime security is not straightforward."<sup>1</sup>

For this report, '**maritime security governance**' refers to the processes, institutions, and mechanisms through which the security of oceans and seas is managed and governed. It involves the development and implementation of policies, laws, regulations, and initiatives aimed at preventing and mitigating threats to maritime security, such as piracy, terrorism, smuggling, and trafficking, as well as environmental risks and disasters. Like for any other security sector governance areas, a good 'maritime security governance' is characterised by the respect of a set of clear principles.<sup>2</sup>

**Accountability:** there are clear expectations for security provision in the maritime domain, and independent authorities oversee whether these expectations are met.

**Transparency:** information is freely available and accessible to those who will be affected by decisions and their implementation.

**Rule of law:** all persons and institutions, including the State, are subject to laws that are known publicly, enforced impartially and consistent with international and national human rights norms and standards.

**Participation:** all men and women of all backgrounds can participate in decision-making and service provision on a free, equitable and inclusive basis, either directly or through legitimate representative institutions.

**Responsiveness:** institutions are sensitive to the different security needs of all parts of the population and perform their missions in the spirit of a culture of service.

**Effectiveness:** institutions fulfil their respective roles, responsibilities, and missions to a high professional standard.

**Efficiency:** institutions make the best possible use of public resources in fulfilling their respective roles, responsibilities, and missions.

The geographic, strategic, and human characteristics give the maritime domain a particular complexity and essential importance at the heart of the 'humanitarian, development, security' nexus, especially in geographical areas

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1. DCAF. "Maritime Security Sector Governance and Reform," 2022. [https://www.dcaf.ch/sites/default/files/publications/documents/DCAF\\_BG\\_24\\_MaritimeSecuritySectorGovernanceReform\\_EN.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_24_MaritimeSecuritySectorGovernanceReform_EN.pdf)

2. DCAF. "Maritime Security Sector Governance and Reform," 2022. [https://www.dcaf.ch/sites/default/files/publications/documents/DCAF\\_BG\\_24\\_MaritimeSecuritySectorGovernanceReform\\_EN.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/DCAF_BG_24_MaritimeSecuritySectorGovernanceReform_EN.pdf)

experiencing fragile governance. The international and national regulatory frameworks that govern the maritime domain are also complex because they must regulate the diversity of human activities and interests at sea and their implications on land. To guide the reader through this complexity in the specific context of the Gulf of Guinea, this report is structured into four sections proposing a series of descriptions and analysis leading to six operational recommendations.

The **first section** characterizes the maritime space under assessment and provides a comprehensive overview of the problems and opportunities associated with the maritime space of the Gulf of Guinea. This section emphasises that most problems cannot find a solution without a collaborative approach.

The **second section** presents the frameworks and capacities in place at international, regional and national levels to handle maritime security governance. It includes a review of the legal and regulatory framework and exposes some of the difficulties posed by the gap between the texts governing the organization of institutions in place at regional and national levels in charge of maritime security governance.

Building on a thorough documentation review, around 80 semi-structured interviews and some focus groups, the **third section** discusses the current state of maritime security governance in West Africa, which has made progress over the past ten years but still faces limitations in terms of capacity, legal and financial frameworks at State and regional levels. The sources agree on the challenges and explanations for the situation. As a comprehensive regional response, the YA is also discussed especially the way to strengthen its code of conduct.

Finally, the **fourth section** maps out the international programming in the Gulf of Guinea. It summarises the review of 41 separate programmes mostly active between 2015-2023. Drawing mainly on donor self-reporting (opensource online data, with limited validation through interviews), this mapping gives an overall picture of the spread of international support, highlighting the prominent donors, certain general trends, some clusters and some entry points for further consideration. Since data availability, especially financial data, is rather uneven, the picture is painted in broad brush strokes.



# I. Interlinkages between maritime security, human security, and the Blue Economy in the Gulf of Guinea

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## The Ocean and Human Development Prospects

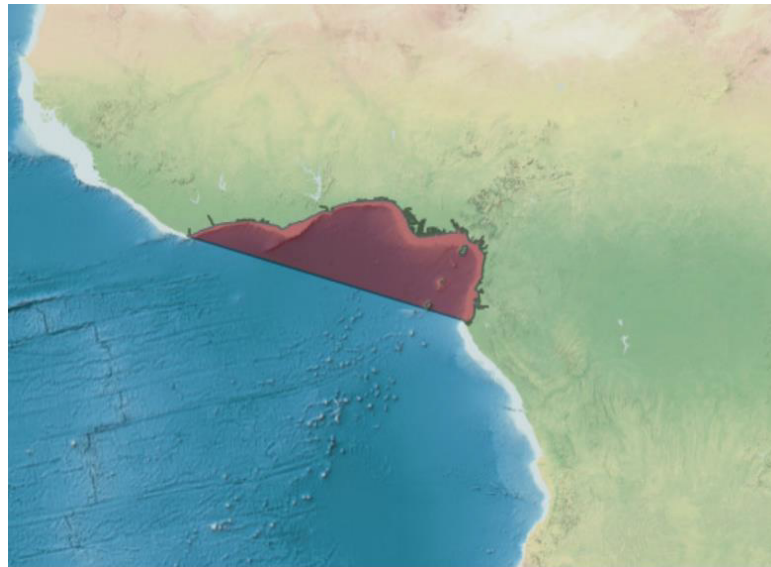


Figure 1. The Gulf of Guinea proper, spanning approximately 6°N, 10°E to 1°N, 7°W  
Source: Marine Gazetteer, International Hydrographic Organization (IHO)

From a geographical perspective, the Gulf of Guinea proper stretches from Cape Palmas in Liberia to Cape Lopez in Gabon, encompassing a section of the Tropical Atlantic Ocean (refer to Figure 1).<sup>3</sup> However, its political space is much larger, spanning from Angola to Cabo Verde, with a hinterland of landlocked countries. The Gulf is in a constant state of motion, with its surface stirred by waves rolling north from the ‘Roaring Forties’ in the 40°S–60°S region<sup>4</sup>, while its depths are propelled by the Guinea Current System (GCS) (refer to Figure 2). Twice a year, upwelling seasons pull colder, saltier, and more oxygenated waters from the deep to the surface near the coast, resulting in rich seasonal fisheries, particularly off the shores of Côte d’Ivoire and Ghana, and Congo and Gabon (refer to Figure 3).<sup>5</sup> Additionally, the GCS has endowed the oceanic islands in the Gulf of Guinea with a vast diversity of biodiversity, and scientists continue to discover new species after decades of exploration.<sup>6</sup>

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3. IMIS, VLIZ-. “Limits of Oceans and Seas.” IHO Special Publication, 1953. <https://www.vliz.be/en/imis?module=ref&refid=78851>

4. Toualy, Elisee, A Aman, P Koffi, Frederic Marin, and T. Wango. “Ocean Swell Variability along the Northern Coast of the Gulf of Guinea.” *African Journal of Marine Science* 37 (October 7, 2015): 1–9. <https://doi.org/10.2989/1814232X.2015.1074940>

5. June to September is the major upwelling, and January to March is the minor upwelling.

6. Rayna C. Bell et al., “A Thriving Future for the Gulf of Guinea Oceanic Islands,” in *Biodiversity of the Gulf of Guinea Oceanic Islands: Science and Conservation*, ed. Luis M. P. Ceriaco et al. (Cham: Springer International Publishing, 2022), 691–94, [https://doi.org/10.1007/978-3-031-06153-0\\_26](https://doi.org/10.1007/978-3-031-06153-0_26)

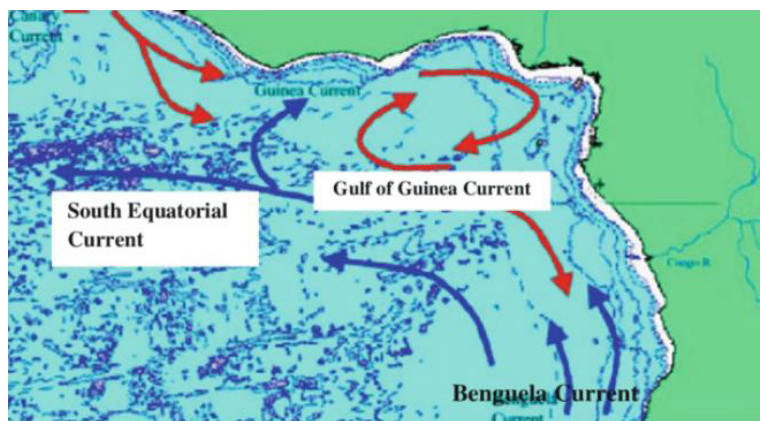


Figure 2. The Gulf of Guinea Current System  
Source: Folorunsho & Awosiko

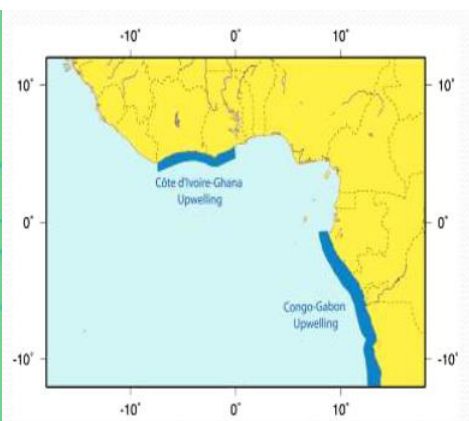


Figure 3. Seasonal Upwellings  
Source: Folorunsho & Awosiko

The GCS is estimated to provide approximately 20% of global fish catches<sup>7</sup> and officially contributes between 1.5% to 14% of the GDP<sup>8</sup> of coastal nations. This system is culturally significant as it provides a food source that accounts for two-thirds of all animal protein consumed in West Africa.<sup>9</sup> In Ghana alone, the livelihoods<sup>10</sup> of two million people depend on fishing, and the fisheries play a critical role in ensuring food security across the region.<sup>11</sup> According to the European External Action Service (EEAS), there are approximately 1,500 fishing vessels, tankers, and cargo ships navigating the waters of the Gulf of Guinea on any given day.<sup>12</sup>

The Gulf of Guinea is a hub of commerce and mineral extraction, linking Africa, South America, and Europe, and serves as an economic theatre for coastal and landlocked African countries<sup>13</sup>, bringing onshore forestry, diamonds, tin, cobalt, and agriculture into play. The Gulf also contains 10% of the world's oil reserves<sup>14</sup> and is home to Africa's two leading oil producers, Nigeria and Angola.

The 'Blue Economy' of the Gulf of Guinea is, therefore, of paramount importance to the human development of the region. The quality of governance of the ports and maritime environment is crucial for the governance of the state and the prosperity of the region, as emphasized by a senior diplomat in the region.<sup>15</sup>

The ports are the economic lungs of the country -  
the ports are the essence of the economy - so they  
are the centre of governance.

7. Thomas Stocker et al., "Summary for Policymakers," 2014.

8. Because of the informal nature of much of the maritime economy, the likely % is much higher.

9. Food and Agriculture Organization, "Coastal Fisheries Initiative," accessed March 10, 2023, <https://www.fao.org/3/cb1210en/CB1210EN.pdf>

10. EJF. "The People's Fishery on the Brink of Collapse: Small Pelagics in Landings of Ghana's Industrial Trawl Fleet." Environmental Justice Foundation, 2020. <https://ejfoundation.org/resources/downloads/EJF-report-small-pelagics-2020-final.pdf>

11. During troubled periods, the Gulf has provided a lifeline, including, for example, during the Second Ivorian Civil War (2010), when they continued to nourish the nation while other nutritional flows were throttled. Interview

12. EEAS. "EU Maritime Security Factsheet: The Gulf of Guinea." Accessed November 14, 2022. [https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea\\_en](https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea_en)

13. Ben Ibrahim Garba, "Ocean Governance and Maritime Security in The Gulf of Guinea | Center for International Maritime Security," CIMSEC, July 31, 2020, <https://cimsec.org/ocean-governance-and-maritime-security-in-the-gulf-of-guinea/>

14. EEAS. "EU Maritime Security in the Gulf of Guinea: Strategy and Action Plan." [https://www.eeas.europa.eu/sites/default/files/note\\_eu\\_gog\\_strategy.pdf](https://www.eeas.europa.eu/sites/default/files/note_eu_gog_strategy.pdf)

15. Interview, Ambassador Nicolás Berlanga Martínez (EEAS)

## Trends in security

During the 2000s, the Gulf of Guinea emerged as a pressing security concern for the international community. The region witnessed a surge in piracy, kidnapping, armed robbery at sea, oil bunkering, illegal, unreported, and unregulated fishing (IUUF), human and narcotics trafficking, and environmental crime. This problem was exacerbated by a complex web of political interests and natural resource competition, with no single sovereign or multilateral entity having complete coverage of the area. The Gulf accounted for 99% of global maritime kidnappings<sup>16</sup>, prompting the Special Representative of the Secretary General to declare in 2021 that “the Gulf of Guinea has become the epicenter of worldwide criminality at sea.”<sup>17</sup> The rate of IUUF in the Gulf was estimated to be 37%<sup>18</sup> of total seafood catches, the highest proportion globally, with severe consequences for fisheries, ecosystems, and local economies, as well as enabling broader transnational crime.<sup>19</sup>

The concept of a shoreline as a boundary is superficial, since insecurity on land and sea is interconnected through transnational flows. For example, oil bunkering in the Niger Delta links theft and refinery at the local level, transportation to other states at the regional level, and sale on international black markets<sup>20</sup> at the global level. The UN Secretary-General has noted a decline in piracy incidents since April 2021<sup>21</sup>, possibly due to regional and international cooperation. However, it may be premature to declare this trend. According to an international observer, the capability, intent, and opportunity to conduct piracy persist in the region, and the pause may be strongly related to domestic Nigerian politics around elections<sup>22</sup>, among other factors. Additionally, climate change megatrends are already affecting the Gulf of Guinea, according to a group of researchers at Harvard University.<sup>23</sup>

“Severe impacts of sea-level rise driven by global climate change - including coastal erosion, flooding, infrastructure damage, saltwater intrusion into freshwater supplies and an increase in water-borne disease - are already a reality across Africa and in particular the Gulf of Guinea.”

16. Curtis Bell, “Pirates of the Gulf of Guinea: A Cost Analysis for Coastal States” (Stable Seas, November 2021), 3, <https://www.stableseas.org/post/pirates-of-the-gulf-of-guinea-a-cost-analysis-for-coastal-states>

17. Secretary-General. “Situation of Piracy and Armed Robbery at Sea in the Gulf of Guinea and Its Underlying Causes - Report of the Secretary-General (S/2022/818).” Accessed January 17, 2023. <https://reliefweb.int/report/nigeria/situation-piracy-and-armed-robbery-sea-gulf-guinea-and-its-underlying-causes-report-secretary-general-s2022818>

18. Alfonso Daniels et al., *Fishy Networks: Uncovering the Companies and Individuals behind Illegal Fishing Global* (Financial Transparency Organization, 2020), <https://doi.org/10.4060/ca9229en>

19. Jessica Larsen and Christine Nissen. “Reconciling International Priorities with Local Needs: Denmark as a New Security Actor in the Gulf of Guinea.” Research Report. DIIS Report, 2018. <https://www.econstor.eu/handle/10419/197626>

20. Gulf of Guinea Maritime Institute. “Event Report: G7++FoGG Plenary, Abidjan,” December 2, 2022. p16.

21. Secretary-General. “Situation of Piracy and Armed Robbery at Sea in the Gulf of Guinea and Its Underlying Causes - Report of the Secretary-General (S/2022/818).” Accessed January 17, 2023. <https://reliefweb.int/report/nigeria/situation-piracy-and-armed-robbery-sea-gulf-guinea-and-its-underlying-causes-report-secretary-general-s2022818>

22. Interview with Dr Ifesinachi Okafo-Yarwood

23. “Climate Adaptation in the Gulf of Guinea,” The Salata Institute (blog), accessed March 20, 2023, <https://salatainstitute.harvard.edu/projects/climate-adaptation-in-the-gulf-of-guinea/>

## Communities

The security challenges in the Gulf of Guinea have a range of impacts on the stakeholders in the region, given the diversity of the populations of maritime and riverine communities. A common thread is the detrimental effect on human development<sup>24</sup> resulting from the depletion of fisheries. Representatives of fisherfolk in Côte D'Ivoire report that IUUF methods, including the use of illegal mesh sizes and Fish Aggregation Devices (FAD)<sup>25</sup>, have harmful effects on their livelihoods. International fleets from Asia and Europe are perceived to operate systematically with impunity, partly due to deficiencies in State enforcement capacities and corruption in fishing permits and oversight of fishing irregularities. This contributes to a sense of disenfranchisement among local populations, with international fishing fleets being prioritized over the livelihoods of local populations. The negative effects of industrialized fishing with systematic IUUF methods are well documented, as well as the associated destruction of biodiversity and marine habitats.<sup>26</sup> Furthermore, oil pillaging and mismanagement, as well as practices such as degassing, compound the environmental effects.<sup>27</sup> These conditions affect not only fishermen who struggle to find fish, but also women who are heavily involved in fish production, trading and financing fishing boats.<sup>28</sup> The major upwelling season from June to October, which used to be a plentiful time for tuna and sardines, has become difficult and lean for fisherfolk. Piracy and armed robbery also have significant impacts on communities. Insecurity generates increased costs, such as providing physical security for vessels and higher insurance rates, which are passed on to consumers. This results in higher prices in a region where extreme poverty increased during the COVID-19 pandemic.<sup>29</sup>

## Regional responses

The pressure faced by coastal communities results in security challenges for the countries in the region. The majority of fish consumed on the continent is sourced from small-scale fishing activities<sup>30</sup>, thereby rendering the threats to fishing communities as food security concerns. The reduction in fish stocks may be inducing fisherfolk to resort to IUUF methods such as dynamite fishing and fishing with lights, thus further endangering fish populations. This may also lead to other coping mechanisms such as opportunistic piracy, pipeline vandalism, and trafficking.<sup>31</sup> Community sources suggest that young people are particularly susceptible to these temptations.<sup>32</sup>

The realities of regional political economies may not allow States to deal with these illicit activities directly and effectively. According to one interlocutor “Local communities live off fishing, and States turn a blind eye to certain practices in the fight against poverty. There are also elections to consider.”<sup>33</sup> In the Niger Delta, illegal refineries provide much employment, being highly labour intensive<sup>34</sup> and State tolerance towards this illicit economy is both practical and political. But this brings its own problems: for instance, while Nigeria has significant hydrocarbon reserves, security and systemic corruption challenges deter investors.<sup>35</sup> This dynamic is apparent across the region, where oil majors are reportedly slowly pulling out of the region<sup>36</sup>, with certain exceptions.<sup>37</sup>

According to INGO Stable Seas, the cost of piracy in the region, both direct and indirect, is estimated to be

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24. Interview with ICC

25. Interview with Coopérative des mareyeuses transformatrices des produits halieutiques d'Abidjan

26. IMO. “Illegal, Unreported, and Unregulated (IUU) Fishing.” Accessed March 22, 2023. <https://www.imo.org/en/OurWork/IIIS/Pages/IUU-FISHING.aspx>

27. Interview with Union des Sociétés de Femmes dans la Pêche en Côte d'Ivoire

28. Ibid.

29. Ibid.

30. Okafor-Yarwood, Ifesinachi, Nelly I. Kadagi, Dyhia Belhabib, and Edward H. Allison. “Survival of the Richest, Not the Fittest: How Attempts to Improve Governance Impact African Small-Scale Marine Fisheries.” *Marine Policy* 135 (January 1, 2022): 104847. <https://doi.org/10.1016/j.marpol.2021.104847>

31. Migration in search of new fishing grounds is another coping mechanism, which can in turn lead to intercommunal violence. Moss, Kelly. “Policy Beyond Counter-Piracy in the Gulf of Guinea,” November 5, 2020. <https://www.stableseas.org/post/policy-beyond-counter-piracy-in-the-gulf-of-guinea>

32. Interview with Union des Sociétés de Femmes dans la Pêche en Côte d'Ivoire

33. Interview with UNOWAS

34. Interview with key informants

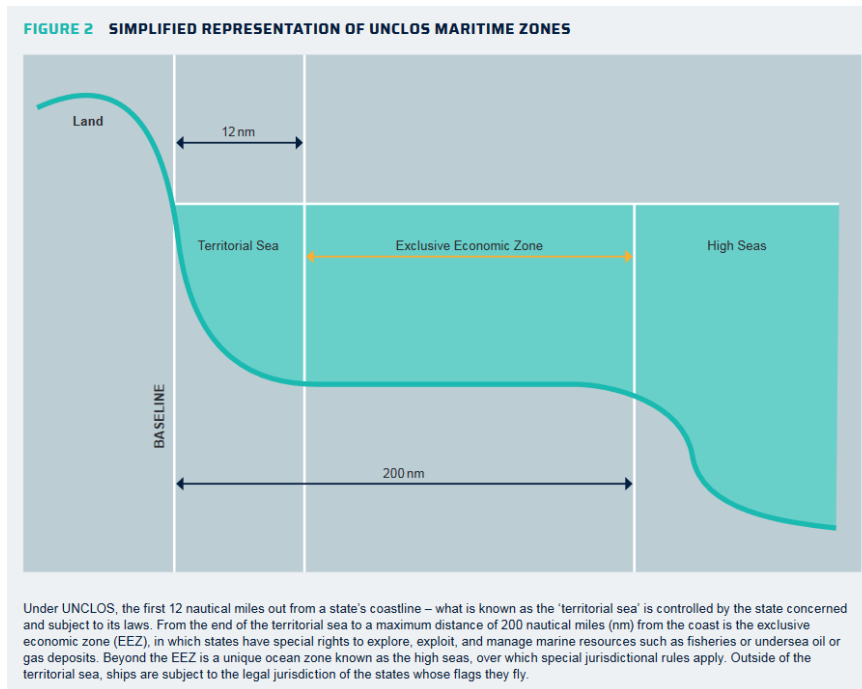
35. Benjamin Augé, “The Economic and Political Consequences of Falling Oil Production in Sub-Saharan Africa by 2030,” n.d.

36. Sabrina Valle, “Exclusive: Exxon to Exit Equatorial Guinea amid Wider Africa Crude Phaseout,” Reuters, November 29, 2022, sec. Energy, <https://www.reuters.com/business/energy/exxon-exit-equatorial-guinea-amid-wider-africa-crude-phaseout-2022-11-28/>

37. “Capacity Boost: A New Oil and Gas Discovery in the Gulf of Guinea Is Expected to Increase the Country’s Reserves Significantly - Oxford Business Group,” September 16, 2022, <https://oxfordbusinessgroup.com/capacity-boost-a-new-oil-and-gas-discovery-in-the-gulf-of-guinea-is-expected-to-increase-the-countrys-reserves-significantly/>

approximately \$1.925 billion per year.<sup>38</sup> The direct cost of piracy is relatively small, but the knock-on effects on shipping and fishing, as well as the costs associated with counter-piracy measures, contribute significantly to this figure.

Regional States face numerous challenges in addressing these security threats. Many of these States have other priorities, such as security concerns on their northern borders. Additionally, the security forces in the region are primarily land-based, with a tradition of what multiple sources refer to as “sea blindness”.<sup>39</sup> Only a few countries, including Senegal, Nigeria, and Ghana, have the necessary resources and capabilities, including navy, customs, coastguards, and police, to effectively monitor, patrol, and interdict illegal activities in their Exclusive Economic Zone (EEZ).



Source: DCAF SSR Backgrounder: Maritime Security Sector Governance and Reform

The transnational nature of the crimes means that the solutions must also be transnational. To catch, transport and prosecute a piracy suspect, for instance, would typically need to involve the cooperation between three or more States.

## The International Community

The international community, particularly the UN, EU Member States and ocean-focused States, have been involved in the implementation of the YA through operational deployments and human development programming. This reflects how their complex of interests are impacted by insecurity in the GoG. In 2019, the region provided 40% of the EU's oil supply and approximately 29% of total US petroleum consumption.<sup>40</sup> Insecurity increases costs such as vessel security and insurance. Then there is industrial distant water fishing, particularly by Asian fleets, which is disrupted by piracy and armed robbery. Furthermore, the trafficking of narcotics and human beings through the Gulf links directly to Europe. Cocaine, for instance is trans-shipped from Latin America to Europe, in quantities that have grown substantially since 2021.<sup>41</sup> Equally, for the UN and OECD DAC countries, commitments to human development and ending poverty in the region have foregrounded the obstacles created by insecurity.

38. Curtis Bell. "Pirates of the Gulf of Guinea: A Cost Analysis for Coastal States." *Stable Seas*, November 2021. <https://www.stableseas.org/post/pirates-of-the-gulf-of-guinea-a-cost-analysis-for-coastal-states>

39. « Il y a un manque de culture maritime dans les pays africains qui commencent à être conscients des questions maritimes. Cependant, les stratégies continentales des résolutions des problèmes » (Admiral Abou Sene - Sénégal)

40. Chinyere Anozie et al., "Ocean Governance, Integrated Maritime Security and Its Impact in the Gulf of Guinea: A Lesson for Nigeria's Maritime Sector and Economy," *Africa Review* 11, no. 2 (November 11, 2019): 190–207, <https://doi.org/10.1080/09744053.2019.1631640>

41. UNODC. "Global Cocaine Report 2023 – Local Dynamics, Global Challenges," March 2023. [https://www.unodc.org/documents/data-and-analysis/cocaine/Global\\_cocaine\\_report\\_2023.pdf](https://www.unodc.org/documents/data-and-analysis/cocaine/Global_cocaine_report_2023.pdf), p104

## II. Maritime Security Governance frameworks in West Africa

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### A solid international legal and normative framework

Over the past decades, the international community has adopted a series of resolutions, conventions and codes of conduct that set legal foundations and norms for human activity at sea. The rights and obligations of States and International bodies involved in maritime security governance and States Action at Sea<sup>42</sup> have been clearly articulated. The United Nations Convention on the Law of the Sea (UNCLOS 1982) remains the foundation of the global framework<sup>43</sup> and contributes to the maintenance of peace, justice, and progress for all populations on all issues relating to the law of the sea.

All GoG nations have ratified UNCLOS.<sup>44</sup> On the other hand, only two States in the region<sup>45</sup> have ratified the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) convention.<sup>46</sup> Beyond addressing piracy and crimes at sea, the International Maritime Organisation (IMO)<sup>47</sup> released important norms such as the Basel convention<sup>48</sup>, which plays a role in protecting maritime environment. The Food and Agriculture Organisation of the United Nations (FAO) has also released an Agreement on Port State Measures (PSMA)<sup>49</sup> to prevent, deter and eliminate IUUF through the adoption and implementation of effective Port State measures as a means of ensuring the long-term conservation and sustainable use of living marine resources. The FAO has also published a Code of Conduct for responsible fisheries setting out principles and international standards of behaviour for responsible practices with a view to ensuring the effective conservation, management, and development of living aquatic resources, with due respect for the ecosystem and biodiversity. These documents give **special emphasis to the requirements of developing countries to sustain their implementation efforts.**

### ...and a rising awareness of maritime security governance at continental level...

The African Union (AU) has made significant progress in improving maritime security on the continent by providing a framework for developing and implementing policies, laws, and initiatives to address maritime security challenges in Africa. The AU has translated international norms into the 2050 Africa's Integrated Maritime (AIM) Strategy<sup>50</sup>, a document that prioritizes inclusive human development and sees maritime security primarily as a condition for that. Just like ECOWAS' Integrated Maritime Strategy<sup>51</sup>, it also promotes maritime awareness. Therefore, a human-centered approach to development and maritime security is necessary to avoid issues and resources being confined to a few sectors or industries.

The AIM Strategy also describes the common maritime challenges faced by AU Member States, and stresses that it is the individual States that are responsible for implementing maritime security governance. One of the central

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42. This term can be defined as follows: "SAS describes a comprehensive approach of all government-led maritime operations, with the exception of the defense missions. It covers over 45 missions, organized in 10 categories, which address an exhaustive panel of issues: from sovereignty and protection of national interests, to combatting illegal activities, ensuring the safety of people and goods, or protecting the environment." Maritime Crimes. "French Concept of State Action at Sea." Maritime Crimes, April 11, 2022. <https://maritimescrimes.com/2022/04/11/french-concept-of-state-action-at-sea/>

43. Main documents: UNCLOS; UN resolution 67/78 "Oceans and the law of the sea; SUA convention (1988) and its protocols; IMO code of practice for the investigation of crimes of piracy and armed robbery against ship; FAO agreement on port state measures to prevent, deter and eliminate illegal, unreported, and unregulated fishing (IUU).

44. Status Ratification of UNCLOS

45. Status Ratification of the SUA Convention

46. The SUA convention (Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (imo.org)) is one of the fundamental documents that criminalises several criminal behaviors at sea such as Seizing control of a ship by force or threat of force, committing an act of violence against a person on ship if it is likely to endanger the safety of the ship, destroying or damaging a ship or its cargo in such a way that endangers the safe navigation of the ship, etc.

47. The United Nations specialized agency with responsibility for the safety and security of shipping and the prevention of marine and atmospheric pollution by ships.

48. IMO SR/CONF/45 (basel.int)

49. FAO. "Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Revised Edition," 2016. <https://www.fao.org/port-state-measures/resources/detail/en/c/1111616/>

50. African Union. "2050 Africa's Integrated Marine Strategy," 2012. [https://cggrps.com/wp-content/uploads/2050-AIM-Strategy\\_EN.pdf](https://cggrps.com/wp-content/uploads/2050-AIM-Strategy_EN.pdf)

51. In 2009, ECCAS members signed the 2009-05-06-ACCORD-TECHNIQUE-CMC-ZONE-D-YDE-6-MAI-090001.pdf (cresmac.org). This document complements the 30854-doc-eccas\_protocol\_0.pdf (au.int)

responsibilities here for States is to harmonize legal and policy frameworks relating to the Blue Economy, a theme reiterated at the AU's governing council (The Peace and Security Commission).<sup>52</sup>

These sentiments echo the Lomé Charter on maritime security and development, signed in 2016. It emphasises that no country can singlehandedly address maritime threats or sustainably develop its maritime domain. The Charter calls on neighbouring States and partners to work together on training, education, business, and industry. Although 35 countries signed the Lomé Charter, only two have ratified it.<sup>53</sup> The slow pace of ratification thus far illustrates a lack of awareness on the critical dimension of maritime security governance or the lack of willingness to actual implement measure in this domain.

The AU has also established the Maritime Safety and Security Information Sharing (MSSIS) platform, which allows African countries to share information on maritime security threats and coordinate responses. The AU has also launched several regional maritime security initiatives, such as the Djibouti or the Yaoundé Code of Conduct (YCoC). Overall, the AU's efforts have contributed to a significant improvement in maritime security in Africa, although there are still challenges that need to be addressed, including illegal fishing, drug trafficking, human smuggling and all the protection of environment domain.

## ... leading to relative progress in the Gulf of Guinea

### A call for more interstate cooperation

Ensuring the security of the Gulf of Guinea is beyond the capacity of any existing regional body acting alone and organizations such as the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), the Maritime Organization of West and Central Africa (MOWCA) and the Gulf of Guinea Commission (GGC) have started addressing some maritime security governance issues.

Work to find an inter-regional approach in the Gulf of Guinea has precedent, and regional leaders formed the Maritime Organisation of West and Central Africa (MOWCA) in 1975 and the Gulf of Guinea Commission (GGC, 2001). Building on this, the concepts and commitments embodied in UNCLOS, AIMS and the Lomé Charter have been pursued by actors in the Gulf of Guinea and their international partners, considering the particular and pressing security challenges that affect the region.

### Solid strategic tool at regional level with important implementation challenges

ECOWAS has developed a comprehensive Integrated Maritime Strategy (EIMS)<sup>54</sup>, calling for an inter-ministerial collaboration at the national level would bring together political affairs, legal matters, regional security and defence, law enforcement (police, gendarmerie, intelligence, investigation), maritime administration, and port authority. The EIMS set five strategic objectives<sup>55</sup>, the first one being focused on strengthening maritime governance that includes the development and promotion of efficient and responsible maritime resources management, the characterization of the maritime domain, the establishment of governance mechanisms, the strengthening of regulations, rule of law and international cooperation".

ECCAS developed the "Protocole relative à la stratégie de sécurisation des intérêts vitaux en mer des Etats de la CEEAC du Golfe de Guinée"<sup>56</sup>. This document goes far beyond piracy and includes considerations about criminal activities (smuggling, arms trafficking, human trafficking) and pollution.

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52. Communiqué of the 834th meeting of the PSC, held on 21 March 2019, on the nexus between maritime security, safety, and development of sustainable blue economy in Africa-African Union - Peace and Security Department ([peaceau.org](https://peaceau.org))

53. Benin and Togo

54. EIMS requests synergies and coordinated responses in terms of early warning/observation and monitoring and response, agriculture, environment, water resources, customs, industry, fisheries, strategic planning, transport and telecommunication, energy, trade, research and statistics, free movement of people, multilateral surveillance, employment and drug control, humanitarian and social affairs, human resources and development, gender, youth and civil society organizations, industry, oceanography, shipping, and aquaculture.

55. 1) Strengthening maritime governance; 2) Maritime security and safety; 3) Maritime environmental management; 4) Optimise the EOWAS maritime economy; 5) Promote maritime awareness and research

56. ECCAS. "Protocole Relatif à la sécurisation des interets vitaux en mer des Etats de La CEEAC de Golfe Du Guinée." [https://au.int/sites/default/files/documents/30854-doc-eccas\\_protocol\\_0.pdf](https://au.int/sites/default/files/documents/30854-doc-eccas_protocol_0.pdf)

The GGC has the most significant mandate for dealing specifically with maritime issues<sup>57</sup>, and released the Luanda Declaration<sup>58</sup> in 2012, stating that in response to increasing maritime insecurity, GGC member States needed to establish regional cooperation and inter-state dialogue. The Luanda Declaration encourages the international community to “assist the States concerned in the region, ECOWAS, ECCAS, GGC and other relevant organizations and agencies in strengthening their efforts to counter piracy and armed robbery at sea, in the Gulf of Guinea”.

It also enjoins States to counter piracy and armed robbery at sea in the Gulf of Guinea and, in doing so, requests that States ensure their interventions do not have a practical effect of denying or impairing freedom of navigation on the high seas or the right of innocent passage in the territorial sea to vessels of third States.

The security situation also drew attention from the UN Security Council and General Assembly, prompting two Security Council Resolutions. In its resolution 2039 (2012), the UNSC stressed the primary responsibility of the States of the Gulf of Guinea to counter piracy and armed robbery at sea in the Gulf of Guinea. Security Council Members urged 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 where able, and by mutual agreement, to develop and implement national maritime security strategies, including for the establishment of a legal framework for the prevention, and repression of piracy and armed robbery at sea, as well as prosecution of persons engaging in those crimes, and punishment of those convicted of those crimes and encourages regional cooperation in this regard.

In theory, despite their limited capacity, the RECs (ECOWAS and ECCAS) have played an important role in fostering better maritime security governance through regional policy development capacity. But policy implementation at national level is paramount to achieve the strategic objectives. However, ECOWAS, ECCAS and the GGC have not always been able to establish relationships based on full mutual confidence<sup>59</sup>, which would be necessary to enable the political momentum at regional level.

## The Yaoundé Architecture: a promising tool at its inception

Through the early 2010s, regional and international momentum to address growing security concerns in the Gulf built. In June 2013, heads of States of Central and West Africa gathered in Yaoundé, to lay the basis for a common regional strategy to prevent and prosecute illicit activities in the waters of the Gulf of Guinea. The Yaoundé Summit led to the creation of three mechanisms:

- the Declaration of the Heads of States<sup>60</sup>,
- the Yaoundé Code of Conduct (YCoC)<sup>61</sup>,
- the Memorandum of Understanding between ECOWAS, ECCAS and GGC (MoU).<sup>62</sup>

This set of instruments inspired the elaboration of the YA, depicted below. From a geographical perspective, as illustrated on the following map, the Gulf of Guinea is split in two regions: West Africa and Central Africa. In each region, different maritime zones are defined.

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57. GGC was established in 2001 as a permanent framework for collective action to ensure peace, security, and stability conducive to economic development in the region.

58. Its full title is the Luanda Declaration on Peace and Security in the Gulf of Guinea Region

59. This reality was mentioned by many interviewees.

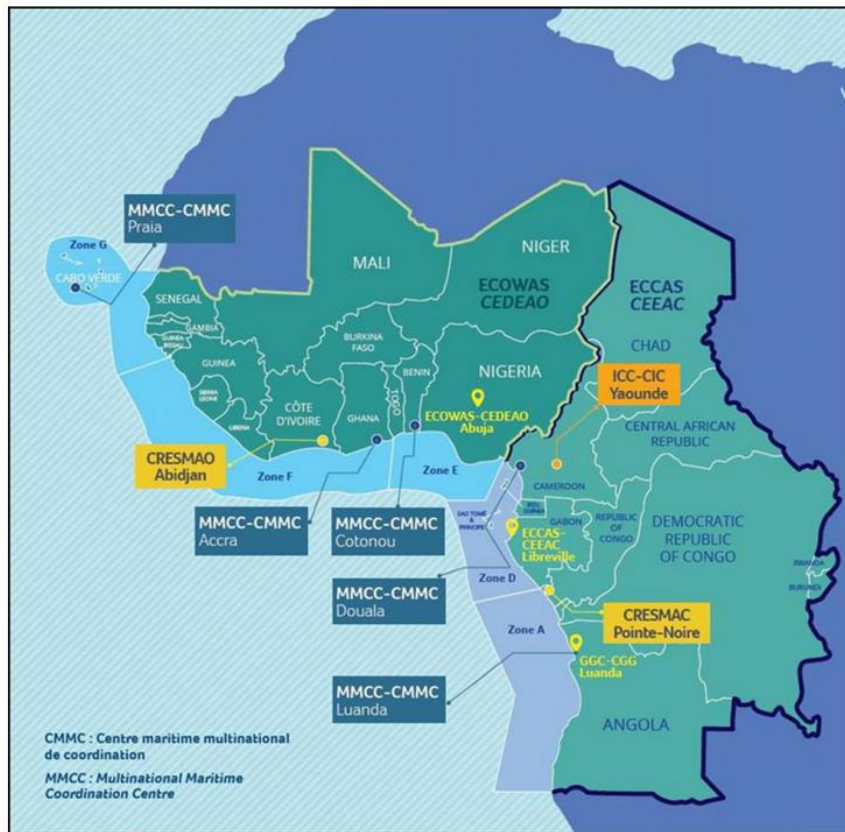
60. “Declaration of Heads of State and Government of Central and West African States on Maritime Security in Their Common Maritime Domain,” 2013. <https://icc-gog.org/wp-content/uploads/2018/03/DeclarationofHofS-EN.pdf>

61. ECCAS, ECOWAS, and GGC. “Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships, and Illicit Maritime Activity in West and Central Africa.” 2014. [https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/code\\_of\\_conduct%20signed%20from%20ECOWAS%20site.pdf](https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/code_of_conduct%20signed%20from%20ECOWAS%20site.pdf)

62. ECCAS, ECOWAS, and GGC. “Memorandum of Understanding among the Economic Community of Central African States, the Economic Community of West African States and the Gulf of Guinea Commission on Maritime Safety and Security in Central and West Africa,” 2013. [https://au.int/sites/default/files/newsevents/workingdocuments/27463-wd-memorandum\\_version\\_anglaise.pdf](https://au.int/sites/default/files/newsevents/workingdocuments/27463-wd-memorandum_version_anglaise.pdf)

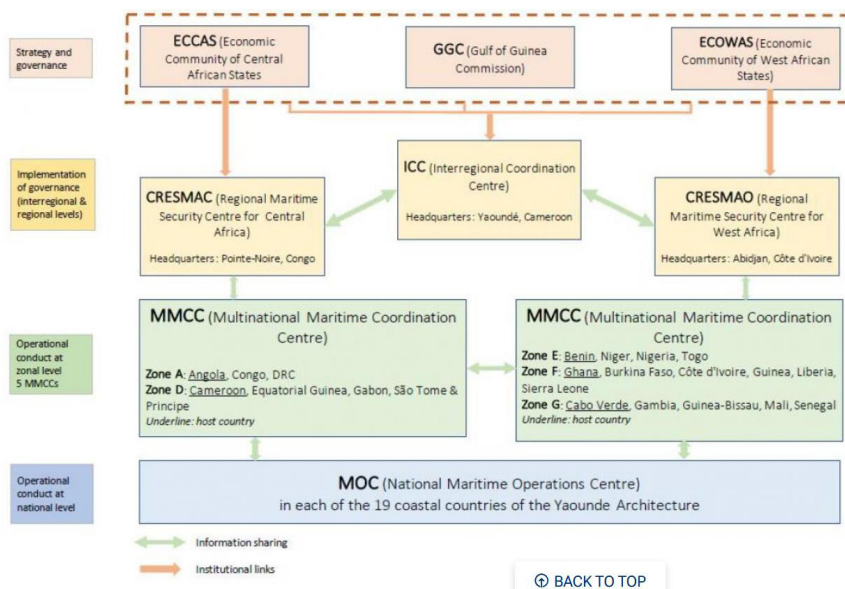


The Yaounde Architecture - Map



Source: EEAS (Image from EU website - [https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea\\_en](https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea_en))

From an organizational perspective, the following schema sets up somewhat hierarchical coordination framework, as shown in the figure directly below.



Source: EEAS

In 2022, the UNSC Resolution 2634 welcomed the initiatives by regional organizations, including ECCAS, ECOWAS and GGC, to enhance maritime safety and security in the Gulf of Guinea, the YCoC and its operational framework, the Interregional Coordination Centre (ICC), the Abidjan Interregional Maritime Security Institute (ISMI), the Regional Maritime Safety and Security Centres (CRESMAO and CRESMAC), and the Multinational Maritime Coordination Centres (MMCCs).

CRESMAC was formally created in 2009 (before the inception of the YA) and has the operational control over two MMCCs (zones A, D). And in 2022, ECOWAS unveiled CRESMAO. This centre has the (nominal) operational control over three MMCCs (zones E, F, G).

## The Memorandum of Understanding between regional organizations

This document sets a series of objectives, principles, and areas of cooperation for the three organizations ECCAS, ECOWAS and GGC. Article 5 is dedicated to “implementation”, and parties agree to hold annuals meetings at Chief Executives level. Article 5 also creates the ICC for the implementation of the “regional strategy for maritime safety and security”.

## The Heads of State Declaration

In the Declaration, the Heads of State commit to promoting peace, security, and stability in the West and Central African maritime area through **mobilizing adequate operational resources both at the institutional level and in terms of logistics**. They request ECCAS, ECOWAS and GGC to promote activities aimed at cooperation, coordination, pooling together and interoperability of resources between Member States. Amongst the practical measures, they also request the three regional originations **to put a contribution-based funding mechanism** in place.

Additionally, the Declaration requests Member States to establish national mechanisms for financing policies against piracy, armed robbery, and other illegal activities at sea. **Beyond the absence of a financial architecture, all the other practical measures have seen significant progress over the past ten years. As a result, funding remains an impediment to ensuring a functioning Yaoundé architecture.**

## The Yaoundé Architecture code of conduct (YCoC)

The text of the YCoC stems mostly from the Djibouti Code of Conduct adopted in January 2009. It is a comprehensive document that contains several provisions that require signatories to take action to enhance maritime security. These provisions include the establishment of national and regional maritime security centers, the sharing of maritime information, the prosecution of pirates and armed robbers, the strengthening of law enforcement and judicial capacities, and the promotion of sustainable use of maritime resources. **Although the YCoC does address IUUF, it does not specifically address protection of environment issues and the Blue Economy.**<sup>63</sup>

The YCoC also specifies that the ICC should convene a consultation within three years (i.e. by 2018), to “eventually” upgrade the code into a binding multilateral agreement. **Since the inception of the YCoC, such a consultation has never happened.**

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63. It also provides some general guidance on various topics such as embarked officers, asset seizure, coordination and information sharing, reporting, training and education, indictment, prosecution, and conviction, dispute settlement.

### III. Analysis - Quality of governance in Maritime Security Governance in the West Africa

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#### Underlying factors that hamper regional and States responses to maritime security challenges

Good security sector governance is dependent on compliance with key principles<sup>64</sup> such as accountability, transparency, respect for the Rule of Law, inclusive participation, responsiveness, effectiveness, and efficiency. These principles are equally relevant to good maritime security governance, which requires robust regional cooperation. The establishment of the YA has helped connecting maritime authorities and officers from different countries, enabling an ad-hoc cooperation. However, data collected from written sources, interviews, and focus groups in West Africa indicate that the principles are frequently disregarded, including in terms of cooperation. In many cases, States bear significant responsibility for this, with the lack of ownership of maritime security governance issues and capacity shortfalls being commonly cited as key explanations. Nevertheless, there are also underlying factors that contribute to this situation, including systemic corruption, lack of trust, and fragmentation of priorities.

#### Systemic corruption

Corruption is a principal obstacle that undermines accountability, respect for the Rule of Law and efficiency. As a result, despite the profits generated by all the activities at sea, little goes back to States budgets and even less to regional budgets.

As the NGO Stable Seas noted in 2020:

*“Corruption takes many forms, including tariff and tax evasion, bribe payments, stolen social welfare funds, and law enforcement protection of criminal networks. It is particularly problematic at ports, as bribes can create shipping delays and result in the transfer of dangerous contraband to other countries.”*  
*“These actions can contribute to the formation of individual grievances stemming from economic disenfranchisement and insecurity, as seen in the Niger Delta. A lack of domesticated international and regional maritime security agreements is further hampering rule of law in the region.”<sup>65</sup>*

Criminal organizations, such as pirates, armed robbery syndicates, and drug smugglers<sup>66</sup>, continue to pose a significant threat to security in the Gulf of Guinea. According to several interlocutors, these groups have ties to political elites and use their resources to gain protection and influence from State actors. The complicity of certain State actors in maritime activities also fosters a culture of impunity that undermines community confidence in the government. The illegal sale of fishing licences is another issue, with Chinese trawlers known for their destructive fishing methods being granted privileges. Corruption resulting from the connection between institutions and illegal activities is cited by both local and international sources as one of the most significant challenges to effective maritime security governance in the Gulf of Guinea.

At the seaport level, during interviews, customs were qualified central players in the corruption system. The interlocutors opined that there is a strong connection between port authorities and the highest authorities or their immediate environment in the country. While this information would deserve confirmation through additional study, sources converge on the heavy negative impact of corruption on institutional capacity building for a good maritime security governance.

Strengthening initiatives aiming at addressing systemic corruption remains an urgent priority to improve maritime security governance and more broadly security sector governance in the region. In this respect, any national and/or international initiative that support curbing the corruption should consider more systematically activities in the maritime domain (financial governance, custom, security, training, etc.). Corruption diverts important financial resources that are ultimately missing for the implementation of measures aiming at improving maritime security governance.

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64. DCAF Backgrounder 1 Security Sector Governance and reform.pdf

65. Moss op cit (2020), p8

66. The recent UNODC Global Cocaine Report (op cit) 105 illustrate the importance of the Gulf of Guinea for drug smugglers. Over the period 2019-2021, 13 cocaine seizures of 100kg or more were documented in countries with a coastline on the Gulf of Guinea and another 16 were documented in the more westerly arrival zone centred around Guinea-Bissau. Some of the largest seizures occurred in, or close to Cabo Verde (9.5 tons in February 2019, 2.3 tons the same year followed by 5.7 tons in April 2022), Côte d'Ivoire (6 tons in March 2021), Senegal (5 tons in April 2020) and the Gambia (3 tons in January 2021).

## Challenging relationships and competing interests fuel the lack of trust

In the Gulf of Guinea, there are significant trust issues between States and regional organisations, between regional organisations and between African and international actors.

**States vs ECOWAS:** Despite its goals of fostering regional cooperation, ECOWAS has faced several challenges in its relationship with individual member states. One of the main issues that hampers a greater ECOWAS role in maritime security is the varying levels of political stability and economic development among member states. Some countries, such as Nigeria and Ghana, have relatively stable political systems and stronger economies compared to others, such as Guinea-Bissau and Mali, which have experienced political turmoil and economic challenges. This has also an impact in terms of moving forward a good maritime security governance.

Another challenge is the divergent interests and priorities of member states. For example, some countries prioritize regional integration and cooperation, while others focus on national interests and domestic policies. This can lead to tensions and disagreements within the organization, particularly when it comes to decision-making and resource allocation. Regarding the maritime domain, these tensions have a negative impact on the legal frameworks in West Africa that still lack harmonization (beyond anecdotal cases). A suitable financial mechanism<sup>67</sup> supporting maritime security initiatives is also still missing.

**ECOWAS vs. ECCAS:** While ECOWAS and ECCAS cooperate in many security areas, they seem to compete for political influence in maritime security governance. The two organizations differ in strategic objectives, funding mechanisms, and expertise in maritime security. The appointment of the ICC commander, which should be provided by ECOWAS but remains vacant, is an example of this. Some argue that the ICC, located in Yaoundé, is often perceived as an ECCAS entity, while others question the need for an inter-regional coordinating entity beyond ensuring the flow of information.

The complex relationships driven by specific diverging interests impede maritime security governance and undermine the trust required for effective regional coordination. Along with addressing other capacity shortfalls, significant efforts remain necessary to address the need for more trust among actors. At the regional economic community (REC) level, the nomination of respected and impartial leaders for maritime security governance and the provision of good offices could be beneficial.

**African partners vs international actors:** Finally, many African stakeholders feel uneasy about the unbalanced relationship with international actors<sup>68</sup>, who prioritize their own interests when addressing issues such as piracy or oil bunkering. Additionally, countries from outside the region have agreements with local governments to exploit resources which happened to the detriment of local communities. The EEAS in Abuja admits that its support to West Africa first serves the implementation of the European Strategy on the Gulf of Guinea.<sup>69</sup> The G7++'s use of the term "Friends of the GoG" was perceived as a form of tutorship rather than partnership. The location of the Yaoundé Architecture Regional Information System (YARIS)<sup>70</sup> server in Europe<sup>71</sup> and the lack of data ownership only add to the perception of distrust.

## Priorities fragmentation

The Gulf of Guinea region's diversity, including varying interests, priorities, and institutional cultures among its many states, makes it challenging to define common objectives and structures for addressing similar problems. Despite progress, regional cooperation and coordination remain in early stages, relying more on personal relationships than institutional ones. This lack of unity is exemplified by two regional maritime strategies (ECOWAS and ECCAS) with different objectives, mirrored in West African states. Developing coherent institutional frameworks is difficult in an environment where states have varying institutional cultures and organizations, as noted by UNODC and UEMOA.

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67. It is however interesting to note that the Union Monétaire et Economique Ouest-Africaine (UEMOA) - Bénin, Burkina Faso, Côte d'Ivoire, Guinée-Bissau, Mali, Niger, Sénégal, Togo - has been able to establish a taxation of mechanism on maritime transportation to support the financing of maritime security measures. But this mechanism applies only to its members.

68. Interviews with the Executive Director of the Centre for Maritime Law and Security Africa

69. EU Maritime on the Gulf of Guinea

70. Yaoundé Architecture Regional Information System established in the context of the EU GOGIN programme.

71. Some interlocutors considered YARIS a spying tool and claimed they had no ownership of the data.

The fragmentation of legal frameworks and institutional organization<sup>72</sup> remains a major impediment to effective maritime security governance in West Africa. This lack of harmonization undermines the effectiveness of legal frameworks in the region. Joint agreements between neighbouring states and pursuing criminals in territorial waters are rare and weakly enforced. Legal frameworks for maritime security in West Africa have progressed, but implementation and law enforcement pose challenges. Inconsistent regional legal frameworks make it difficult to prosecute offenders across jurisdictions.

## **A lack of political ownership limits investments in Maritime Security Governance**

The signature of the YA Declaration and Code of Conduct, and later the endorsement of the Lomé Charter by AU Heads of State, were considered as the expression of a political will to address the issue of maritime security governance. Ten years after the signature of YA instruments, the political will in the region remains inconsistent.

### **A lack of political ownership**

Political ownership over maritime security governance issues is not established. Firstly, political leaders prioritize urgent and sensitive areas like border security, diverting attention and resources from maritime security governance. This land-centric focus and culture can hinder building the institutional and operational capacities needed for effective state action at sea, which can be expensive.

Secondly, the international community has supported improving maritime security governance in West Africa contributing to the reduction of piracy in the area. This reduction could lead to the misperception that improving maritime security governance is no longer urgent when many other challenges remain. Additionally, the risk of piracy relapsing also exists. Good governance requires a comprehensive understanding of maritime problems, including their political and strategic dimensions. To achieve this, African political leaders should be more systematically involved in conversations about maritime security, human security, and the Blue Economy in the Gulf of Guinea.

Thirdly, in the ECOWAS region, there needs to be more political leadership on maritime issues to avoid the dilution of responsibility and a lack of momentum. For example, although ECOWAS has developed an excellent EIMS, it needs more political weight to impose its implementation on member states. Despite ECOWAS's numerous activities, interlocutors emphasized the lack of regional steer on maritime issues. This slow momentum is an incentive to disengage, and it becomes urgent to incentivize Heads of state to engage more on this matter.

Finally, the lack of political ownership leaves local communities' needs mostly unaddressed. During interviews, communities complained that options for improving maritime security governance excluded them. As a result, they have begun organizing themselves in regional hubs and information platforms avoiding their national institutions. The sense of a common identity beyond borders, based perhaps on shared experiences in their respective political economies, may also represent opportunities for more effective mobilization and advocacy around these communities' concerns and lessons sharing.

### **Impact on institutional and operational capacities**

The lack of full understanding of the potential and challenges of the maritime domain at political level impacts negatively the resources allocated to the establishment of institutional and operational capacities. It is a major area of concern at regional and national levels.

Consequently, the current institutional culture and vertical organisations, inspired by land-centric thinking, hinder the circulation of operational information within and between States and RECs. For instance, MOCs often need to seek their political authority approval before sharing operational information with the MMCCs and CRESMAO. This adds delays in the treatment of urgent information and undermines the operational effectiveness. On the other hand, in ECOWAS, many simple actions cannot take place without the Commissioner's signature. Improving maritime security governance requires a clear delegation of authority within the command structure and an appropriate control structure.

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72. Some States have Coast Guards (e.g. Ghana, Nigeria) when others have interinstitutional bodies (e.g. Côte d'Ivoire, Senegal) to deal with maritime security.

## At regional level

- Human resources

The institutional capacity of ECOWAS to steer a comprehensive and integrated process of maritime security governance at the regional level needs to be improved. On the one hand, the establishment of an ECOWAS maritime cell<sup>73</sup> that can rely on the full ECOWAS commission administrative support is evidence of a genuine commitment in moving forward professionally with maritime security governance. On the other hand, it is doubtful that with only two staff, the Cell can handle the many aspects of maritime security at the regional level, ensuring the necessary coordination across the 15 different member states. The extensive portfolio of the Cell's Head, which includes all regional security issues, is also a significant capacity shortfall that delays the coordination of various domains such as legal frameworks, financial mechanisms, a comprehensive approach to human security, and coordination of international interventions. The slow momentum in implementing the YA and the YCoC may also stem from a lack of regional steering, resulting from this capacity shortfall.

The lack of resources at the regional level has led to a shortage of human resources in the different YA centers. Representatives from CRESMAO, CRESMAC, and ICC have reported being understaffed. According to Antonin Tisseron: *"In total, by mid-2022 there would only be 50% of the staff in post for all architectural structures excluding national reference centers."*<sup>74</sup> Most department heads at the ICC have not been appointed, limiting the organization's coordination capacity. This situation discourages officers from West Africa from joining the YA centers.

- Financial resources

The establishment of a good maritime security governance requires suitable financial mechanisms enabling the implementation of practical measures for improvement. However, this is not currently done. This has an impact on financial resources available for addressing systemic issues and raises questions over the RECs' ability to bring sustainable coordinated solutions to address maritime security governance issues. As a result, African partners rely too heavily on international actors to bridge a shortfall that they should address as a matter of priority.

In 2022, the G7++ FoGG reactivated its Working Group Number 2 dedicated to funding which offers an opportunity to move forward in this critical domain and discuss possible concrete options on this matter. But in terms of ownership, it is critical that this matter is handled by the African States themselves with ECOWAS in the lead for West Africa.

As a result, sustained support to the Regional Economic Communities (RECs) remains crucial for making progress on maritime security issues. Organizations such as the G7++, FoGG, UNODC, and EEAS have important roles to play in building the necessary institutional and operational capacity for effective and accountable maritime security governance. The establishment of the YA was met with high expectations, but it is essential that this support is geared towards sustainable solutions.

## At national level

To establish effective maritime security governance at national level, it is crucial to have human resources expertise at institutional and operational levels to staff operational centres. However, building an experienced naval officer who can take responsibilities in regional centres often takes up to 20 years. Moreover, demanding environments often require officers to respond to challenges in their home country, making it difficult to send them abroad. The shortfall in human resources is not limited to the navies and requires maritime expertise in many different national institutions, including judges, police, military, customs, environmental experts, etc.

In this context, a major effort remains necessary to build in quality and quantity the necessary expertise across the region. The ISMI<sup>75</sup> located in Côte d'Ivoire and supported by France contributes to bridging the gap. But ECOWAS has immense needs. Addressing the expertise shortfall across 15 countries in West Africa, requires some resources that only informed political leaders can provide if appropriate financial mechanisms are in place.

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73. The maritime cell sits in the Regional Security Division at ECOWAS Commission

74. Antonin Tisseron, "Lutte contre la piraterie dans le golfe de Guinée – L'architecture de Yaoundé : dix ans après, au milieu de gué," Étude n° 104, IRSEM, March 2023

75. Abidjan Interregional Maritime Security Institute

## The Yaoundé Architecture – A building still in construction

In this context, the tenth anniversary of the YA in June 2023 offers a great opportunity to reenergize the YA and gain further commitment from States to implement the structure. The YA has had a significant impact on maritime security governance in the Gulf of Guinea and some call for a positive appreciation of the work done. And indeed, it has led to increased ad-hoc cooperation between countries in the region and has resulted in a more robust and effective response to maritime crime. However, several challenges remain to make the YA fully operational, and more thinking must be invested in improving the YCoC.

### After 10 years, the YA remains only partially operational

As mentioned in section II, the YA exists and includes several centres at interregional (ICC), regional (CRESMAO and CRESMAC) and zonal levels (MMCC – zone E, F, G in West Africa and A, D in Central Africa).

For different reasons, these centres are not fully operational due to expertise shortfalls, incomplete staff, unclear mandates, and lack of investment from regional states. The staffing and mandates problems have led to the **malfunctioning of the chain of command**, blurring responsibilities and accountability during crises. The lack of clear procedures and discipline of different actors was blurring the chain, especially in times of crises (pollution, IUUF, criminal networks). It was common to see ECOWAS shortcutting the chain of command and engaging directly with MMCCs. CRESMAO also stressed that they were sometimes struggling to get information from MMCCs. **More must be done to establish procedures in this domain, ensuring an effective chain of command with a transparent chain of accountability.**

In theory, the YA's Interregional Coordination Centre (ICC) is an essential asset for enhancing cooperation and collaboration in the fight against maritime crime. Still, its role is only partially implemented due to the need for more leadership and a well-defined mandate. Some interlocutors questioned the need for an ICC in its current format. The ICC is currently unable to organise annual interregional meetings or produce more than press summaries. The CRESMAO stressed that the ICC needs to reflect more on West Africa's concerns, and there is reluctance from CRESMAO to get guidance from the ICC despite sending all its reports to the ICC. **The ICC position and mandate should be points of attention in the upcoming streams of work leading to the 10th YA anniversary.**

Finally, the navy personnel and coast guards staffed in these centres are primarily interested in addressing piracy and criminal activities rather than IUUF or environmental crimes. More attention is needed to establish procedures, clarify mandates, and invest in staff to ensure effective and coordinated efforts on the whole scope of interventions.

### The YCoC

An essential feature of the YA is the recognition of the need for a comprehensive approach to maritime security, including law enforcement, economic development, and governance reforms. The YCoC emphasizes the importance of addressing the root causes of maritime crime, such as poverty and unemployment, and encourages member states to work together to promote economic growth and stability in the region.

### The strengths of the YCoC

Several strengths have contributed to the relative success of the YCoC in improving maritime security governance in the region. They must be kept in a future version of the YCoC and, if possible, even reinforced.

- **Multilateral cooperation:** The YCoC has brought together 25 countries in the Gulf of Guinea to work together towards enhancing maritime security. Despite the challenges, cooperation between the countries is established and officers have started to engage in specialised networks facilitating information sharing. The YCoC has also enabled the sharing of best practices and lessons learned among member states and fostered the conditions for joint exercises to address maritime crimes.
- **Comprehensive approach:** As highlighted by several interlocutors, the YCoC promotes a comprehensive approach to addressing the interconnected maritime security challenges in the Gulf of Guinea, which requires coordination among stakeholders, including governments, international organizations, maritime industries, and civil society. Effective maritime security governance involves ensuring the rule of law, protection of human rights, and sustainable use of marine resources. Implementing the YCoC would contribute to safe, secure, and sustainable maritime activities that support economic growth, trade, and development while safeguarding the well-being of people and the environment.

- **Enhanced maritime domain awareness:** The YCoC encourages member states to enhance their maritime domain awareness by deploying surveillance systems and sharing information on maritime activities. Some systems have been developed<sup>76</sup> and have enabled the countries to understand maritime threats better and respond to them more effectively.
- **Capacity building:** The YCoC recognizes the need to enhance the capacity of member states to address maritime security challenges. The capacity building efforts have helped member states to improve their maritime law enforcement capabilities and better respond to maritime security challenges. They have also involved more training, for instance through, the ISMI.<sup>77</sup> More support has been provided to law enforcement agencies, infrastructure have been developed and more resources have been allocated to support maritime security governance.

## Improving the Code of Conduct

However, there is still room for improvement and the YCoC could reflect more on some of the following ideas.

- First, several key informants support the idea of a legally binding YCoC to increase political will and ensure implementation. However, this approach raises several questions, including who would be responsible for monitoring and evaluation, what consequences would exist for non-compliance, how economic and budget situations would be factored in, and what support would be available for countries facing challenges. While a legally binding YCoC is an attractive idea, it requires further study to assess its feasibility in the context of the Gulf of Guinea.
- Second, the YCoC has facilitated cooperation among member states, but there have been challenges in enforcing its provisions. To address these enforcement challenges, member states could continue strengthening their domestic legal frameworks to enable effective prosecution of maritime crimes, including piracy, armed robbery at sea, and illegal fishing. This could include adopting domestic laws and regulations that align with international standards.
- Third, while the YCoC recognizes the need to address the root causes of maritime crime, there is still more that can be done in this area. The code could stress the need for member states to work together to address issues such as poverty, unemployment, and weak governance. This could include investment in economic development programs, improving governance and transparency, and promoting sustainable fisheries practices.
- Fourth, the YCoC needs to prioritize an inclusive approach involving local communities because the private sector and maritime communities play an important role in maritime security, especially in shipping and fishing. Member states could engage with local actors and industry stakeholders to develop partnerships and initiatives to enhance maritime security governance by improving vessel security, promoting sustainable fishing practices, and developing industry-led reporting mechanisms for maritime crimes.
- Fifth, the current YCoC primarily relies on member states' financial resources and individual commitment for implementation, but other options could be explored, such as working with multilateral development banks, donor agencies, public-private partnerships, and pooling resources among member states. Further study is needed to evaluate these options, but they have been successful in supporting maritime security governance in the past.

In addition, the study confirmed that the chains of command between the different YA centres and the RECs of accountability and reporting could have been more precise. As an operational document, the YCoC could be more accurate in articulating administrative and operational responsibilities. This accuracy would clarify the entities in charge of the preparation of the centres, including the staffing structure, ranks alignment and administrative issues. It would also help understand who has the operational command (and therefore the responsibility) during interventions.

76. For instance, YARIS.

77. The establishment of the Institut de sécurité maritime interrégionale in Abidjan is one example.



## IV. Overview of international programming in Maritime Security in the Gulf of Guinea

### Prominent partners

The EU, USA, Denmark, France, UNODC, FAO, UK, Japan and Norway are major partners as donors (and implementors) for maritime security in the region. And it is the EU, the US, Denmark, France and UNODC that appear to have the greatest footprint according to the financial information available, contributing around 90% of total spending. Of the total, the EU contributes about 40% of total spends, and the US approximately 25%.

Prominent among the EU's programmes are:

- The Support to West Africa Integrated Maritime Security (**SWAIMS**) project, 2019-present.<sup>78</sup>
- The Strengthening Criminal Investigation and criminal justice cooperation along drug trafficking routes (**CRIMJUST**).<sup>79</sup>
- The West and Central Africa Port Security (**WeCAPS**) which started in 2019, for €8.5 million aims to improve port security in targeted partner countries in West and Central Africa.<sup>80</sup>

For the US, prominent projects are the Africa Partnership Station, which engages on maritime domain awareness and other pillars, as well as Project AGWE, which supports law enforcement in Guinea, Benin, Cote D'Ivoire, Ghana, Nigeria and Togo (implemented by Interpol).<sup>81</sup>

### Overview of international programming

International Partners	Distribution
EU	41,45%
USA	25,73%
Denmark	10,97%
France	8,77%
UNODC	7,11%
FAO	3,95%
UK	1,26%
Japan	0,43%
Norway	0,33%

Table 1: Distribution of international programming budgets by international partners

78. This started in 2019 with €28 million aims to support the implementation of the ECOWAS Integrated Maritime Strategy and improve maritime security and safety in the Gulf of Guinea, with particular attention to improving law enforcement and governance frameworks, capacity and implementation.

79. Starting in 2016, this is a €12 million project implemented by UNODC which aims to enhance the capacities and integrity of criminal justice institutions for regional and interregional cooperation to tackle drug trafficking and transnational organised crime in West Africa, among other regions.

80. This addresses vulnerabilities related to port security through assistance to comply with the International Ship and Port Facility Security (ISPS) standards and through support to increase resilience and preparedness in the case of crises such as attacks or explosions.

81. Denmark's largest programmes by budget are its Regional Support to the Criminal Justice System Responses and to Maritime Policing, investigation and evidence collection, which is regional and its support to Maritime Policing, investigation and evidence collection, which works with Benin, Cote D'Ivoire, Ghana, Nigeria and Togo.

## General trends in programming

The programming identified has a wide spread of thematic concerns, treating around twenty different areas.<sup>82</sup> About half of the programmes are pitched at the regional level, while the rest is conducted at the national level in Benin, Cape Verde, Côte d'Ivoire, Gambia, Ghana, Guinea, Nigeria, Sierra Leone and Togo.

There is much donor-supported activity, and the picture is quite complex. To make sense of this, programming can be categorized in different ways to create an overall picture of donor supported activity. One useful approach is to look at the *level of engagement*.<sup>83</sup> Doing so shows that international programmes are, more or less, spread across the strategic, institutional and operational levels, with one-in-three programmes taking a blended approach.<sup>84</sup>

Intervention sector	Distribution
Stabilisation and SSG	25,35%
Management	23,94%
Maritime Security and Rule of Law	16,90%
Human Security	14,08%
Political Leadership and Direction for Maritime Security and SSG/R	14,08%
International Force Cooperation	4,23%
State Oversight and Accountability relating to Maritime Security	1,41%

Table 2: Typological distribution of programming initiatives according to intervention sector

Another way of categorising the programming is by target beneficiary. The programming is overwhelmingly targeted at state institutions, rather than NGOs - for instance, community associations. The most targeted state institutions are maritime security institutions such as coastguards and navies, which benefit from about half the programming identified, while law enforcement, judiciaries, fisheries, and ports pick up more or less equal shares of the rest. There are important exceptions, of course, such as the plan for SWAIMS to facilitate the drafting of a civil society maritime security strategy. Where international partners strive to address livelihood matters by tackling IUUF, they appear to do so by building the institutional capacity of fisheries governing structures and engage less those who depend on these fisheries.

Looking at references to gender in programme descriptions suggests that such sensitization does not appear to be mainstreamed across the field. Just over one-in-ten of the engagements identified include a gender-sensitive approach to maritime security.

## Thematic clusters

Another way to frame the picture is to look at where the programmes cluster thematically.

### The judicial system and judicial chain including law enforcement

Support to the judicial system and judicial chain including law enforcement is a feature of about half of the international engagements. These initiatives aim to strengthen the rule of law and promote accountability in the

82. These include: the fight against drug trafficking, Fight against environmental pollution, Fight against human trafficking, Fight against illegal fishing, Fighting piracy, Force interoperability, General staff and command, Internal accountability, Judiciary chain including law enforcement, Judiciary system, Maritime Domain Awareness, Maritime intervention capability, Maritime patrolling, Maritime surveillance, Policy, review and planning processes, Professional development and education, Sea Port Security, Steering Committees for Maritime Security or SSG/R and related strategies, Support to legislation or legislature in maritime security, Technological cooperation, Threat assessment, Women, Peace and Security Agenda (WPS)

83. This considers whether the programming targets the operational level (essentially capacitating existing processes and operations), the institutional level (seeking to adapt the way the maritime institutions work internally) or the strategic level (facilitating change in the overall goals and outlook).

84. Around 28% of initiatives aim to strengthen strategic frameworks around maritime security while about 20% and 18% of international programmes respectively seek to build institutional capacity and to reinforce operational capabilities. Intervention sector Distribution Stabilisation and SSG 25,35% Management 23,94% Maritime Security and Rule of Law 16,90% Human Security 14,08% Political Leadership and Direction for Maritime Security and SSG/R 14,08% International Force Cooperation 4,23% State Oversight and Accountability relating to Maritime Security 1,41%

region, thereby increasing the safety and security of the maritime environment. These initiatives particularly seek to harmonise legal frameworks in the region to allow the prosecution of transnational crime, which is an important step to foster regional cooperation in the judiciary realm. Spearheaded to a large degree by UNODC, the harmonization of legal frameworks focuses on maritime crimes such as piracy, theft and trafficking. In addition to the EU's CRIMJUST and SWAIMS Other prominent projects here include:

- France's ALT-P project to support the fight against human trafficking in Gulf of Guinea countries (TEH).
- The US Project AGWE, which reinforces the capacities of law enforcement in the maritime domain in five countries.<sup>85</sup>
- Denmark's PSE 1 Regional support to criminal justice systems responses and PSE 2 Maritime policing, investigation, and evidence collection, implemented by UNODC.
- The EU project Laws, policies, MoAs for prosecution and adjudication of maritime crimes are developed, strengthened, adopted, implemented by UNODC.
- The UK's Nigeria Delta Maritime Security and Stability Programme relates to policy and the promotion of domestic and international maritime law, as well as more operational elements.

## Combating IUUF

The EU's PESCAO, is an example here, which aims to improve regional fisheries governance in Western Africa through better coordination of national fisheries policies and the EU's Technical Assistance to the Fisheries Committee for the West Central Gulf of Guinea (FCWC) in the framework of the European Union project "Improved Regional Fisheries Governance in Western Africa (PESCAO), Ghana.

- The EU GO-West African Marine Ecoregion (GOWAMER) project (2013-2015) was a €10mn intervention.

## Maritime surveillance, domain awareness and intervention

This theme involves around one-third of the engagements identified. The US African Partnership Station (\$28mn), in addition to its Counterterrorism Partnership Fund (Maritime Borders Surveillance System, \$7.8mn) and its Peacekeeping Operations: Africa Maritime Security Initiative. In addition:

- The EU's Gulf of Guinea Inter-regional Network Extended (GOGIN++)
- Denmark's projects are important here: PSE 4 Maritime Domain Awareness and Operational Response, worth €2mn, and Support to establishment of VBSS centres in Ghana and Nigeria, worth €1.5mn.
- France's support to the *Institut de Sécurité maritime Interrégional* (ISMI)

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85. Bénin, Côte d'Ivoire, Ghana, Nigéria et Togo

## Takeaways and entry points

It is undeniable that maritime security in West Africa is a topic of significant international attention and has resulted in substantial investment in regional and national programs. However, while the mapping of these programs is a summary effort, it does suggest certain aspects that partners of the region should consider.

One key observation is that programming in this area seems to be predominantly State-centric, with a focus on supporting security institutions such as navies. There is a paucity of programming starting from the community security perspective. Given that communities and states have interlocking but distinct vulnerabilities, **this tendency may indicate the value of scoping projects that begin with the community.**

Engaging civil society and encouraging community dialogue can establish a platform for communities to express their concerns about insecurity in their maritime environment, which can foster trust between the state and its citizens. This, in turn, can lead to more effective collaboration between the state and local actors in developing sustainable solutions to maritime security challenges. Furthermore, it can facilitate information sharing and networking among communities, civil society actors, and other stakeholders, enhancing awareness and comprehension of maritime security threats and promoting the development of joint approaches to address them. **Ultimately, this can strengthen the capacity of civil society organizations to engage in advocacy and oversight activities related to maritime security. However, the limited capacity and resources of these organizations may pose a challenge to effective participation in these mechanisms.**

Another area that appears to be lacking in programming is **support for the management of budgets and procurement.** Managing resources is a highly political topic and is challenging to address worldwide, including in the Gulf of Guinea region. However, the resource challenges in the area, as well as the expense of regional solutions, underline the topic's importance. **Therefore, international programming that supports better management of budgets and procurement at national and regional levels is an area worth exploring.**

A related theme that is potentially worthwhile exploring is **internal accountability. Oversight is often disregarded in international programming,** and this trend appears to be more acute in this instance, with few initiatives promoting greater scrutiny over maritime security stakeholders. Providing support and technical assistance to reinforce accountability mechanisms such as internal audit units and anti-corruption agencies, international programming can help build trust in public institutions and promote good governance practices. Additionally, it can help build the capacity of national institutions to prevent and combat corruption, which can ultimately improve public service delivery.

**Gender sensitization does not appear to be mainstreamed across the programs identified.** This indicates a gap in the conceptualization of maritime security as an area with relevant gender dynamics. Although there is awareness of certain facets, such as the gendered segmentation of the artisanal fishing industry, it may be worth exploring how this understanding can be enriched and integrated into the design of existing programming.

Finally, **an area that could be promising to explore is the place of illegal, unreported, and unregulated fishing (IUUF) within judicial chains and systems.** This suggestion is based on the finding that crimes related to IUUF are not included in the UNODC mandate, which could create a significant gap in legal texts for regional cooperation against IUUF, which is perceived as the most substantial threat to maritime security in the Gulf of Guinea.

## V. Conclusion and recommendations

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Over the past decade, African countries' awareness of the threats and opportunities provided by the sea has risen. With the support of the international community, they have strengthened their posture regarding piracy and criminal activities at sea or coming from the sea. New strategies and legal frameworks have been created to improve maritime security governance in the Gulf of Guinea. Several members of ECOWAS have reinforced their intervention capacities, buying new boats to equip their navies or law enforcement services and Information and coordination centres have been created at regional and national levels. But beyond the pieces of capacities, **ownership at strategic level is not always present.**

**The assessment found** that while progress has been made in improving maritime security governance at the regional level over the past ten years, there is still much room for improvement and ECOWAS members still have a long road to travel before gaining the institutional capacities required for overseeing sustainable exploitation of sea resources, including fisheries, the protection their national maritime territory from foreign incursion and the support to African maritime communities. The existence of legal frameworks implementing broad maritime rules and regulations is a significant achievement, but many GoG countries lack the institutional and operational capabilities to act at sea. While frameworks at the ECOWAS level and operational or coordination centres are positive signs, States struggle with their implementation due to limited financial resources. The international community's support, including the G7++ Friends of the Gulf of Guinea (FoGG), is crucial but requires further coordination and harmonization.

**At the community level**, there is a disconnect with the views of State authorities. Community representatives report that regional and national-level maritime security governance tools have limited impact on communities living from sea resources. Some unions are reluctant to engage with state institutions due to fear of interdiction or being asked to pay. Some communities have started to connect with other coastal communities in the region through online platforms to exchange views and shape action plans, triggered by the lack of state presence.

**Many activities in the maritime domain are impacted by corruption**, especially within law enforcement forces, due to a lack of attention to domains beyond piracy and criminal activities. IUUF is connected to corrupt security and governance actors, and port governance remains opaque, enabling rogue actors involved in various types of trafficking. Although several NGOs and scientific missions promote the protection of the environment and advocate for protected marine areas, protecting sea resources is not a high priority for any states more motivated by activities that can bring immediate advantages.

**Addressing these issues** requires a set of measures to strengthen the maritime security governance at the States' and regional level. If much effort is dedicated to improving the effectiveness and responsiveness of services acting at sea, more can be done especially through the implementation of a solid legal framework that includes a renewed and legally binding YCoC. But good maritime security governance cannot be achieved without drastically enhancing efficiency, accountability, and transparency, and widening participation in decision making and implementation of security measures, so that communities are better included.

This assessment proposes six core recommendations. The six core recommendations are intended as a package, not a menu of options. This is because only an integrated and interlinked initiative for improvement will make a substantial difference.

### Recommendation 1: Enhanced inclusion of local communities in the improvement of maritime security governance

States bear the primary responsibility for securing the maritime domain – from implementing the legal framework to projecting power at sea – and their needs and priorities are important. Indeed, a focus on the states' needs is reflected in international programming. However, the security needs and concerns of coastal and riverine populations should be better foregrounded. These overlap with, but are different from, those of the States<sup>86</sup>, and because of the huge size of the region, are likely to be diverse.

This assessment confirms that there is a need to balance community and population needs and interests better with international and local commercial interests. Fisherfolk and coastal communities, especially youth, are suffering from international commercial activities engaged in massive exploitation of marine resources. Too often, international

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86. A prime example is the security problem of IUUF fishing, which ranks highly as a concern for communities, while its negative consequences incentivise coping mechanisms, such as piracy, that create security problems for States.

interventions aiming at improving maritime security are technical and institution focused. IPGMs should consider the following points.

- a) Understanding the security needs/concerns of the various communities in the region is critical to improving international programming for bettering the maritime security governance. The maritime communities<sup>87</sup> have specific human security needs that must be considered by international partners and could support SWAIMS' work on the development of a civil society maritime security strategy.
- b) Involving fisherfolk in monitoring the situation at sea, connecting them with the YA centres and drawing on their network and information sharing platform between the fishing syndicates in the coastal countries can add help improving maritime security governance.
- c) Incorporating coastal welfare<sup>88</sup> into active capacity building assistance programs to reflect better the needs of coastal populations and address the root causes of insecurity and instability in a comprehensive manner.

## **Recommendation 2: For an improvement of the Yaoundé Code of Conduct (YCoC)**

The tenth anniversary of the YA offers the opportunity to reinforce the YCoC while keeping it an operational document. IPGMs can play a role in strengthening the YCoC using their bilateral relationships with African partners for coordinated interventions. They could convey the following ideas.

- a) Support assessments of the YCoC becoming a legally binding document, as was originally envisaged. While there may be ongoing initiatives, it is important to stress here the urgent need for a dedicated study on the legal options available and the implications of making the YCoC legally binding. The following questions should receive careful attention. What would be the consequences for States not implementing the YCoC? How would specific countries' economic and budget situations be factored into the evaluation? What would be the incentive mechanisms? What would be the support for countries facing challenges? Who would support and how?
- b) Political will is a critical factor in the effectiveness of maritime security governance in the GoG. Countries with strong political will in this thematic area are more likely to allocate resources and take measures to combat maritime insecurity. However, political will in the region has been inconsistent, with some countries showing a more significant commitment to maritime security than others. Building capacities (expertise and ships) takes time. IPGMs can help fostering more political will by advocating for investments in maritime capability".
- c) The YCoC could be improved by strengthening legal frameworks in the region to provide a more robust and less fragmented legal basis for addressing maritime crimes and prosecuting offenders. Significant work is already ongoing in this area<sup>89</sup>, but it must receive a higher level of priority. Harmonizing national laws and regulations and establishing regional legal frameworks for maritime security governance remains critical and this is an area where IPGMs could commit resources.
- d) The YCoC must stress more clearly the implication of improved coordination of interventions in the maritime domain. At regional level, regular dialogues at political (presidents, ministers), strategic (ECOWAS, CRESMAO) and operational (MMCC, MOC) levels must be organized more regularly. In this context, ECOWAS beyond a more proactive political posture, could establish the Monitoring and Evaluation (M&E) mechanisms allowing a proper tracking of the high level decisions and their level of implementation at State level. IPGMs could also support the establishment of such a high level M&E framework.
- e) YCoC signatory States could also work to improve their law enforcement and judicial capacity to investigate and prosecute maritime crimes. In this respect, establishing independent mechanisms to oversee maritime security governance would constitute meaningful progress.

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87. Fishermen unions or associations, local environmental organisations, traditional chiefs, women organisations (in Côte d'Ivoire, women play a central role in fish transformation and commercialisation).

88. Coastal welfare refers to the well-being and prosperity of individuals and communities living in coastal regions. It encompasses economic, social, and environmental aspects. Coastal welfare is crucially important for the sustainability of coastal areas, which face unique challenges such as coastal erosion, sea-level rise, and natural disasters.

89. UNODC is strongly committed on these matters but remains a lack of clarity on what is done.

### **Recommendation 3: A stronger support to building a dedicated financial structure, including some adequate monitoring and evaluation mechanisms**

While the present report focuses on West Africa only, a comprehensive financial mechanism remains necessary to support activities aiming at improving maritime security governance and the implementation of the YA across the entire region. Only such a mechanism would enable States to build the capacities required for an effective and accountable maritime security governance system. IPGMs could support ECOWAS Member States in different ways.

- a) IPGMs could update studies of the costs of maritime insecurity to the region (insurance premiums, diversion of shipping, etc.) and convene large commercial interests on this matter with States and RECs. This would help sway policy makers give a greater priority to the issue.
- b) IPGMs could also proactively engage on advocacy on these matters. Too often, studies and policies remain without concrete implication. IPGMs could consider more systematically the state of play on maritime security governance and focus their effort on implementing what already exists, in close coordination with other partners.
- c) IPGMs could support a study on the cost implications of good maritime security governance and the financial structure to support them. This would enable ECOWAS Member States to explore practical options enabling a proper implementation of the YCoC. These options would deserve further study but could include working with multilateral development banks such as the African Development Bank, reaching out to donor agencies, such as the Agence Française de Développement (AFD), the United States Agency for International Development (USAID) or the United Nations Development Programme (UNDP). Many of these agencies have supported maritime security governance in the past by focusing on addressing the root causes of insecurity.
- d) IPGMs could explore how public-private partnerships could be an effective funding mechanism for supporting the YCoC. Private companies (large international companies) and organizations may be interested in investing in maritime security infrastructure, such as the ICC, in exchange for access to maritime resources (fisheries, hydrocarbons). Such approaches should come with suitable oversight mechanisms to avoid fueling corruption but deserve additional engagement. In many countries outside Africa, there exist 'maritime clusters', bringing together maritime actors (States, ship builders and owners, communities). This might be the kind of area where financial mechanisms could also be discussed.
- e) Member States could work together to pool resources and fund maritime security initiatives collectively, as already done in the context of the UEMOA. This could include the establishment of a regional maritime security fund, to which Member States could contribute, and which could be used to finance joint initiatives.
- f) While capacity building programs<sup>90</sup> represent the mainstay of international programming, coordination must be strengthened to bring more coherence in building the maritime security infrastructure and capabilities of individual member states.

### **Recommendation 4: More investment in sustainable management of marine resources and protection of the marine environment**

IUUF is well attested, rapacious, and socially and environmentally destructive. It has a major impact on regional communities, countries and populations and is made possible because of the weakness of the maritime security governance. IUUF should be extensively criminalised just like other resource or wildlife crimes. It is an existential threat to coastal communities and a driver of crime and irregular migration.

- a) Increasing the monitoring, control, and surveillance capabilities in this domain is critical and would also contribute to addressing other criminal activities.
- b) Strengthened regional fisheries management organizations would foster closer cooperation between States in this area.
- c) Scope the potential to integrate IUUF into legal frameworks strengthening projects and to bring it and environmental crime at the centre.
- d) Consider IUUF as part of inequitable economic relationships between African and international partners, rather than just a maritime crime.

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90. As seen in section IV, many programmes exist already implemented by the EU, bilateral actors including some ISSAT IPGM.

Beyond these practical considerations, there remains a need for signatory States to take a maritime security lens on issues such as poverty, unemployment, and weak governance. While a dialogue on these issues should be primarily addressed in economic fora, or in the context of the G7++ FoGG, the YCoC could introduce some of these elements as central objectives of a maritime security governance. IPGMs should also include a maritime security lens when programming interventions on poverty, unemployment, and weak governance.

### **Recommendation 5: Maritime Security Governance cannot improve without a strong commitment to tackle systemic corruption**

Corruption is a scourge that undermines all progress on maritime security and human development, and one that exacerbates the funding issues. A mapping of international programming on maritime security in the region suggests there may be little international support targeting this issue, nor the adjacent fields of budget management and procurement. Practical steps such as estimating the costs of corruption and mapping the legal frameworks targeting corruption are necessary to understand better the situation in political economy terms as well as legal-administrative terms. This information should be captured before engaging in design and implementation programming accordingly. IPGMs could additionally consider the followings points:

- a) For all countries in the region, whether coastal or landlocked, ports are economic lungs. Ensuring good governance at port level is undoubtedly an effective entry point for improving the governance of the country as a whole.
- b) When engaged in programming activities in countries of the Gulf of Guinea, IPGMs could encourage all YCoC signatories to ratify the African Union Convention on Preventing and Combating Piracy.
- c) IPGMs could prioritize programmes on budgets, procurement, and oversight mechanisms.
- d) Strengthen legal and enforcement mechanisms through a harmonized regional framework on corruption that integrates criminal penalties across the Gulf of Guinea and establish and circulate national expectations about counter-corruption measures.
- e) Maintain a more permanent presence on the ground to gain a stronger awareness of the routine activities of West African partners - corruption will not be impacted by infrequent inspections.

### **Recommendation 6: Support better coordination**

This assessment confirms that international and local partners must be more coordinated in improving maritime security governance. Most stakeholders act to protect their respective interests, but ways must be found to improve coordination. IPGMs could promote the following ideas.

- a) Strengthen the G7++ Friends of the GoG with a more proactive engagement of critical national actors (particularly Nigeria) to improve the coordination of capacity-building assistance between international donors and partners to reduce duplication of efforts and improve inter-entity and interagency coordination.
- b) Evaluate international interventions (joint exercises, implementation of capacity-building assistance programmes) to confirm the positive impact and efficiency of these efforts and to learn lessons on what has worked and what must be further improved.
- c) For any additional intervention, consider the following additional areas:
  - strengthening CSOs capacities on maritime security governance
  - improving oversight mechanisms for better maritime security governance
  - bringing a gender sensitivity approach in a maritime domain.



## Annex 1 Analytical framework

Area	Criteria	Effectiveness and efficiency	Crisis sensitivity (crime, environment, protection of resources)	Good governance (Transparency, accountability)
<b>Gulf of Guinea level (ECOWAS, Yaoundé Architecture, ICC)</b>		What are relevant objectives, structures, and resources as highlighted in capstone documents? What are these capstone documents?	How are threat and risks considered? How is the chain of crisis management organised between the different levels?	To what extent / how is transparency and communication with others fulfilled?
		What is the role of ECOWAS and what are its objectives? How are they articulated in policy documents?	How are organised the relationships between ECOWAS and African States in these domains?	To what extend has ECOWAS articulated the expectations in terms of reporting?
		What are the objectives at Institutional level: ICC, CRESMAO and how are they described in policy documents?	What about the inclusivity of the different zones, actors?	What reporting or accountability measures are included or implemented?
		What are the relevant legal aspects of this level of the institutions?	How are the analyses shared with others?	How are human rights considerations included vis-à-vis criminals/pirates/smugglers?
<b>International actors (UN, EU, bilateral)</b>		What is the support provided by international actors (multilat and bilat) in terms of policy development?	What is the support provided by international actors multilat and bilat) in terms of crisis management?	What is the support provided by international actors multilat and bilat) in terms of promoting good governance?
<b>Maritime Zone level (MMCC)</b>		What are relevant objectives, structures, and resources as highlighted in capstone documents?	How are threat and risks considered?	To what extent / how is transparency and communication with others fulfilled?
		Institutional level: MMCC	What about the inclusivity of the different zones, actors?	Reporting/accountability/ Internal and external control
		What are the relevant legal aspects of this level of the institutions?	How are the analyses shared with others?	To what extent / how is transparency and communication with others fulfilled?
<b>National level (limited in terms of locations)</b>		What are relevant objectives, structures, and resources as highlighted in capstone documents?	How are threat and risks considered? Do they have a “State action at sea <sup>2</sup> or Coast Guard organisation?	To what extent / how is transparency and communication with others fulfilled? How are population informed?
		National institutions involved in the maritime domain	What about the inclusivity of the different zones, actors?	Reporting/accountability/ Internal and external control
		What are the relevant legal aspects of this level of the institutions?	How are the analyses shared with others?	How are human rights considerations included vis-à-vis criminals/pirates/smugglers?
<b>Local actors’ level</b>		Perception of local communities, local businesses, fisheries about the public service at sea?	What is the role of local actors? How inclusive is the process? What is their involvement in crisis resolution (pollution, Search and rescue, irregular immigration)?	What are the Local actors perceptions on Human Rights? What are fishermen perceptions about illegal activities?

## Annex 2 Methodology

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### Background

Some initiatives are ongoing contributing to the improvement of the security in the GoG. **At operational level** with the intent to provide an immediate answer, several non-regional countries have increased the deployment of naval warships to conduct anti-piracy operations in the Gulf of Guinea, including USA, France, Germany, Italy, Denmark and the UK. **Some initiatives also aimed at building local capacities.** For instance, in June 2021, then President Muhammadu Buhari of Nigeria launched the Integrated National Security and Waterways Protection Infrastructure<sup>91</sup>, also known as the Deep Blue Project. The main objective of the Deep Blue Project is to secure Nigerian waters up to the GoG. The Project has three categories of platforms to tackle maritime security on land, sea, and air. Also, since 2014, the European Union has been deploying a wide range of actions to support the operationalisation of the YA and the maritime strategies of the GoG's countries and economic communities through its programme GoGin.<sup>92</sup> The EU GoGin project was initiated to support the creation of a network between the maritime centres in the region.

**At political and strategic level**, in June 2013, the leaders of the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC) decided a joint regional strategy to prevent and prosecute illicit activities in the waters of the Gulf of Guinea and set up the YA. The YA consists of **three mechanisms: the Yaoundé Code of Conduct, the Heads of States Declaration and the Memorandum of Understanding between regional organisations.** The YA covers:

- a) strategy and governance,
- b) implementation of governance and the interregional and regional levels,
- c) operational conduct in the five composite zones and
- d) operational conduct at the national level.

The “Yaoundé Code of Conduct” is the **prominent maritime security architecture** to address the problem of piracy in the region. Regional centres have been established through this framework for information sharing and pooling resources, though **funding has been a persistent problem in operationalising the framework.**<sup>93</sup> These centres include the Interregional Coordination Centre (ICC Yaoundé); the Regional Centre for Maritime Security of West Africa (CREMAO Abidjan); and the Regional Centre for Maritime Security of Central Africa (CRESMAC Pointe Noire). Multinational Maritime Coordination Centres (MMCCs) or zonal centres have also been set up.

### ISSAT support requested

Ireland's Department of Foreign Affairs (DFA) has approached DCAF-ISSAT to analyse the maritime security and justice context in the Gulf of Guinea. This analysis includes an abridged presentation of the critical challenges triggered by maritime crime, an identification of the leading international and local stakeholders involved in addressing these challenges, an assessment of the YA and its implementation. Germany's Department of Foreign Affairs has also expressed interest in supporting such an analysis.

The analysis will serve to inform ongoing and future engagements of DCAF-ISSAT's International Partners in West Africa. The International Partners Group Members (IPGMs) also have an interest in considering the areas of climate action, blue economy and the environment. The analysis will only address transversally these areas that would, however, deserve more in-depth dedicated analysis. In particular, Ireland's commitment has been made clear through its engagement with the development of UNSCR 2634 (2022) during their membership of the UNSC. The analysis will provide perspectives on entry points at the strategic and political level where further engagement might support security, justice, the rule of law, regional cooperation and addressing complex marginalisation of littoral communities.

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91. Philip Kyanet. “President Buhari Launches Deep Blue Project in Lagos.” NIMASA. <https://nimasa.gov.ng/president-buhari-launches-deep-blue-project-in-lagos/>

92. EU GOGIN. “Missions and Objectives of GoGIN Project and YARIS.” Gogin. Accessed April 14, 2023. <https://www.gogin.eu/en/mission-and-objectives/>

93. Security Council Report. “Gulf of Guinea Piracy, November 2022 Monthly Forecast,” October 31, 2022. <https://www.securitycouncilreport.org/monthly-forecast/2022-11/gulf-of-guinea-piracy.php>

The area of interest will be limited to the ECOWAS region and from Senegal to Nigeria. From a maritime perspective, it is the area of responsibility of the Regional Centre for Maritime Security of West Africa (CRESMAO).

DCAF-ISSAT is well placed to offer an approach that:

- a) Study the YA and analyse its objectives at political and strategic level.
- b) Study its implementation at regional and zonal<sup>94</sup> levels and the governance of security and justice for addressing maritime challenges.
- c) Assess in the field, how the YA is operationalised. This phase would involve consulting beyond institutional representatives in two specific locations (Abidjan and Accra). Ideally, consultations would be organised with Community representatives, representatives of fishing and other blue economy workers, National petroleum industry, Fishery commission, Fisheries Committee for West Central GoG, Port and Harbour authorities.

**Comment:** Due to the complexity of the maritime domain and the resource constraints of the project, the team will remain at regional and zonal level analysis. National considerations will only be included when easily available.

## Outcomes

### Short term:

- IPG members develop a better understanding of the maritime security challenges in the Gulf of Guinea, from Senegal to Nigeria, and the current initiatives to address them at regional and zonal levels.
- IPG members are better informed about potential entry points for supporting further the implementation of a regional response to security and justice challenges for the maritime domain.
- IPG members grow their knowledge about the way environmental issues in the Gulf of Guinea, from Senegal to Nigeria, impact communities.

### Medium term:

- The concept of SSR/G is more systematically integrated into the thinking and architecture building on maritime security, and related assessments consistently include the impact of Security and Justice institutions delivery or lack thereof on maritime security.

### Long term:

- DCAF-ISSAT IPGM include support to responses for addressing Maritime security issues in the Gulf of Guinea in their regional assistance strategies.
- DCAF-ISSAT IPGM support SSR/G programmes that contribute to addressing Maritime security issues in the Gulf of Guinea in their regional assistance strategies.

## Output

- Initial Findings Document (max 5/6 pages)
- Report 'Analysis of Maritime Security and Justice Challenges in the Gulf of Guinea' (max 30 pages +annexes).
- A virtual presentation of the main findings and recommendations to key international stakeholders.

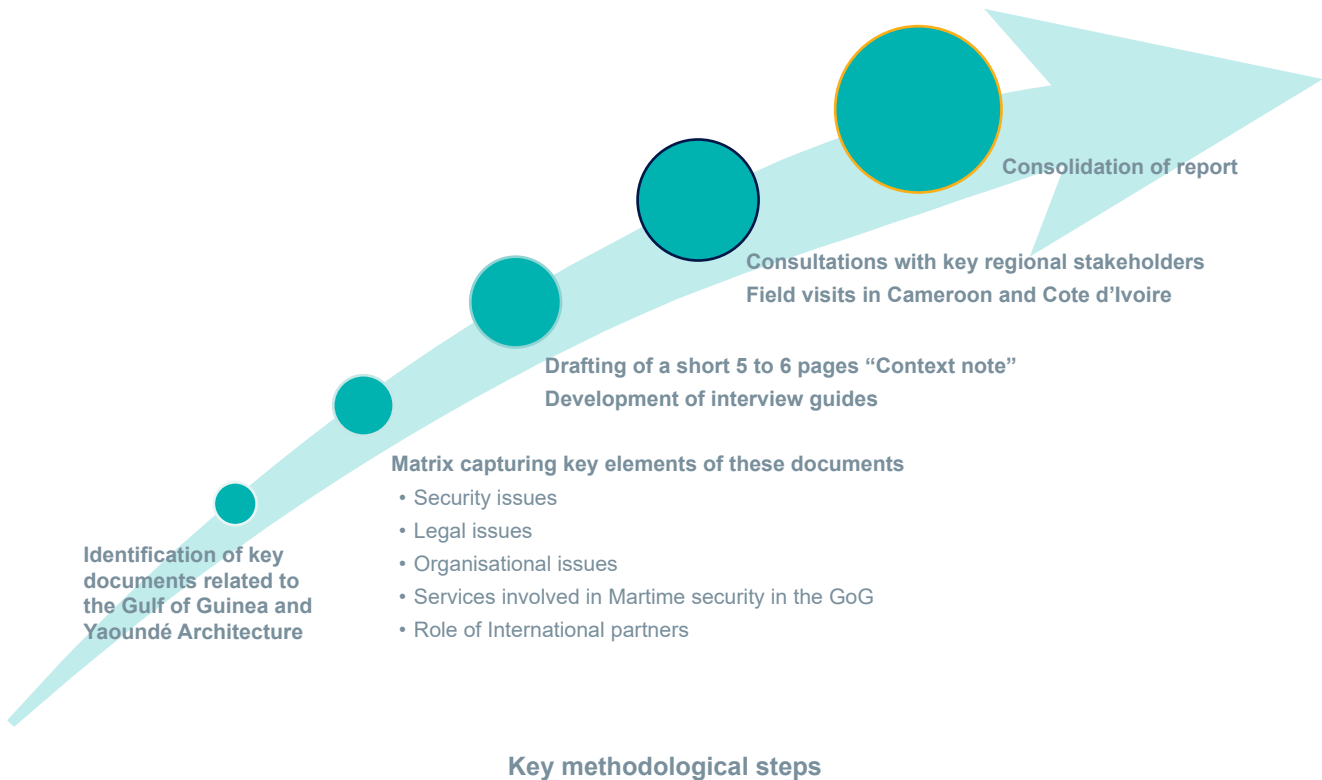
It is envisaged that the main findings and recommendations will be presented during a meeting of ISSAT International Partners' Group, and or a dedicated convening session on the topic for IPGMs.

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94. In the maritime domain, a zone gathers several countries.

## Key methodological elements

The analysis will proceed via desktop research (blue circles below), field visits and semi-structured (brown circle above) interviews with national and international stakeholders, both remotely and in country.



### Stage I. Start-up and preparation

November/December 2022

**Driving question:** *How does the Yaoundé Architecture function on paper?*

Taking stock of the current international capstone policy and political documents (UN Security Council resolutions, UNSG reports, IMO regulations related to justice and maritime security, etc.) released by international organisations and regional entities and underpinning the Yaoundé Architecture, the DCAF-ISSAT analysis will look at its institutional and operational implementation by the various levels of function of the Yaoundé Architecture.

This phase will also identify the level of the interventions of the international partners, giving an overview of the major stakeholders and the focus of their engagements.

Most of these documents will be those available in the public domain to **develop an analytical framework and to plan the collection and analysis of data.**

It will explore how the constituent elements interact at regional level as well as in the different countries of interest. It will examine how the national and supranational bodies connect and where gaps are left, looking at information sharing, capacity/resources and effectiveness of hierarchies. It will identify the reasons for organisational issues and blockages with implementing the Architecture.

ISSAT may also contact certain IPGMs to provide more information about their intervention in the Gulf of Guinea.

Preparatory meetings and exploratory interviews with IPGM stakeholders and local actors will be organized as appropriate to refine the analytical orientation, understand data access and likely limitations, as well as the precise scope of the assessment.

## Results

- Methodological note (**by 16 December**).
- Compile a reference list of documentary sources available to support the literature review (by **Mid December**).
- Preliminary list of stakeholders for interview scheduling and mapping (**by late December**).
- Sensitization of DCAF-ISSAT Board members (IPGM **13/14 December 2022**).

## Stage II. Context analysis and preliminary analytical framework

Early January 2022 – Late February 2023

**Driving question:** *In what general context is the YA implemented?*

### Contextual analysis

The purpose of the contextual analysis is to set the broader social, political, economic and historical framework for focused analysis. This analysis is necessary to ensure that the assessment of the Yaoundé Architecture implementation correctly reflects the context of the reforms while safeguarding against making recommendations that could lead to unintended consequences, negative interaction effects or duplication of efforts. This context analysis will also seek to capture the main regional dynamics and their possible impact on the implementation of the Architecture.

<b>Historical background</b>	<p>What is the historical context of the provision of public security and inclusive justice in the Gulf of Guinea?</p> <p>What is the historical relationship or popular perception of maritime security?</p> <p>What is the context of the population's demands and expectations in terms of justice and security in the maritime environment?</p> <p>What are the reasons of developing a Yaoundé Architecture?</p>
<b>Regional Dynamics</b>	<p>What are the main ongoing regional dynamics in terms of security and justice in the maritime domain?</p> <p>What impact does this context have on the implementation of the Yaoundé Architecture?</p>
<b>Policies and factors of insecurity</b>	<p>What are the main demographic, social and geographic divisions that affect the Yaoundé Architecture implementation?</p> <p>What are the main security threats and challenges identified in the Gulf of Guinea?</p> <p>What is the distribution of formal and informal powers between the different maritime actors in the Gulf of Guinea?</p> <p>What is the division of responsibility between institutional actors and community actors (such as fishermen community or oil companies, etc.)?</p>
<b>Conflicts and fragility</b>	<p>What are the main causes of insecurity? (e.g. high crime rate, regional insecurity, violent extremism, piracy, competition on resources, climate change pressures, demographic shocks, etc.)</p>
<b>Economic resilience</b>	<p>What are the key economic resources and vulnerabilities of the maritime economy in the region?</p>

Context Analysis Matrix

Exploratory interviews and consultations with key national and international stakeholders can also be organized at this stage to inform the development of the methodology and analytical framework. On this basis, a preliminary analytical framework based on the terms of reference and subsequent discussions will be developed to guide the literature review and interview planning.

## Document review

In order to complete the initial context analysis and possibly to identify key questions for further investigation, the team will conduct a desk review. Based on the relevant sources collected by the DCAF-ISSAT team, the desk review will review:

- Strategic and legal documents from regional sources
  - Regional security commitments or peace agreements. Yaoundé architecture - Gogin<sup>95</sup>
  - General plans for national development or coordination of public policies
  - National security policies and strategies, white papers
  - National reform policies/strategy in the areas of justice, security and defence (operational plans, timetables, roadmap, etc.) such as United States Africa Command (africom.mil)<sup>96</sup>
  - Horizontal governance frameworks (public administration, parliamentary powers, control mechanisms)
  - Sector strategies, operational policies, national action plans
  - Relevant security statistics: crime surveys, perception of security, weapon rates, gender-based violence.
  - Relevant statistics in terms of justice, promotion and protection of human rights: documentation and denunciation of human rights violations, rate of processing of cases of human rights violations, perception of populations in terms of justice and impunity.
- Non-governmental sources on Maritime security in the Gulf of Guinea
  - Reports and assessments from civil society, academics or think tanks/think tanks, local and international media coverage.
  - Monitoring of international NGOs: Afrobarometer, Transparency International, Human Rights Watch, Amnesty International, Freedom House, Mo Ibrahim Index of African Governance, etc. such as Maritime Security in the Gulf of Guinea – Africa Centre for Strategic Studies<sup>97</sup>
- International sources
  - United Nations Convention on the Law of the Sea (UNCLOS - Montego Bay 1982)
  - Documents relating to the design, planning and reporting of international initiatives on Maritime Security in the Gulf of Guinea, especially those documents from the European External Action Service (EEAS) - EU Maritime Security Factsheet: The Gulf of Guinea | EEAS Website (europa.eu); the Gulf of Guinea Commission;
  - Reports and assessments by United Nations agencies, as well as reports submitted to the United Nations General Assembly, such as Chair's Summary Piracy in the Gulf of Guinea (un.org)<sup>98</sup>
  - Other UN studies and secondary literature relevant to these aspects of Maritime security in the Gulf of Guinea, including potential ECOWAS/ECCAS strategic assessment.
- Other relevant sources and any other supporting documents will be added based on information provided by key informants during the interview phase.

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95. <https://www.gogin.eu/en/yaounde-architecture/>

96. <https://www.africom.mil/topic/gulf-of-guinea>

97. <https://africacenter.org/spotlight/maritime-security-in-the-gulf-of-guinea/>

98. [https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/chairs\\_summary\\_piracy\\_in\\_the\\_gulf\\_of\\_guinea\\_mtg.pdf](https://www.un.org/peacebuilding/sites/www.un.org.peacebuilding/files/documents/chairs_summary_piracy_in_the_gulf_of_guinea_mtg.pdf)

## Summary of the analytical framework

The team analysis will feed in the following summarized analytical framework.

Area	Criteria	Effectiveness and efficiency	Crisis sensitivity (crime, environment, protection of resources)	Good governance (Transparency, accountability)
<b>Gulf of Guinea level (ECOWAS, Yaoundé Architecture, ICC)</b>		What are relevant objectives, structures, and resources as highlighted in capstone documents?	How are threat and risks considered?	To what extent / how is transparency and communication with others fulfilled?
		What are the objectives at Institutional level: ICC, CRESMAO?	What about the inclusivity of the different zones, actors?	What reporting or accountability measures are included or implemented?
		What are the relevant legal aspects of this level of the institutions?	How are the analyses shared with others?	How are human rights considerations included vis-à-vis criminals/pirates/smugglers?
<b>Maritime Zone level (MMCC)</b>		What are relevant objectives, structures, and resources as highlighted in capstone documents?	How are threat and risks taken into account?	To what extent / how is transparency and communication with others fulfilled?
		Institutional level: MMCC	What about the inclusivity of the different zones, actors?	Reporting/accountability/ Internal and external control
		What are the relevant legal aspects of this level of the institutions?	How are the analyses shared with others?	How are human rights considerations included vis-à-vis criminals/pirates/smugglers?
<b>National level (limited in terms of locations)</b>		What are relevant objectives, structures, and resources as highlighted in capstone documents?	How are threat and risks taken into account?	To what extent / how is transparency and communication with others fulfilled?
		National institutions involved in the maritime domain	What about the inclusivity of the different zones, actors?	Reporting/accountability/ Internal and external control
		What are the relevant legal aspects of this level of the institutions?	How are the analyses shared with others?	How are human rights considerations included vis-à-vis criminals/pirates/smugglers?
<b>Local actors' level</b>		Perception of local communities, local businesses, fisheries about the public service at sea?	What is the role of local actors? How inclusive is the process? What is their involvement in crisis resolution (pollution, Search and rescue, irregular immigration)?	What Local actors' perceptions on Human rights?

## Application of analytical framework

This initial framework will be refined step by step depending on the literature review or according to findings as they appear.

The questions in the analytical framework are broad guiding questions for the analysis in the final report. They will generally not be used as such during interviews. However, they will underpin and help shaping the interview questionnaires. The key questions presented in the subsequent chapter of the present methodology note will be used more systematically for the interviews.

## Preparation of semi-structured interviews

- Based on the analysis of the context and the documentary review, the list of interviewees for the interviews with key interlocutors will be established by the DCAF-ISSAT team.

The team will organise remote and in the field interviews. The remote interviews will be organised before and after the field visits. A level of flexibility will be kept matching interlocutors' availability.

- Remote Interviews from Geneva [EU, IPGM capitals]  
*Late December - January – 2nd half of March*
  - List of potential interviewees (including ICC - Cameroon (Remote interview - Yaoundé).
  - Preparation of interview guides for semi-structured interviews.
  - Preparation of interview plans.
- Interviews in the field [Ghana (Accra), Cote d'Ivoire (Abidjan)]  
*Late February – Early March*
  - List of interviewees in the field.
  - Preparation of interview guides for semi-structured interviews.
  - Preparation of interview plans.

## Results

- Context Note (3 to 5 pages) (**by 30 January**).
- Documents mapping and summary. (**by 16 January**)
- Finalized analytical framework for data collection and analysis (**by 30 January**).
- List of interviews (**by Mid-February**)
- Initial schedule for on-site data collection.
- Initial structure of the report (**mostly align with the analytical framework**)

## Stage III. Data collection and analysis

*Late February 2023 – Early March 2023*

### In the field

During this stage of the study, the DCAF-ISSAT team will carry out one or two deployments, depending on the time and resource availability. One will take place in Cote d'Ivoire (Abidjan). If it is decided to go for a second travel in the field, it will be in Ghana (Accra).

Data collection will consist of a series of semi-structured interviews with previously identified key interlocutors. To consolidate the elements, discussion groups may also be organized.

### Interviews with key interlocutors

The sample of potential interlocutors will include:

- Meeting with Maritime Prefectures (Commanding officer, Legal advisors).



- Meeting with any interagency structure dealing with maritime security in the Gulf of Guinea and the implementation of the Yaoundé Architecture.
- Head of the Regional Maritime Security Centre in West Africa (CRESMAO<sup>99</sup> – Abidjan).
- Head of the Multinational Maritime Coordination Centre (MMCC<sup>100</sup> - Accra)
- Head of Maritime Operational Centres (MOC - Accra and Abidjan)
- Other agencies involved in maritime domain that could be contacted:
  - Marine Police,
  - Navy,
  - National petroleum industry,
  - Fishery commission, Fisheries Committee for West Central GoG (Abidjan)
  - Port and Harbour authorities and RMU.
- Key bilateral and multilateral partners involved in improving the maritime security in the Gulf of Guinea
- National Justice entities dealing with maritime security
- Nonstate actors, including:
  - Community representatives, e.g. CSOs
  - Representatives of fishing and other blue economy workers.

## From Geneva

### Interviews with key interlocutors

- Representative from the Gulf of Guinea Commission (GGC Luanda)
- Representatives Head of the Interregional Coordination Centre (ICC - Yaoundé).
- EU Senior coordinator Maritime Security Gulf of Guinea [*Ambassador Nicolas BERLANGA MARTINEZ (EEAS)*]
- UNODC Global Maritime Crime Programme: [*Adrien Parrin*]
- Representative of the EU Gulf of Guinea Interregional Network<sup>101</sup> (GOGIN+) [*Jean-Philippe Picquart, former Director of the GoGIN+ project and Maëlle Rigo new project director*].

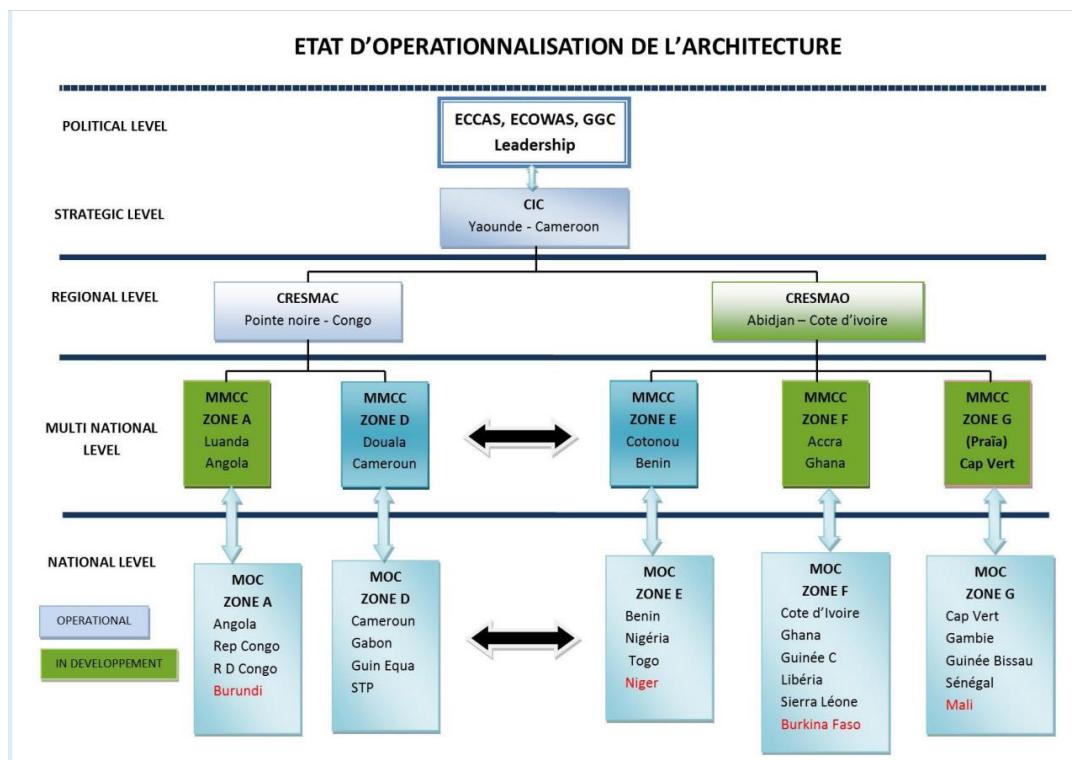
## Results

- Data collected
- Report drafting started
- Plan to conduct additional interviews (remote), if necessary.

99. CRESMAO: Regional Centre for Maritime Security of West Africa) based in Abidjan is one of the two regional centre maritime security defined by the architecture of Yaoundé; it is under the authority of ECOWAS (Economic Commission of West African States).

100. MMCC ZONE F is a Multinational Maritime Coordination Centre which monitors maritime activities/events in Maritime Zone F and shares actionable maritime information among stake holders to support decision making in other to combat maritime crime.

101. Since 2014, the European Union has been deploying a wide range of actions to support the operationalisation of the Yaoundé Architecture (YA) and the maritime strategies of the Gulf of Guinea.



Summary of engagements

## Interview guides

To support the interviews, the team will develop Interview guides capturing the key questions to ask for different stakeholders. The interviews will be semi-structured, and questions will only guide the team during their conversation. The list of questions will be adjusted before each interview. countries and economic communities (ECOWAS and ECCAS). The GoGIN (Gulf of Guinea Interregional Network) project (2016 to 2021) was initiated in this context to support the creation of a network between the maritime centres in the region, by developing the YARIS platform. As an extension, GoGIN+ is continuing the deployment and use of YARIS amongst the stakeholders and Member States of the YA.

## Key questions

The central question is:

What opportunities exist for IPGM to strengthen the provision of maritime Security and Justice in the Gulf of Guinea?

The strategic institutional analysis will cover the following indicative areas/questions:

- What are the major security and justice challenges (maritime crimes and illegal activities, environmental challenges, impact on blue economy, etc.) in the maritime domain in the Gulf of Guinea?
  - How are those challenges impacting neighbouring countries and their communities?
- What are the objectives of the YA and the expected structures and mechanisms that should be established according to the YA capstone documents?
- From the perspective of established instruments, is the YA an enabler for better governance of security and justice in the maritime domain at regional and zonal levels?
  - How are climate change, environmental issues and blue economy challenges considered in the YA?
- Who are the main international actors supporting better security and justice governance for addressing maritime issues in the GOG?
  - What are their main programmes? Are they coordinated?
  - How do their programmes relate to the YA?
  - Do they include provisions concerning climate change, environmental issues and blue economy challenges?

- What is the reality of the implementation of the YA?
  - What is the current state of play at regional and zonal level?
  - What are the main impediments in moving forward with the implementation?
  - How are the elements of the YA implemented at regional and zonal level?
  - How effective are the institutions stemming from the YA?
  - How do these constituent institutions interact with each other?
  - What opportunities exist for strengthening the effectiveness of these institutions and overcoming the issues?
  - What opportunities exist for international partners to drive justice and security sector reform?

## **Scope and limitations**

- The size of the geography in question and the number of states therein will render this analysis high level and generalised.
- The timelines and resourcing provided to this mandate prevents a comprehensive sectoral analysis of the variety of state security institutions and their full internal reform mechanisms and initiatives.
- Constraints may arise due to a shortfall in engagement from regional and international stakeholders and access to information because of sensitivity.

## **Working modalities**

The Analysis will involve desk-based research to exploit open-source information, missions to Abidjan and possibly Accra for face-to-face interviews with local actors, remote interviews with other actors (EU, US, other key international actors). The findings and recommendations will be presented and discussed during a virtual briefing with IPGM.

To maximise access to maritime security sector actors, DCAF-ISSAT will call on IRE and other IPGMs to facilitate access to information and to key representatives, as a crucial condition for the success of this mandate.

Interviews in-country will include officials from the supranational and national institutions, nonstate actors and international partner representatives (embassies, commissions etc.).

The team will also draw on the DCAF's wider networks in the region.

## Risk assessment

Risks/Limitations	Mitigation strategy
The absence of reference data may force the analysis to rely on a narrow set of sources or data and therefore presents a risk for the relevance of the analysis.	Identifying the data available in the preliminary phase will alert the team early in the process to possible data gaps, which may be possible to correct later in the on-site data collection.
Documentary sources may reflect a quantitative or qualitative bias in favor of international narratives, which could obscure relevant alternative explanations from analysis.	Inputs and opinions from a variety of national, regional, and international actors will be actively sought during each phase. Different sources will be exploited to ensure a diversity of perspectives and opinions to obtain a global, coherent and realistic picture of the reality of the implementation of the Yaoundé Architecture.
A high rate of non-response to interview requests can exclude key stakeholders or stakeholder groups.	Consult and involve stakeholders in the study and its objectives from the beginning of the process and obtain high-level support. The IPGM support will be sought to get Embassies involvement to identify and facilitate access to key interlocutors among all its partners.
A lack of institutional memory or experience of the context among international stakeholders due to staff turnover since the inception of the Yaoundé Architecture	The list of respondents will include staff who previously held key positions but may have since changed positions.
Potential access limitations may prevent the team from accessing sufficient or sufficiently varied data.	Return to a virtual maintenance strategy to overcome on-site access issues in Accra and Abidjan. Include in the sampling strategy relevant actors from areas outside the capital if they can be contacted remotely.
Insecurity or political sensitivities can negatively affect the quality of the responses on which the analysis is based, potentially creating blind spots in the analysis or misinterpretations.	Seek to build trust with respondents by guaranteeing anonymity and consult widely with all stakeholders in reform processes to obtain a variety of opinions, including indirect questions about the sensitivities and interests of others.
A bias in the interpretation of events or the motivations of certain stakeholder groups can influence the analysis.	Apply counterfactual analysis or negative case analysis to cross-check dominant narratives.

## Annex 3: List of key contacts

Organisations	Name/Contact	Function/Comment
<b>Business</b>		
	Mr Thierry Thoraval	Director of LTH Consulting – Sécurité maritime
	Mr Paulus Douglas Egyir	Head of company and member of the Fishing union
<b>Civil society actors and NGOs</b>		
	Ms Micheline Dion	President of the « Union des Sociétés de Femmes dans la Pêche en Côte d'Ivoire »
	Ms Gisèle Kra	General Secretary of the « Coopérative des mareyeuses transformatrices des produits halieutiques d'Abidjan »
	Mr Lazare Kablan	President of the « Cooperative de la pêche artisanale » and advisor of the Ivory Coast Fishermen Union
	Mr Trabi Tah Claude	
	Mr Jose Gomez	NGO « Conservation des Espèces marines »
<b>European Union</b>		
Gogin++/EF	Mr Jean-Philippe Picquart	Former GOGIN++ Programme Manager 12/01
	Mrs Maëlle Rigo	New GOGIN+meeting 12/01
European External Action Service (EEAS)/	Mrs Morgane Carré	Brussels/Africa Desk/Maritime Security Policy Officer
EEAS (Brussels)	Ambassador Nicolas Berlanga Martinez	Brussels/EU Senior Coordinator Maritime Security Gulf of Guinea
EEAS (Abuja)	Mrs Urszula Solkiewicz	Programme Officer - Peace, stability, security (including maritime) and blue economy
EEAS (Abidjan)	Mr Laurent D'Ersu	Deputy Head of Delegation and Political Advisor
	Mrs Anne-Catherine Claude	Programme Officer
	Mrs Alexandra Salomonsova	Political Advisor
Swaims	Dr Axel Klein	Team Leader at SWAIMS Support to West Africa Integrated Maritime Security
<b>ECOWAS</b>		
	Dr Dieng Abdourahmane	Head of Regional Security Division at ECOWAS Commission
	Mrs Odette Kouao	Legal advisor in charge of maritime policy ECOWAS Maritime cell
	Captain Tukur	Advisor in the ECOWAS Maritime cell
<b>UEMOA</b>		
	Mr Adébayo Samson Balogoun	Transport Director of the UEMOA Commission is in charge of maritime sector

Organisations	Name/Contact	Function/Comment
<b>UN</b>		
UNODC	Mr Francis Izegaegbe Omiunu	Global Maritime Crime Programme
UNOWAS	Mr Akram Boubakri	Police Advisor in UNOWAS – Focal point Maritime Security
	Mr Modeste Iougneba	Senior Military Advisor (Chad)
	Mr Mohamadi Ouedraogo	SSR Officer at UNOWAS
	Mr Jean Claude Bukarani	Military Attaché UNOWAS (Rwanda)
<b>Yaoundé architecture (mostly West Africa)</b>		
Interregional Coordination Centre ICC - (Yaoundé)	Navy Captain Emmanuel Bell Bell	Head of Information and Communication management Division
Centre Régional de Sécurité Maritime de l'Afrique de l'Ouest CRESMAO - (Abidjan)	Admiral Istifanus Albara	CRESMAO Head
	Mrs Ndeye Anna SOW Mbodj	Head of Maritime Affairs Administration Division
	Commander Jaja	Head of Operations Division
	Mr Maliki Salifou	Head of Finance and Administration Division
	Mr Ksamini Logossu	In charge of Human resources
	Mr Joel Lanary Gbeuly	Head safety cell
	Mr David Kpetigo	Officer in charge of plans and operations
	Mr Guy-R Djambara	Head of Infrastructure Unit
	Mr Adamou Soumana	Officer in charge - Supply, IT, Technical
	Mrs Salamalou	Tebie Sidi in charge of fishing activities
Institut de Sécurité Maritime Interrégional (Abidjan)	Lieutenant Colonel ABE Aké Lazare	Director of the « Institut de Sécurité Maritime Interrégional (ISMI) »
	« Administrateur en chef des affaires maritimes » Hervé Moussaron	French Experts in ISMI
Multinational Maritime Coordination Centre zone F – MMCC (Accra)	Navy Captain Noel Oboumou (Ivory Coast)	Director
	Lieutenant Commander Joshua Agbenyenu (Ghana)	Operations Officer MMCC Zone F

Countries	Name/Contact	Function/Comment
<b>Côte d'Ivoire</b>		
Comité Interministériel de l'Action de l'Etat en Mer (SEPCIM-AEM)	Mr Abroulaye Fofana	Permanent Secretary Co-chair G7++ friends of GoG
	Navy Captain Charles Bamele	SEPCIM-AEM - Operational Coordination Director
	Commander Jean-Pierre Kouassi	SEPCIM-AEM in charge of justice and social affairs
<b>France</b>		
French Embassy in Ivory Coast	Colonel Patrick Vaglio	Defence Attaché
	Colonel Christophe Monbelli-Valloire	Police Attaché
	Commander David Bistour	Deputy Police Attaché
	Mr Ismaela Diagne	Regional Cooperation in West Africa Advisor
Navy HQ - Paris	Admiral Jean-Mathieu Rey	Admiral in charge of International Relations – French Navy Headquarters
	Commander François-Xavier de Marolles	International Relations Office – Head of Africa-Middle-East team
IRSEM - Paris	Dr Benoît de Tréglodé	Director Africa, Asia, Middle-East
	Dr Antonin Tisseron	Searcher at Institute Thomas More and Consultant for IRSEM

Countries	Name/Contact	Function/Comment
<b>Germany</b>		
MFA	Mr Sascha Weh	S03-9-03 Police advisor – Team SSR Crisis prevention and stabilisation. – Co-chair G7++ friends of GoG
GIZ	Mr Vincent Béliné	Senior Advisor Environment - GIZ Abidjan
<b>Ghana</b>		
CEMLAWS Africa	Captain Dr Kamal-Deen Ali	Executive Director of the Centre for Maritime Law and Security Africa
<b>Sénégal</b>		
	Admiral Abdou Sene	General Secretary of the HASSMAR <sup>102</sup> , Republic of Senegal - Presidency of the Republic
<b>UK</b>		
Academic	Dr Ifesinachi Okafo-Yarwood	Lecturer in Sustainable Development and Interim Director of Impact School of Geography and Sustainable Dev University of St Andrew
	Mrs Joanna Vallat	Previous UK lead during the co-presidency G7++
Expert	Mr Simon Church	Special Adviser to the Co-chairs of the Gulf of Guinea Maritime Collaboration Forum - SHADE
MOD	Colonel Richard Walters	Defence Attaché - Cote D'Ivoire, Ghana
FDCO	Adam Coulson	TL W Africa Sec Policy MOD
	Commander Thomas Knott	W Africa Sec Policy MOD – Maritime Military Serving Officer
<b>US</b>		
Embassy	Mr Eythan Sontag	Consultant for the US Embassy
	Mrs Tejal Shah	Deputy Political-Economic Counselor

102. HASSMAR is the national institution in charge of implementing national policies to preventing incidents at sea or coordinating national emergency response to all crises at sea in the Senegal Economic Exclusive Zone. The Secretary General of HASSMAR is reporting directly to the President of the Republic.

## Annex 4: List of documents

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## About DCAF

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DCAF – Geneva Centre for Security Sector Governance is dedicated to improving the security of states and their people within a framework of democratic governance, the rule of law, respect for human rights, and gender equality. Since its founding in 2000, DCAF has contributed to making peace and development more sustainable by assisting partner states, and international actors supporting these states, to improve the governance of their security sector through inclusive and participatory reforms. It creates innovative knowledge products, promotes norms and good practices, provides legal and policy advice, and supports capacity-building of both state and non-state security sector stakeholders.

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