

STABLE SEAS: GULF OF GUINEA



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a program of One Earth Future



STABLE SEAS: GULF OF GUINEA

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TABLE OF CONTENTS

ACKNOWLEDGMENTS	iv
FOREWORD	v
INTRODUCTION	01
Defining the Gulf of Guinea.....	01
A Note on Terminology	01
Chapter Outline.....	03
BLUE ECONOMY	05
Key Findings	06
Towards an Inclusive Blue Economy in the Gulf of Guinea	07
Investments in the Oil and Gas Sector.....	07
Challenges to the Blue Economy in the Gulf of Guinea	09
Conclusion	11
RULE OF LAW	12
Key Findings	13
Corruption	14
A Limited Framework for Tackling Maritime Crimes	15
Economic Marginalization and Political Exclusion.....	16
State Efforts to Strengthen the Rule of Law	17
Conclusion	19
COASTAL WELFARE	21
Key Findings	22
Socioeconomic Issues in the Gulf of Guinea.....	22
Human Well-being, Dwindling Ocean Health, and the Security Nexus in Coastal Gulf of Guinea	23
Physical Security	26
Conclusion	28
FISHERIES	29
Key Findings	30
Fisheries Sector and Its Significance	31
Fisheries Production	31
Depleting Fish Stocks.....	32
Illegal, Unreported, and Unregulated Fishing as a Fisheries Crime	33
The Legal Framework and IUU Fishing in West Africa	34
Impact of IUU Fishing	36
Conclusion	37

PIRACY & ARMED ROBBERY AT SEA.....	38
Key Findings	39
Root Causes and Delta Militarism.....	41
Hijacking of Vessels and Kidnapping.....	42
Kidnapping and Robbery in Ports and Anchorages.....	43
Arrests and Prosecutions of Pirates.....	45
Attacks on Fishing Vessels	46
Maritime Security and Cooperation	47
Conclusion	48
ILLCIT TRADES	49
Key Findings	50
Contraband.....	51
Drugs	51
Wildlife	53
Fuel and Crude Oil.....	54
Small Arms and Light Weapons	55
Conclusion	56
MARITIME MIXED MIGRATION.....	57
Key Findings	58
Drivers of Voluntary Mixed Migration.....	59
Involuntary Mixed Migration.....	61
The Scale of Intra-regional Child Trafficking	62
State Efforts to Address Smuggling and Trafficking of Persons.....	63
Shifting Routes, Shifting Vulnerabilities	66
MARITIME ENFORCEMENT CAPACITY.....	67
Key Findings	68
Maritime Enforcement Beyond National Frontiers.....	68
Challenges to Maritime Enforcement in the Gulf of Guinea.....	70
Improving Maritime Enforcement Capability.....	71
Conclusion	73
INTERNATIONAL COOPERATION	74
Key Findings	75
Regional Cooperation Frameworks.....	75
External Partner Cooperation Programs.....	82
Conclusion	85
CONCLUSION	87
ENDNOTES	90

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FOREWORD

The wider Gulf of Guinea region represents an extremely complex maritime environment. An array of varied threats risks the otherwise practically limitless Blue Economy potential offered by hydrocarbons, regional fisheries, shipping, and even tourism, if cultivated under the right circumstances.

As with many international stakeholders, the attention of One Earth Future was first drawn to the Gulf of Guinea as a result of the high levels of piracy and armed robbery at sea activity in the region. But, as the region itself has long known, piracy and armed robbery is but one piece of a much larger picture. In 2013, the region came together to adopt the Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships, and Illicit Maritime Activity in West and Central Africa, also known as the Yaoundé Code of Conduct.

The Yaoundé Code brought together signatory countries, not just around piracy and armed robbery at sea, but also money laundering, illegal arms and drugs trafficking, illegal oil bunkering, crude oil theft, human trafficking, human smuggling, maritime pollution, illegal, unreported, and unregulated fishing, illegal dumping of toxic waste, maritime terrorism and hostage taking, and vandalization of offshore oil infrastructure - in other words, accounting for a comprehensive list of threats to a secure maritime space. Maritime security challenges outlined in the Yaoundé Code of Conduct were foundational to the original mission of Stable Seas.

In addition to outlining the crimes of most concern to the region, the Yaoundé Code also aimed to outline a strategy to address them, including the development of domestic laws to prosecute crimes and enforce law and establishment of a framework by which regional governments can share information and coordinate more broadly. Resulting from the code was the Yaoundé Architecture, which connects the two regional information-sharing and coordination centers in the wider region (CRESMAC for Central Africa and CRESMAO for West Africa) through the Interregional Coordination Center, based in Yaoundé, Cameroon. To coordinate maritime activity, five operational zones span the wider region. Zone operationalization has generally been slow, as is discussed in the chapters that follow, but even despite this, the Yaoundé Code has already yielded progress in other ways.

The concepts embodied in the Yaoundé Code of Conduct have made it a model for other parts of the world threatened with maritime insecurity, and similar regional agreements with a holistic view of maritime security have been adopted elsewhere, including on the other side of the continent, as evidenced by the adoption of the Jeddah Amendment to the original Djibouti Code of Conduct. The Yaoundé Code's legacy lies in undeniable improvements in information-sharing between agencies and between governments throughout the region. Much has been written about the recovery of the MT *Maximus* following its 2016 hijacking, but the successful collective response from agencies of six countries is illustrative of an impressive level of regional cooperation. Gaps remain, and more work needs to be done for the Yaoundé Code and its signatories to reach their full potential. Quickly-evolving situations at sea require careful analysis and substantial investment to entirely eliminate threats in the maritime domain in this region, but thanks to the Yaoundé Code, governments have one less barrier to clear and one more tool at their disposal to tackle maritime crime in the region.



Curtis Bell, PhD
Director, Stable Seas



CENTRE INTERREGIONAL DE COORDINATION (CIC)
INTER-REGIONAL COORDINATION CENTRE (ICC)

THREE YEARS AFTER OPERATIONALIZING THE INTERREGIONAL COORDINATION CENTRE - THE JOURNEY SO FAR

The Interregional Coordination Centre (ICC) for Maritime Safety and Security in the Gulf of Guinea was operationalized in February 2017 with the swearing-in of its first international staff officers. The journey so far has been encouraging with the landmark achievements recorded despite several challenges. The successes would not have been possible without the support of external development partners.

Let us commence the foreword to this excellent work by One Earth Future-Stable Seas with a recap of ICC's revised Overall Mission, which is:

"to ensure a collective response to maritime threats in the waters of West and Central Africa in order to enable economic development through the Blue Economy of all member states. By working directly with Regional Centre for ECOWAS (CRESMAO), Regional Centre for ECCAS (CRESMAC) and Member States Focal Points as well as National Maritime Security Committees that include civil and military components of member states, ICC will work closely with international partners, and the maritime industry to coordinate programmes designed to prevent and deter unlawful acts at sea thereby enabling safe and secure shipping through ports and coastal trade routes of the Gulf of Guinea."

The overall mission is expected to drive the strengthening of cooperation, coordination, pooling and interoperability of community assets for the implementation of the regional strategies for maritime safety and security in the common maritime space of West and Central Africa with the following Strategic Pillars:

- Exchange of Information and Sharing of Experience
- Harmonization of Legislation in the Region
- Harmonization of Operational Procedures
- Harmonization of Training
- Enhanced Cooperation with International Partners

The ICC's Mission is therefore hinged on the growing importance the Gulf of Guinea region has attained in the global economy. This makes it vital for both the region and the international community to ensure stability therein. Indeed, if this region remains stable, coastal states and their landlocked neighbours will grow as reliable suppliers of natural resources and better able to achieve sustainable development. Conversely, if the region faces unrest, it will create global economic shocks while degrading regional democratic norms, human rights and environmental standards.

It is gratifying however, to note that some great achievements have been made over the last three years to systematically address the security challenges in the Region. Some of these achievements listed below couldn't have been possible without the technical and financial support of ICC's external partners:

- First assessment meeting of the Yaounde Code of Conduct.
- Partnership agreements with KAIPTC, RMU, ARSTM, Uni-CV, UNODC, MOWCA, CEMLAWS-Africa, One Earth Future and INTERPOL.
- Development of Information Sharing (YARIS) and Training (TESS) online tools.
- Development of an Inventory of National Maritime Laws of Member States .
- Operationalization of ECOWAS' CRESMAO in Abidjan and MMCC Zone F in Accra.
- Setting up a comprehensive framework for a harmonized capacity building.
- Organization of Trainings, Workshops and Maritime Exercises to build the capacities of maritime professionals of the Region.

It is recalled that the growing incidences of maritime crimes in the region necessitated the adoption of two United Nations Security Council Resolutions. These Resolutions encouraged states and regional organisations in the region to cooperate, develop maritime strategies and legal frameworks to combat maritime crimes collectively . Subsequently, 25 heads of states as well heads of relevant regional organizations of West and Central Africa met in Yaounde , Cameroon in June 2013 to declare their support to collective security in the Gulf of Guinea. As a result, the Yaounde Declaration and a Memorandum of Understanding were signed to support the initiative . A Code of Conduct was also adopted to guide and encourage the Member States to conform to one standard of conduct in combating maritime crimes.

It is observed that, despite the great efforts and contributions made by the Member States towards the implementation of the Yaounde Code of Conduct , more work needs to be done to fully achieve the goals set by the Code of Conduct. The need to fully operationalize the Yaounde Architecture by bringing ECCAS MMCC Zone A and ECOWAS MMCC Zone G on stream cannot be overemphasized . There is also the urgent need for Member States to consider enacting piracy laws consistent with UNCLOS and the SUA Convention; enacting fisheries laws consistent with UNCLOS and other binding fisheries agreements; domesticating - the United Nations Transnational Organized Crime Convention and signing extradition treaties in accordance with the SUA Convention. In addition, the development of National Maritime Strategies and establishing National Maritime Security Committees would go a long way to achieve a holistic approach to maritime security from the national through the multinational to the regional and inter regional levels.



Dr. Narciso Fastudo Junior
Acting Executive Director, CIC/ICC

INTRODUCTION

Defining the Gulf of Guinea

The Gulf of Guinea is a vast and diverse region covering two geopolitical and economic areas: the Economic Community of Central African States (ECCAS) and the Economic Community of West African States (ECOWAS). Its coastline stretches 6,000 kilometers from Senegal to Angola and includes the island nations of Cabo Verde and São Tomé and Príncipe.¹ The region's maritime domain is endowed with a vast wealth of minerals, hydrocarbon deposits, and varied species of marine and fisheries resources. Its waters serve as a critical route for international commerce, and a shipping chokepoint. Leveraging the economic potential of the Gulf of Guinea is vital to the development of countries across the region.

FIGURE 1: THE GULF OF GUINEA REGION



A NOTE ON TERMINOLOGY

In this report, the Gulf of Guinea is defined broadly to include 19 coastal states in West and Central Africa, namely Angola, Benin, Cabo Verde, Cameroon, Congo, Côte d'Ivoire, the Democratic Republic of Congo (DRC), Equatorial Guinea, Gabon, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Senegal, Sierra Leone, São Tomé and Príncipe, The Gambia, and Togo.

The terms Gulf of Guinea, Gulf of Guinea region, and West and Central Africa have been used interchangeably here to describe the region.

The region's maritime affluence has made it attractive to both state and non-state actors, some of whom exploit the inadequate control of the region's maritime domain to engage in illicit activity. Inadequate law enforcement capacity, underdeveloped legislation, and limited policy implementation have given rise to weakened governance, corruption, and political instability. Consequently, the region is plagued by a litany of maritime threats, such as those identified by the United Nations General Assembly:²

- Illegal, unreported, and unregulated (IUU) fishing
- Piracy/armed robbery at sea
- Pollution/toxic waste dumping
- Human trafficking
- Illicit trades in arms, drugs, and contraband
- Terrorist acts involving shipping, offshore installations, and other maritime interests

The confluence of threats makes the region one of the most challenging and complex maritime security environments in the world. Piracy and armed robbery at sea in the Gulf of Guinea led the region to overtake the Gulf of Aden as the leading global piracy hotspot, resulting in two UN resolutions (Resolution 2018 in 2011³ and Resolution 2039 in 2012⁴); a UN Security Council presidential statement on piracy and armed robbery at sea in the Gulf of Guinea;⁵ a continental strategy—the African Union Maritime Strategy (AIMS 2050), in 2012;⁶ and a regional plan of action—The Yaoundé Protocol, in 2013;⁷ all of which are aimed at combating maritime insecurity. Also, IUU fishing in West Africa amounts to 40⁸ to 65 percent of the legally reported catch,⁹ the highest level globally. These various crimes impact regional economies and stability alike as they inhibit utilization of the maritime domain, undermining efforts to develop the blue economy.

The long-term preservation of the marine environment requires action targeting poor coastal economic welfare, illicit trade, IUU fishing, piracy and armed robbery at sea, and organized political violence against soft and offshore targets.

In an effort to improve the capabilities of maritime security outfits, Gulf of Guinea governments are working together and with international partners to improve maritime security in the region. The establishment of the Gulf of Guinea Commission in 2001 and its 2012 signing of the Luanda Declaration on Peace and Security in the Gulf of Guinea Region¹⁰ as well as the subsequent signing of the Yaoundé Code of Conduct were important steps towards coordinating a regional response to collective maritime security challenges. Further, political entities such as the European Union and countries like the United States and China continue to provide technical support to the region's navies to help address maritime security challenges. Also of note is the ongoing discussion around the establishment of a Contact Group on Piracy¹¹ akin to the one on piracy off the coast of Somalia.

Stable Seas: Gulf of Guinea aims to contribute to these positive developments by adopting a holistic and politically impartial approach to researching this complex maritime region. The long-term preservation of the marine environment requires action targeting poor coastal economic welfare, illicit trade, IUU fishing, piracy and armed robbery at sea, and organized political violence against soft and offshore targets. The report brings to light the interrelated and cyclical nature of these threats, including examples of how improvements in one issue area can have unexpected effects on another. Improvements to maritime security and governance will require better cooperation nationally, regionally, and internationally.



The report is based on primary and secondary data generated from an extensive review of academic literature, policy documents, and international and regional regulations, as well as field research involving formal interviews with regional experts across academia, government, think tanks, and international agencies, including informal interviews and focus-group discussion with coastal communities.

The report brings to light the interrelated and cyclical nature of these threats, including examples of how improvements in one issue area can have unexpected effects on another. Improvements to maritime security and governance will require better cooperation nationally, regionally, and internationally.

Chapter Outline

The report is arranged into nine chapters, with each chapter concentrating on an individual component of the maritime security environment in the Gulf of Guinea region. The first chapter, **BLUE ECONOMY**, examines the opportunities inherent in the region's growing maritime sector, which include offshore oil and gas, fishing, marine transport and shipping, and coastal tourism. This region consists of some of Africa's fastest-growing economies. However, economic affluence is threatened by environmental degradation resulting from pollution, climate change, overfishing, and the presence of violent non-state actors operating in the Niger Delta and its adjacent waters. To truly harness the potential of the region's ocean economy, and ensure balanced, inclusive, and sustainable use of the resources therein, coordination across agencies and governments with interest in the development of these coastal economies is vital.

The second chapter demonstrates the threats posed to coastal welfare thrive by illicit networks undermining the **RULE OF LAW** in the region. Citizens' perceptions of social, economic and political exclusion have exacerbated calls for political separatism. In such environments, where trust in government is low, shadow economies thrive more easily, and opportunities for bribery and corruption at all levels is pervasive. Weak rule of law in the Gulf of Guinea hampers the development of a reliable maritime enforcement authority and further enables transnational criminal networks.

The third chapter, **COASTAL WELFARE**, compares the economic potential of the Gulf of Guinea ocean environment against the socio-economic opportunities and security challenges faced by people living along the coasts. The coastal ecosystems in the Gulf of Guinea, and the people they support, are under constant threat from industrial growth, pollution, overexploitation, and climate change. The security implications of prioritizing economic growth over environmental conservation and the welfare of communities is demonstrated by the inverse correlation between environmental quality and socio-economic growth.

Chapter 4 through 7 examine four specific maritime security challenges in the Gulf of Guinea. Chapter 4 covers **FISHERIES** and explores challenges to sustainable fisheries management in the region. The region is home to some of the world's most sought-after fish species, which contribute significantly to the food and economic security of millions of people therein. Overfishing, including illegal, unreported, and unregulated fishing causes environmental damage threatens regional food and economic security and by extension the welfare of coastal communities across the region.

The Gulf of Guinea is a global hotspot for **PIRACY AND ARMED ROBBERY**, a topic covered in Chapter 5. In 2019, 98 incidents of piracy and armed robbery at sea were recorded, compared to 112 in 2018. However, kidnappings are more prevalent: 164 crew were kidnapped in 2019, up from 102 in 2018. This chapter outlines the long history of piracy and hostage-taking here, documents the more recent attacks on seafarers and discusses government efforts to combat this threat.

The chapter on **ILLICIT TRADES** does a deep dive into the illegal economy, exploring trafficking and smuggling of weapons, drugs, contraband, and wildlife products from, to, and through the region. The chapter examines how illegal economic activities serve as both cause and effect of political challenges faced by governments. Porous maritime borders and insufficient government presence allow for the establishment of illicit networks which work to subvert the legal economy. In turn, this empowers these networks and increases local dependence on the shadow economy.

The seventh chapter, **MARITIME MIXED MIGRATION**, explores the voluntary and involuntary movement of persons across the Gulf of Guinea. Porous borders are crossed by economic migrants in pursuit of improved economic opportunities. Criminal networks exploit gaps in monitoring and surveillance, pushing unknowing migrants into sex trafficking and forced labor. Much of the migration in the Gulf of Guinea is intra-regional, and law enforcement is up against the challenge of curbing the problem without impeding the legal and voluntary economic migration within the region.

The last two chapters look at what is being done to curb threats and actualize the economic potential of the region's maritime domain. **MARITIME ENFORCEMENT CAPACITY** examines the capabilities of regional government and recognizes that navies and coast guards across the region have individually and collectively developed response initiatives aimed at combating threats to shared security problems. **INTERNATIONAL COOPERATION** assesses the ways that Gulf of Guinea governments are coordinating with each other, as well as with international donors and stakeholders to improve maritime security in the broader region.

Finally, a brief **CONCLUSION** chapter integrates the key findings, highlighting how successfully addressing any one of these issues can have positive spillover effects for one or several other issues. This section showcases the interdependence between the issues discussed in each chapter and suggests possible next steps that regional policymakers can take as they work to improve security in the Gulf of Guinea region.

BLUE ECONOMY



THE BLUE ECONOMY

The concept of the blue economy entails the development of the ocean economy, which “improve[s] human wellbeing and social equity, [while] significantly reducing environmental risks and ecological scarcities.”¹² The blue economy may offer some solutions to the root causes of maritime insecurity in the Gulf of Guinea, as the ocean economy has the capacity to create employment opportunities and facilitate economic growth through inclusive, balanced, and sustainable investment in marine tourism, fisheries and aquaculture, the oil and gas sector, marine renewable energy, and marine transport and shipping, among others.

To profit from the marine environment’s resources, countries across the Gulf of Guinea are working, with support from both regional and international partners, to harness the potential of ocean economies through the development of blue projects.¹³ In coastal communities, artisanal fisheries sustain livelihoods, seaports connect the global economy, beaches and reefs attract tourists, offshore extractives bolster incomes, and maricultural and marine biomedical research continue to expand. The sustainability and safety of the maritime domain are critical to the region’s economic growth and development.

The potential of the blue economy to influence Africa’s economic growth was recognized with the adoption of the African Charter on Maritime Security and Safety and Development in Africa (or the Lomé Charter) by the African Union Assembly in 2016.¹⁴ As set out by the African Union’s Agenda 2063,¹⁵ the blue economy is the continent’s future, with particular reference made to the Gulf of Guinea, where benefits extend well beyond the shores, creating opportunities for adjacent landlocked communities and countries as well. The region’s waters also serve as key navigational routes for international commerce, connecting East Asia to countries in the North and South Atlantic.

The blue economy may offer some solutions to the root causes of maritime insecurity in the Gulf of Guinea by creating employment opportunities and facilitating economic growth.

The fishing sector sustains some of the world’s most productive fishing economies; in fact, the Gulf of Guinea region is home to the third-largest mangrove in the world, with five endangered marine turtle species, the largest breeding colony of monk seals, and over 1,000 species of fish,¹⁶ all boosting regional GDPs.^{17, 18} In fact, coastal cities and ports, coastal agriculture, marine industries, and fisheries account for an estimated 56 percent of West Africa’s total GDP.¹⁹ The region’s diverse marine environment, consisting of beaches, coral reefs, and marine wildlife, has tourism potential, though the sector is yet to be fully explored. The health and safety of the marine environment is crucial to the sustainable development of the African continent and indeed the globe.

This chapter explores the development of the blue economy in the Gulf of Guinea region. Drawing on case studies from select countries, it highlights some of the efforts made by coastal states to develop coastal economies, describes threats to progress, and makes recommendations to optimize the ocean economy for the sustainable development of coastal states.

Key Findings

- States across the Gulf of Guinea are **REFOCUSING POLICY TO DEVELOP THE BLUE ECONOMY; HOWEVER, THERE IS AN URGENT NEED FOR A CLEAR INSTITUTIONAL GOVERNANCE FRAMEWORK** for growth which identifies the goals, partners, measurable indicators, and time frames for policy implementation and achievement at both the national and regional level.
- Harnessing the potential of the blue economy **REQUIRES IMMEDIATE ATTENTION ON ENVIRONMENTAL DEGRADATION AND IMPROVEMENTS TO MARITIME SAFETY AND SECURITY**. Failure to address these issues could deprive countries in the region of the economic gains derivable from maritime industries such as fisheries and tourism, oil and gas, and maritime transport and shipping, respectively.

- To sustain the benefits of the blue economy for the region, **PROPER ASSESSMENT OF THE OPPORTUNITIES, RISKS, AND GAINS OF INVESTING IN BLUE PROJECTS IS VITAL**; otherwise, countries in the region risk exacerbating the suffering of vulnerable communities.

Towards an Inclusive Blue Economy in the Gulf of Guinea

FIGURE 1: DISTRIBUTION OF SELECTED BLUE ECONOMY INITIATIVES IN THE GULF OF GUINEA.



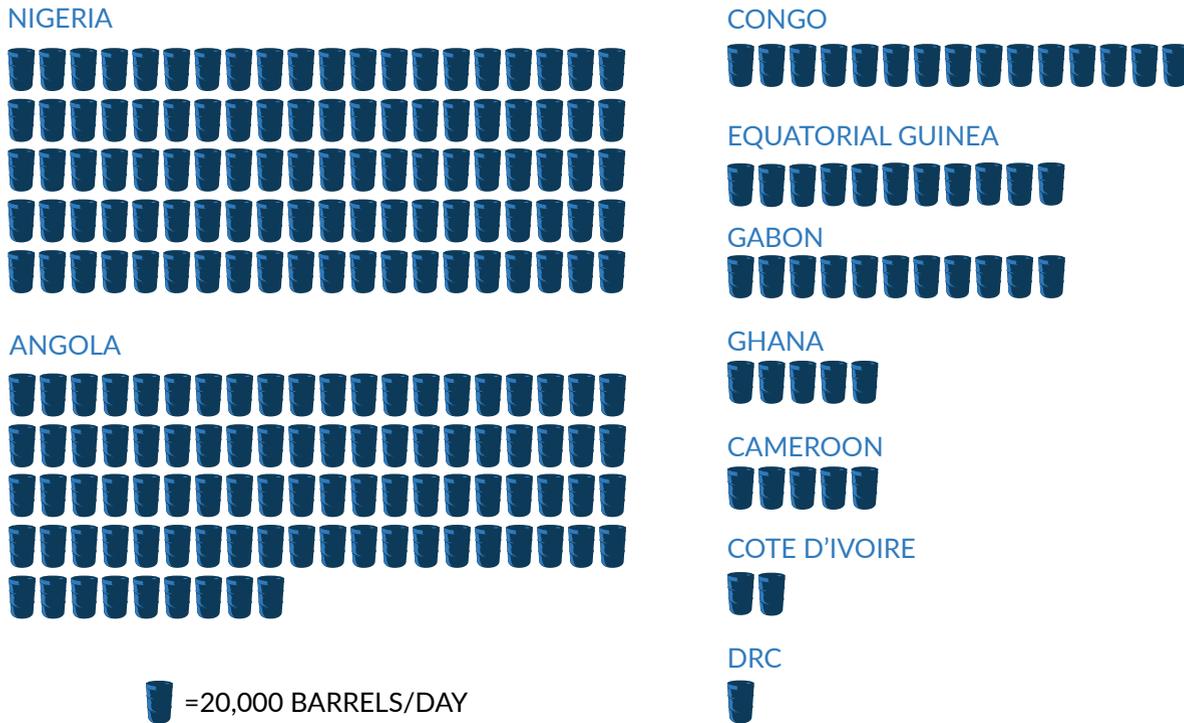
Extracted from, FAO, 'The State of World Fisheries and Aquaculture: Meeting the Sustainable Development Goals', *The State of the World (Rome, 2018)*, <http://www.fao.org/3/i9540en/i9540en.pdf>: 171.

Investment in the Oil and Gas Sector

As many of the states in the region are oil-producing, the oil and gas sector plays an essential role in the Gulf of Guinea economy. In Nigeria, crude oil accounts for 95 percent of foreign exchange earnings, and 80 percent of the total revenue accruable to the federal account.²⁰ Nigeria's offshore output in 2019 was an estimated 780,000 barrels per day (BPD), which is 39 percent of the country's 2 million-BPD total production.²¹ Focusing on developing its upstream production through strategic partnerships and investments, Nigeria is set to increase its oil production capacity from over 2 million barrels per day to 3 million by 2023.²² In addition, investments in Nigeria's liquefied natural gas (LNG) would boost natural gas output by 35 percent, delivering an estimated \$20 billion in net revenue while also creating 10,000 direct jobs and 40,000 indirect jobs.^{23, 24} With a \$48 billion investment into the energy sector projected between 2018 and 2025, Nigeria is on track to receive up to 25 percent of the anticipated \$194 billion surge of capital flow into Africa.^{25, 26}

The potential economic contribution of oil and gas is reflected in enduring oil exploration campaigns being made by both oil and non-oil producing states. Gabon expects to increase oil production by up to 50 percent in the next two years,²⁷ while the recent discovery of 1.2 billion barrels in proven offshore reserves in Ghana is set to double its oil and gas production. Thirty to thirty-five percent of that reserve is recoverable, making the discovery more productive than Ghana's current biggest oil field, the Jubilee Field.²⁸ In Equatorial Guinea, the oil and gas sector is responsible for over 90 percent of the country's foreign revenue. Production capacity of the country's oil and gas sector is 120,000 BPD,²⁹ most of which comes from five offshore fields: Alba, Alen, Aseng, Ceiba, and Zafiro.³⁰ Producing 60,000 BPD, Zafiro Field is the country's largest source of oil output.³¹ The government of Equatorial Guinea hopes to address declining production and boost dwindling reserves and export revenue through investment in offshore infrastructure and exploration,^{32, 33} and has approved construction of new refineries³⁴ and pipelines³⁵ and has opened bidding for 27 oil and gas licenses as part of its "drill or drop" policy.³⁶

FIGURE 2: OIL PRODUCTION FOR SELECT GULF OF GUINEA NATIONS IN 2019, IN BARRELS/DAY



Data: U.S. Energy Information Administration database, 2019.

For Senegal, though its oil and gas sector is one of the smallest in the Gulf of Guinea region, multiple discoveries of offshore oil and gas reserves estimated to be worth over 1 billion barrels of oil—most of it shared with Mauritania—are projected to result in increased foreign investment, creation of local jobs, and infrastructure development.^{37, 38} The IMF calculates substantial potential economic growth for Senegal, from 6.9 percent in 2019 to 11.6 percent with the start of commercial production of oil and gas in 2022.³⁹

In Sierra Leone, small offshore discoveries suggest the existence of commercial quantities sufficient to improve the economy⁴⁰ by attracting foreign investment and creating jobs.⁴¹ A second offshore hydrocarbon discovery in Sierra Leone in November 2019 is being evaluated by an IOC to determine the area's commercial viability.⁴²

EQUATORIAL GUINEA'S DRILL OR DROP POLICY

To address the limited exploration by international oil companies (IOCs) in the country, the government of Equatorial Guinea introduced the “drill or drop” policy. This gives IOCs an initial period of two years to explore, evaluate risks, define well locations, and attract investment before either proceeding with exploration or relinquishing their license.^{43, 44} In February 2019, the country's Mines and Hydrocarbons Minister warned that the government could refuse to extend licenses to IOCs unless they collectively invest \$2 billion in Equatorial Guinea. This policy appears to have yielded expected results; in November 2019 the minister announced that Equatorial Guinea had achieved at least \$2 billion in investments.⁴⁵



A man cleans an aquaculture cage in Cameroon. Photo: Randall Brummett, WorldFish.

Research and Investment in the Fisheries and Aquaculture Sector

In recognition of the significance of scientific knowledge to conservation efforts and sustainable management of marine fisheries, the government of Sierra Leone, in collaboration with the Chinese government, launched its first Fish Stock Assessment Survey in September 2019. Results, due in the next three years, are expected to yield data vital to the sustainable management of the country's fisheries.⁴⁶ Similarly, the Liberian government signed a memorandum of understanding for a Transboundary Resources and Ecosystem Survey with the Food and Agriculture Organization of the United Nations. The survey establishes the distribution and status of fisheries species and oceanographic conditions, including measures of food safety and the occurrence of marine debris.⁴⁷

With support from international partners, the Guinean government invested in port facility infrastructure for artisanal fishing at the Kaporo Fishing Port in Conakry, which provides a landing seawall, slipway and unloading yard, including marine-product handling, and storage facilities. The unloading facilities and landing seawall would reduce the burden of labor for fisherfolks, while the marine-product-handling equipment and storage facilities would ensure the sanitary handling of fresh seafood.⁴⁸

To meet the demands of its growing population and to spark job growth, Nigeria is investing in aquaculture. Currently the largest aquaculture fish producer in sub-Saharan Africa,⁴⁹ Nigeria is responsible for 54 percent of total production in the sub-region and is projected to extend its lead as the aquaculture sector is expected to increase from 307 tons of production in 2016 to 418 tons by 2030—a massive increase of 36.2 percent in less than 15 years.⁵⁰ In Guinea-Bissau, government investments in floating cage technologies have attracted unemployed youths to aquaculture jobs. This has helped to counter rural-urban migration.⁵¹

Challenges to the Blue Economy in the Gulf of Guinea

The combination of maritime insecurity and environmental degradation poses significant problems for the blue economy in the Gulf of Guinea. The failure of governments to incorporate the needs of the coastal communities can undermine the peace and stability of the state,^{52, 53} as illustrated by the situations in the Niger Delta in Nigeria and Cabinda, Angola. One of the most compelling challenges facing the Gulf of Guinea will be how to strike a balance between welfare improvements for coastal communities and sustainability as national economies mature. The potential for the expansion of industries like maritime tourism, offshore oil and gas, maritime transport, and shipping to bring about an abrupt end to the fishing communities along the coast is a distinct and worrisome possibility. The implementation of “blue projects” also poses a threat to land rights, as there is a risk that coastal communities will be expelled to make room for some of these projects.

Environmental Degradation

Degradation of the marine environment is a major obstacle to the blue economy's development in the Gulf of Guinea region. In West Africa alone, four countries (Benin, Côte d'Ivoire, Senegal, and Togo) lost an estimated \$3.8 billion (5.3 percent of GDP) in 2017 to flooding, coastal erosion, and pollution.⁵⁴ Oil pollution and industrial and domestic wastes undermine, weaken, and degrade coasts, but the focus herein is the degradation caused by impacts of climate change.

BALANCING THE BLUE ECONOMY WITH COMMUNITY NEEDS: THE KRIBI PORT PROJECT IN CAMEROON

The availability of modern and functional ports attracts shipping traffic to the region while also appealing to global investors:⁵⁵ Togo increased infrastructure reliability and as a result has attracted the Mediterranean Shipping Company, one of the world's largest shipping companies, which is set to invest €500 Million in Lomé's container terminal over the next decade.⁵⁶ The fisheries and tourism sectors also benefit from port infrastructure improvements as fishing vessels and cruise ships can make use of port facilities.

Cameroon's Kribi Deepwater Port Project is set to be the largest deep-water port in Central Africa.⁵⁷ China will fund 85 percent of the \$1.3 billion needed to get the Kribi port project operational—making this one of China's biggest investment projects anywhere in the world. While the Kribi project will ease congestion in the harbor in Douala and generate increased trade and job creation, there are concerns about the project disenfranchising vulnerable communities. To make room for the port, about 300 people from the Mbode village in Lolabe, many of whom are fisherfolks and farmers, lost their ancestral homes, farmlands, and traditional fishing grounds. The villagers were offered alternative accommodation but refused to move.⁵⁸ According to them, the compensation is inadequate and the rehousing arrangement offered them worse living conditions.⁵⁹ Their views were perhaps corroborated by the allegations of corruption which have marred the use of compensation funds. Specifically, in 2010, the Chinese government approved €36 million for compensation; by 2013, however, only €22 million had been disbursed, while the remaining €14 million was reportedly embezzled.^{60, 61}

Climate change has extensive effects on the marine environment in the Gulf of Guinea. In addition to contributing to other decreases in fisheries production in West Africa by 2050,⁶² the rise in sea level, which is expected to reach 20–30 centimeters by 2050,⁶³ threatens the survival of mangroves which serve as breeding grounds for fisheries species.⁶⁴

Ninety percent of Gabon's population is concentrated in coastal areas, meaning that if the sea level rises to predicted levels, there will be immense pressure on resources.⁶⁵ Already-muddy coastal regions in Cameroon may flood and erode⁶⁶—these areas double as breeding grounds and nurseries for finfish and shellfish; flooding and erosion may spell the end of these species with the devastation of such essential habitat. Due to a confluence of factors, including geographic remoteness, high population concentration in coastal zones, and heavy reliance on natural resources which impact adaptability,⁶⁷ socioeconomic and security impacts could be even more severe for small island nations like Cabo Verde, Guinea-Bissau, and São Tomé and Príncipe.

Maritime Safety and Security

A safe, secure, and well-regulated maritime environment is critical to the development of the blue economy in the region. In Benin, incidences of piracy and armed robbery at sea in its waters led to a 70 percent reduction in the number of vessels calling at the Port of Cotonou in 2011. Major declines in vessels at Cotonou port led to \$81 million in customs revenue being lost⁶⁸ at a time when the country was reliant on the maritime sector.⁶⁹

Nigeria, the biggest economy in the Gulf of Guinea, accounts for 65 percent of the cargo generated from the region.⁷⁰ Here, investment in port infrastructure such as the deep-sea port in Lekki⁷¹ would boost the economy and create employment. It is expected that the deep-sea port would create over 200,000 direct and indirect jobs while also generating revenue for the government through taxes, duties, and royalties.⁷² However, the prevalence of piracy and armed robbery at sea off the Nigerian coast has resulted in some shipping companies avoiding Nigerian waters.⁷³

Maritime insecurity also undermines efforts to grow coastal tourism. Efforts to diversify the Liberian economy have culminated in the government's promotion of

ecotourism.⁷⁴ The island nation of São Tomé and Príncipe has everything needed to become a niche beach destination for wealthy tourists and has invested in developing the tourism sector.⁷⁵ However, proximity to Nigeria exposes it to increased risk of piracy and armed robbery at sea.⁷⁶ Barring significant improvements to maritime security, the potential of such ventures to attract tourists remains low.

Conclusion

The blue economy provides an as-yet unmatched opportunity for Gulf of Guinea countries to bolster national economies. However, consideration of coastal community needs and sustainability is vital to ensure long-term viability of the blue economy. An institutional governance framework which would allow stakeholders to organize, identify, and commit to a set of actionable principles for the blue economy is essential. Such a framework would set out clear, binding guidelines for every stage of planning and development related to the ocean environment. In light of the impacts of environmental degradation resulting from pollution and rising sea levels on the marine environment, mitigating these impacts requires integration of waste-disposal management plans and climate change considerations into planning and development of infrastructure in the coastal areas.

The blue economy provides an as-yet unmatched opportunity for Gulf of Guinea countries to bolster national economies. However, consideration of coastal community needs and sustainability is vital to ensure long-term viability of the blue economy.

Finally, if implemented correctly, the blue economy can help Gulf of Guinea countries reconcile development, community livelihoods, and conservation. This can reduce illicit maritime activity, especially those activities attributable to coastal inhabitants harboring feelings of disenfranchisement.

Mitigating the impacts of environmental degradation and improving maritime security are essential for countries to develop their blue economies, but these efforts must be complemented by development plans which improve coastal well-being. Sustainable blue economy development cannot take place without good and strong governance and effective judicial and legislative structures which provide law enforcement agencies with the tools needed to institutionalize and implement maritime laws. The next chapter discusses the state of the rule of law and shows how addressing these issues is vital for sustainable economic and political stability in the Gulf of Guinea.

RULE OF LAW



RULE OF LAW

Strong, functional institutions are an essential component of maritime security; the lack of a well-defined legislative and judicial infrastructure in the maritime domain makes enforcing the rule of law in our seas nearly impossible. Rule of law refers to “a state in which individuals, communities and governments submit to, obey and are regulated consistently by law, and not arbitrary action by an individual or a group of individuals.”⁷⁷ The rule of law stimulates economic growth and socioeconomic justice; prevents and deters violent conflict and crime; strengthens accountability and checks on power; and reduces corruption, allowing for more equitable distribution of resources and better environmental protections.⁷⁸ With the exception of Ghana and Senegal, the majority of countries in the Gulf of Guinea are low on the 2019 World Justice Project Rule of Law Index.⁷⁹ Though some states possess the necessary institutions to counter maritime crime, those institutions remain ineffective due to legal limitations. Corruption of local officials is especially corrosive, undermining efforts to improve governance and growing distrust of and animosity for the government. The vast majority of Gulf of Guinea countries also receive low rankings in the 2018 Corruption Perceptions Index.⁸⁰ Bad governance leads to social and political instability which provide cover for any number of illicit activities.

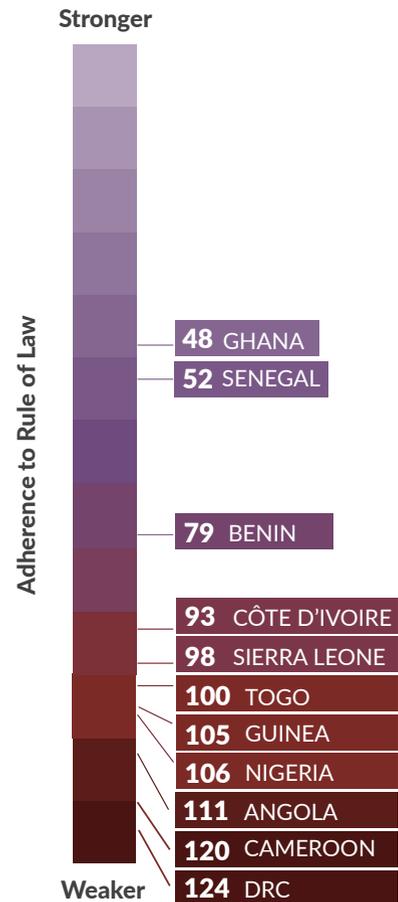
It is noteworthy that not all countries in the region suffer these challenges to the same extent. (Togo, for example, is cited as a positive model for legal regulations for maritime crimes.) However, the transborder nature of maritime security threats means that the impacts from lack of rule of law in one country reverberate across the region. It is in the collective interest of Gulf of Guinea states to strengthen maritime rule of law.

This chapter traces the links between corruption, the absence of competent legal processes, and issues of economic and social exclusion to provide evidence on how threats to the rule of law are mutually reinforcing and undermine maritime safety and security in the Gulf of Guinea region.

Key Findings

- **CORRUPTION REMAINS A MAJOR OBSTACLE** to good maritime governance in the region. Institutional accountability and governance concerns must feature prominently in the maritime security discourse.
- **COMPLEX MARITIME GEOGRAPHY ENABLES ILLICIT ACTORS TO EASILY ESCAPE THE JURISDICTION OF ONE STATE WHEN THEY FLEE TO THE TERRITORIAL WATERS OF A NEIGHBOR** or outside state jurisdiction; in the absence of a harmonized regional legal framework which allows for more streamlined detection and prosecution of perpetrators, illicit crime flourishes in the region.
- **ECONOMIC DISEMPOWERMENT AND POLITICAL EXCLUSION IN THE REGION FURTHER UNDERMINE CONFIDENCE IN THE REGION'S GOVERNMENTS**, resulting in increased demands for regional autonomy or even violence used to assert a claim to the control of resources.

FIGURE 1: REPRESENTATION OF THE RULE OF LAW INDEX FOR SELECT GULF OF GUINEA COUNTRIES



Data: World Justice Project: Rule of Law Index, 2019. Chart represents scores out of 126 nations ranked.

Corruption

Corruption in the maritime sector manifests in several ways: tariff and tax evasion, demands for bribe payment, and law enforcement protection of criminal networks.⁸¹ Corruption impacts safety and security in a multitude of ways.^{82, 83, 84} Direct involvement of law enforcement personnel in various kinds of illicit activity^{85, 86}, has been reported across the region. This includes personnel knowingly accepting bribes from recognized criminal organizations.^{87, 88} The Inspector General of the Cameroonian Gendarmerie, Colonel Jean Claude Ango Ango, was publicly designated by the United States Department of State in 2019 for his involvement in significant corruption related to wildlife trafficking.⁸⁹ Corruption in law enforcement agencies is regularly exploited by criminal networks, which undermines security and stability and impedes blue economy development.⁹⁰

Corruption in ports, in particular, is a significant problem: bribes result in shipping delays which cut into profits, the flow of illicit goods undercuts the formal economy in both origin and destination countries as traffickers circumvent customs and tariffs, and security is threatened as dangerous contraband enters the country when authorities look the other direction. The Port of Douala in Cameroon is reported to be the most corrupt port in the Central African region, with reports of port customs officials taking bribes and underreporting the revenue paid by importers.⁹¹ The pervasiveness of corruption in the Port of Douala led the Republic of Chad and the Central African Republic, Cameroon's landlocked neighbors, to threaten to move their shipping operations to Lomé, Togo.⁹² In West Africa, the Port of Cotonou in the Republic of Benin also has a reputation for widespread corruption: several reports note customs and tariff evasion. Bribery of port officials enables the trafficking of contraband and illicitly traded legal goods, undercutting official state revenue to Benin⁹³ as well as neighboring states like Nigeria, where most of the contraband is destined.^{94, 95} Corruption in ports also perpetuates security risks; one of the reasons cited by the Nigerian government for its decision to close its border with Benin was the flow of illicit drugs and arms trafficked through the Port of Cotonou, which purportedly fuels insecurity in the country.^{96, 97}

CORRUPTION IN THE MARITIME SECTOR



BRIBERY



**PROTECTION OF
CRIMINAL NETWORKS**



**TARIFF &
TAX EVASION**



Shipping containers at the port of Doula, reportedly the most corrupt port in the Gulf of Guinea region. Photo: Jean-Pierre Larroque, One Earth Future.

Other kinds of corruption have equally damaging effects on the region, such as when officials steal state funds, hampering the government's ability to address things like unemployment, poverty, and environmental degradation. To people already harboring feelings of disenfranchisement, such behavior is an additional grievance against political leaders, further promoting insecurity^{98, 99} characterized by armed attacks, kidnapping of foreign workers, and vandalization including bombing of oil installations. A known link exists between militancy and leaders' failure to redistribute funds intended to compensate communities affected by oil pollution in the Niger Delta.^{100, 101}

A Limited Framework for Tackling Maritime Crimes

Most Gulf of Guinea countries have ratified relevant international conventions criminalizing maritime crimes; however, the lack of domestication of some provisions of these international instruments poses significant threats to the suppression of several illicit activities. There appears to be an increased commitment to domestication of relevant provisions of international conventions such as the United Nations Convention on the Law of the Sea (UNCLOS), the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) of 1988 and its protocols of 1988 and 2005, and the United Nations Convention against Transnational Organized Crime (UNTOC) of 2000. On the one hand, most countries in the region have implemented Article 101 of UNCLOS with respect to implementing a strong definition for the crime of piracy; however, the domestication of Article 105, which is vital to enforce jurisdiction on the high seas, lags behind. It is noteworthy that Article 101 of UNCLOS—and any other international maritime instrument—does not oblige countries to incorporate this provision into domestic standalone legislation on piracy and related issues. As such, each state has the right to choose, regarding its legal system, how to integrate international provisions in its domestic law, either by a unique text or by transposing relevant international provisions through existing law or code.^{102, 103} For example, Senegal, Guinea, and Côte d'Ivoire do not suppress piracy, terrorism at sea, and other related crimes through standalone legislation, but their penal or maritime codes contain provisions doing so.

Additionally, not a single country in the Gulf of Guinea has domesticated all provisions of UNTOC, a fundamental framework designed to address all transnational organized crimes including piracy, IUU fishing, illegal migration, and narcotics trafficking, which are all pervasive in the region. Nevertheless, most countries have domesticated some aspects of UNTOC and its protocols through their penal code and special laws. For example, Senegalese Act No. 2005-06 of 10 May 2005 on Combating Trafficking in Persons and assimilated practices and protection of victims¹⁰⁴ domesticates the UNTOC protocol against the smuggling of migrants by land, sea, and air.

EVADING PROSECUTION: THE CASE OF THE MT MARIAM HIJACKING

A 2015 incident off the coast of Nigeria shows how savvy criminals exploit legal loopholes to evade prosecution. In January, the oil tanker *MT Mariam* was hijacked off the coast of Nigeria by eight criminals who were suspected to be Nigerian. Using the tracking device onboard the tanker, its Nigerian owner informed Ghanaian authorities of its position in Ghana's waters, which resulted in the arrest of the hijackers. They were taken to the Bureau of National Investigations. Two Ghanaians were also arrested for conspiring with the criminals.^{105, 106} Initially, all suspects were charged with conspiracy to commit piracy contrary to sections 23 (1) and 193 (4) of the Criminal Offenses Act 1960; (Act 29) and Piracy contrary to section 193 (4) of Act 29, 1960. However, once the criminal proceedings commenced, different factors were cited for the adjournment of three consecutive hearings and the subsequent failure of Ghanaian authorities to prosecute the hijackers, including the inability of the office of the Attorney-General to advise the state¹⁰⁷ and the lack of fuel to transport the suspects to court.¹⁰⁸ The two Ghanaians were acquitted, because they were not present when the offenses were committed,¹⁰⁹ while the Nigerian suspects were deported to Nigeria after a prolonged legal process in Accra.¹¹⁰ Recognizing that the remaining suspects and witnesses were Nigerian, and the offense took place in Nigeria, a formal request for the suspects' extradition for trial in Nigeria was submitted to Nigeria through the Ministry of Foreign Affairs and Regional Integration, but the Nigerian government failed to submit an extradition request to Ghana. A deportation order was issued and the suspects were deported to Nigeria through Interpol.

A nationalized legal framework for illicit crimes represents the existence—or not—of substantial procedural legal rules. Lacking such a framework, and absent meaningful capacity-building, the judiciary is ill-prepared to prosecute cases because they do not possess the requisite training or expertise. Ultimately, this undermines the ability of states to tackle maritime crimes effectively. The improvement in enforcement capabilities of navies, coast guards, and marine police across the Gulf of Guinea is of limited value if the judiciary cannot effectively prosecute the apprehended criminals under national laws.^{111, 112}

Similarly, without a harmonized regional legal framework, the seamless adjudication of legal proceedings is hampered: criminals can commit a crime in one state and escape to another, with minimal risk of prosecution. The lack of a harmonized legal framework, unclear definition of the crime, and jurisdictional challenges spanning the Gulf of Guinea are cited as the primary reasons for the small number of piracy-related trials in the region, despite successful arrests.¹¹³ Without a region-wide arrangement for evidence exchange and procurement of witnesses, successful prosecution of maritime criminals will be extremely difficult.

Countries across the region must review legal frameworks to allow for fast-track extraditions. Consideration should be given to an ad-hoc system/treaty of extradition or mutual legal assistance and exchange, including provisions of judiciary training. Additionally, improved coordination between the judiciary and maritime enforcement agencies and synchronization of criminal penalties across jurisdictions¹¹⁴ is vital. In theory, this would prevent criminals from fleeing to neighboring countries where sentences are less severe.

Economic Marginalization and Political Exclusion

The UN notes that sustainable development, poverty eradication, and human rights are all reinforced by the rule of law.¹¹⁵ The Gulf of Guinea region highlights the significance of rule of law to development and how its absence can threaten peace and stability in an entire region. In the Gulf of Guinea, economic disempowerment and political exclusion provide motivation and cover for illicit actors and criminal networks.

Effectively managed natural resources can be an economic engine, boosting well-being and stability. However, examples from Nigeria's Niger Delta and Cabinda in Angola highlight how the absence of the rule of law—evident in the lack of transparency and economic inclusion—undermines well-being, consequently sowing instability. In the Niger Delta, the epicenter of piracy and armed robbery at sea in the region, hydrocarbon discoveries have not translated to improvements in welfare; instead, the result has been more poverty, increased social tension, and environmental pollution.¹¹⁶ Low levels of public service provision have seeded feelings of disenfranchisement and given rise to militant groups whose activities now range from kidnapping for ransom to “petrol piracy,” including vandalization of crude oil pipelines and theft of crude oil from tankers, as a way of seeking economic justice.^{117, 118}

The narrative is similar in the oil-rich region of Cabinda in Angola. Despite producing over 60 percent of Angola's oil, as in the Niger Delta most of Cabinda's people do not benefit from oil revenue. The unemployment rate in Cabinda is 88 percent and access to government services is low. Poverty is widespread in Cabinda despite its oil wealth, breeding resentment.¹¹⁹ Economic exclusion has fueled secessionist movements, including violent campaigns by factions of the disbanded Front for the Liberation of the Enclave of Cabinda (FLEC).¹²⁰ A ceasefire agreement in August 2006 included a government commitment to invest 10 percent of the oil revenue in Cabinda and brought with it a formal end to the conflict which began in 1975.¹²¹ The rebellion is very much alive today, however. In May 2016, armed rebels raided an offshore gas platform belonging to Chevron and threatened foreign workers. In July of the same year, they killed 9 Angolan soldiers and injured 14, and demanded that oil workers evacuate. The Angolan government insists that FLEC was neutralized following the peace deal,^{122, 123} but according to the World Bank, a faction of FLEC remains a threat, and as recently as 2016 a power struggle within its ranks led to more than 50 deaths.¹²⁴



Children sail past an oil pipeline head near their home in Nigeria. Despite oil wealth in the Niger Delta, local populations have faced more poverty, increased social tension, and environmental pollution. Photo: Pius Utomi Ekpei, AFP via Getty Images.

From the renewed quest for Biafra in southeast Nigeria¹²⁵ to the Ambazonia separatist movement in northwest and southwest Cameroon,¹²⁶ there has been an observable rise in secessionist movements in the Gulf of Guinea. Events in Cameroon have resulted in 3,000 deaths and the displacement of more than 500,000,¹²⁷ underscoring how political exclusion can lead to violent rebellion. Led by lawyers, teachers, students, and civil society, the political crisis in the northwest and southwest Anglophone provinces of Cameroon started in 2016 as a peaceful call for decentralization following prolonged marginalization. In response to the government's violent clampdown on the protests, by the end of 2017, this had devolved into armed conflict and demands for secession.^{128, 129}

State Efforts to Strengthen the Rule of Law

Tackling Corruption in the Public Sector

Addressing corruption requires a strong commitment to exposing and prosecuting those who misappropriate public funds, engage in illicit activities, or provide protection to criminals. Countries like Senegal and Côte d'Ivoire have made notable progress in countering corruption in the public sector; following these efforts, both states have improved in the 2018 Transparency International Corruption Perceptions Index: from 2012 to 2018, Senegal moved from a score of 36 to 45 and Côte d'Ivoire moved from a score of 29 to 35.¹³⁰ It is worthy of mention that foreign companies are complicit in corrupt practices in the region. One example is the 2019 trial of Bourbon, the French maritime services company, accused of paying €3 million in bribes to public officials in Nigeria, Cameroon, and Equatorial Guinea in order to minimize tax payments.¹³¹

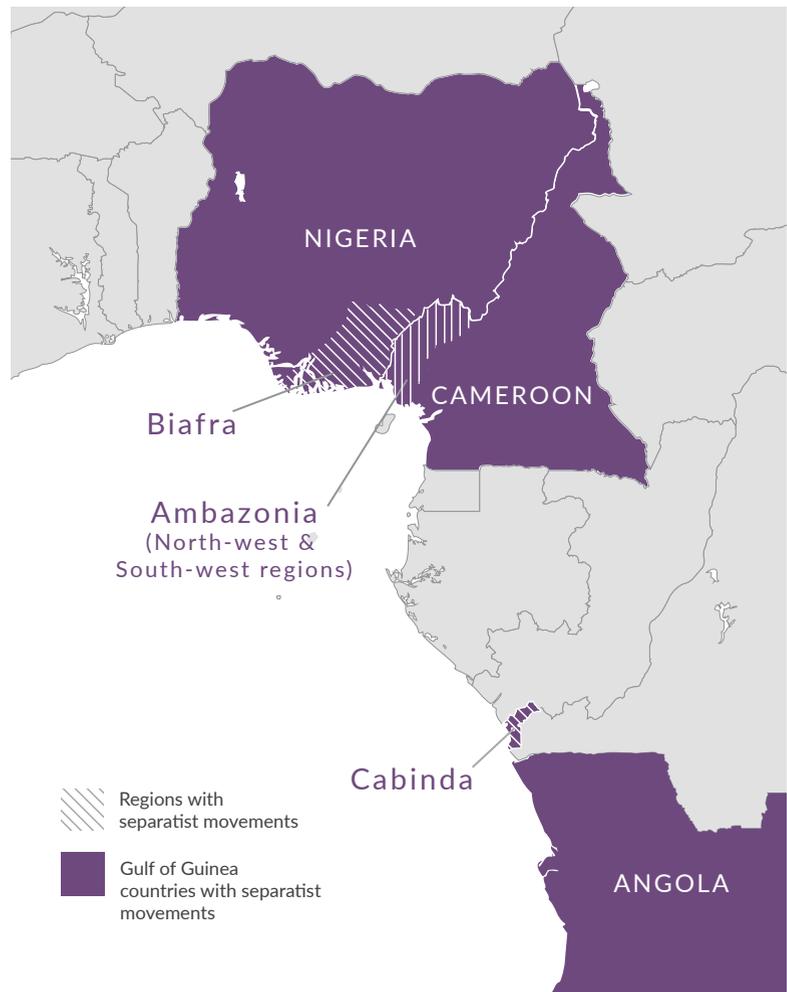
Corruption is pervasive in the maritime sector, but prosecuting corrupt elites and personnel will help to ensure those in public office execute their duties effectively. The Gabonese government launched Operation Mamba in 2017 to tackle government corruption. The crackdown resulted in the removal of the country's vice president and the forestry minister in May 2019, both implicated for involvement in illicit trade in hardwood worth over \$250 million.¹³² Also, in November 2019 Gabon's former cabinet director and spokesperson for the president, Brice Laccruche Alihanga, was dismissed for misappropriation of \$142 million from the national oil company.¹³³

Equatorial Guinea has applied to re-join the Extractive Industries Transparency Initiative (EITI), an international organization which promotes open and accountable management of oil, gas, and mineral resources.¹³⁴ The country was delisted in 2010 for lack of transparency in its oil, gas, and mining sectors as well as repression of civil-society organizations.¹³⁵ Although curbing corruption in the public sector requires more than a commitment to EITI's standards, this is a positive step, as membership requires government transparency in management of the oil and gas sector.

Harmonizing the Legal Texts on Crime and Enhancing Judicial Capacity

Improving the rule of law will require enhancements to prosecutorial and judicial capability at the national and inter-regional levels, through the Yaoundé Architecture and the Interregional Coordination Centre (ICC), the Regional Centres for Maritime Security, and the CRESMAC, CRESMAO, and Multinational Coordination Centres. The Global Maritime Crime Programme of the United Nations Office on Drugs and Crimes supports Gulf of Guinea countries with legal reforms on piracy and maritime crime, including training for prosecutors and judges across the region.¹³⁶ This is vital in order to bridge gaps in law of the sea, especially where international conventions on illicit maritime activities have been ratified by most regional countries but have yet to be domesticated well. The latter efforts will support the judicial system to prosecute and adjudicate over illicit acts such as piracy and armed robbery at sea. Within this is the need for mutual assistance agreements between states for exchanges of evidence, procurement of witnesses, extradition transfers, and repatriation frameworks to ensure that the full force of law is imposed.

FIGURE 2: SELECTED SEPARATIST MOVEMENTS IN THE GULF OF GUINEA



Domestication and Enforcement of the Piracy Acts in Togo

Togo's commitment to enhancing judicial capacity is reflected in its deposition in February 2019 of its instrument of acceptance of the 1988 Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the 2005 Protocol for the Suppression of the Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf. These two treaties entered into force in May 2017.¹³⁷ Togo is the first country in the Gulf of Guinea to commence criminal proceedings under the piracy acts. Following the arrest of eight individuals - six Nigerians and two Togolese - on 12 May 2019 by the Togolese navy for the attack against the small chemical tanker G-DONA 1, the accused were presented to the public prosecutor at the Lomé court,¹³⁸ which opened a judicial investigation for piracy, willful violence, attempted theft, and grouping of criminals on the basis of ten provisions in the new penal code. Togo's commitment is not only reflected in the enactment of the relevant laws, but also in its investments in vessels and training for the Togolese navy.

Amnesty in the Niger Delta and Decentralization in Cameroon

To stem the activities of militant groups in the Niger Delta, in 2009 the late former president Umaru Musa Yar'Adua introduced an amnesty program aimed at disarming, demobilizing, and reintegrating militants¹³⁹ from groups like the Movement for the Emancipation of the Niger Delta (MEND), the Niger Delta People's Volunteer Force, and the Niger Delta Vigilante. The program offered education and money to militants willing to relinquish their arms. The acceptance of amnesty by an estimated 30,000 militants¹⁴⁰ has led to a reduction of violence in the region.¹⁴¹ The Nigerian government continues to spend millions of dollars annually on allowances to former militants^{142, 143} as part of the program. However, violence continues in the region,¹⁴⁴ perpetrated by new militant groups such as the Niger Delta Greenland Justice Mandate¹⁴⁵ and the Niger Delta Avengers,¹⁴⁶ which is evidence that the government cannot buy its way out of deep-seated socioeconomic problems.¹⁴⁷



Militant youths display arms and ammunition surrendered by the most notorious leader of the militant groups in the Niger Delta, Ateke Tom, in 2009. Photo: Pius Utomi Ekpei, AFP via Getty Images

Following more than two years of conflict between the army and the Ambazonia separatists, on 18 December 2019, Cameroonian lawmakers drafted a law on decentralization, granting special status to the warring regions.¹⁴⁸ Though it is apparently a viable response, decentralization does not address the root of the separatists' grievances. Should the separatists reject the offer, having openly declared they want a federation,^{149, 150, 151} it may aggravate grievances and result in further breakdown of law.

Conclusion

The rule of law, both on land and at sea, is critical to maritime security and governance in the Gulf of Guinea. Countries across the region struggle, to varying degrees, with corruption, insufficient legal frameworks, economic marginalization, and political exclusion. Unaddressed, these issues can adversely affect security in the region, as corruption, together with economic and political exclusion, can exacerbate animosity against the government. Improvements in the region's maritime enforcement capabilities are grounded in progress in the rule of law. Importantly, this progress necessarily includes having a clear domestic legal framework to implement the international framework as adopted by each state.

Much improvement has been made at the national and regional level, evident in progress made by national navies, supported by sub-regional organizations through the Yaoundé Architecture, in enhancing maritime security and governance. Sustaining this progress requires increased transparency in public institutions, which would allow for economic and political inclusion and judiciaries that are empowered with the legal tools necessary to prosecute those who transgress national and regional maritime laws. These are essential prerequisites for improving the welfare of coastal communities. To that end, the next chapter examines the economic, environmental, and physical welfare of those living in these coastal areas.

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COASTAL WELFARE



COASTAL WELFARE

Coastal areas host large populations all over the world, but coastal ecosystems in the Gulf of Guinea, and the people they support, are under constant threat as they face industrial growth and climate change.^{152, 153}

The complex relationship between environmental threats like oil pollution and climate change and socioeconomic indicators like poverty has taken a toll on the well-being and security of the region. This chapter examines coastal welfare in the Gulf of Guinea through the lens of both development and environment. It starts by highlighting the links between socioeconomic and security variables that determine coastal conditions, including income disparity, poverty, ideological movements, unemployment, industrialization, governance, high crime rates, violence, and conflict.

The complex relationship between environmental threats like oil pollution and climate change and socioeconomic indicators like poverty has taken a toll on the well-being and security of the region.

This chapter identifies the security implications of declining ocean health and a reduced ability to provide social, economic, cultural, and environmental benefits to coastal inhabitants. Similarly, analysis shows an inverse correlation between environmental quality and economic growth in the region and helps establish the security implications of prioritizing economic growth over environmental protection. The chapter concludes with a discussion of the links between socioeconomic, environmental, and political factors and how they have exacerbated physical insecurity in the Gulf of Guinea.

Key Findings

- **SOCIAL AND ECONOMIC SITUATIONS IN COASTAL GULF OF GUINEA MUST BE ADDRESSED SIMULTANEOUSLY**, as income disparities enable multidimensional poverty. These situations are harbingers of insecurity both at sea and on shore.
- **THOUGH OIL AND GAS PRODUCTION AND MINERAL EXTRACTION ARE GENERALLY BENEFICIAL TO GULF OF GUINEA ECONOMIES, THIS IS ONLY TRUE WHERE EXTRACTION PRACTICES ARE SUSTAINABLE** and premised on strict assessment criteria. In the Niger Delta, for instance, fisherfolks have been forced to migrate to other fishing grounds following oil spills, including the one in the Bonga oilfield in 2011.
- The Cameroonian government's Growth and Employment Strategy, designed to upgrade the labor market, facilitate access to decent work, and tackle unemployment and underemployment, has **PROVEN CAPABLE OF ADDRESSING A RANGE OF SOCIOECONOMIC CHALLENGES** in coastal Cameroon.

Socioeconomic Issues in the Gulf of Guinea

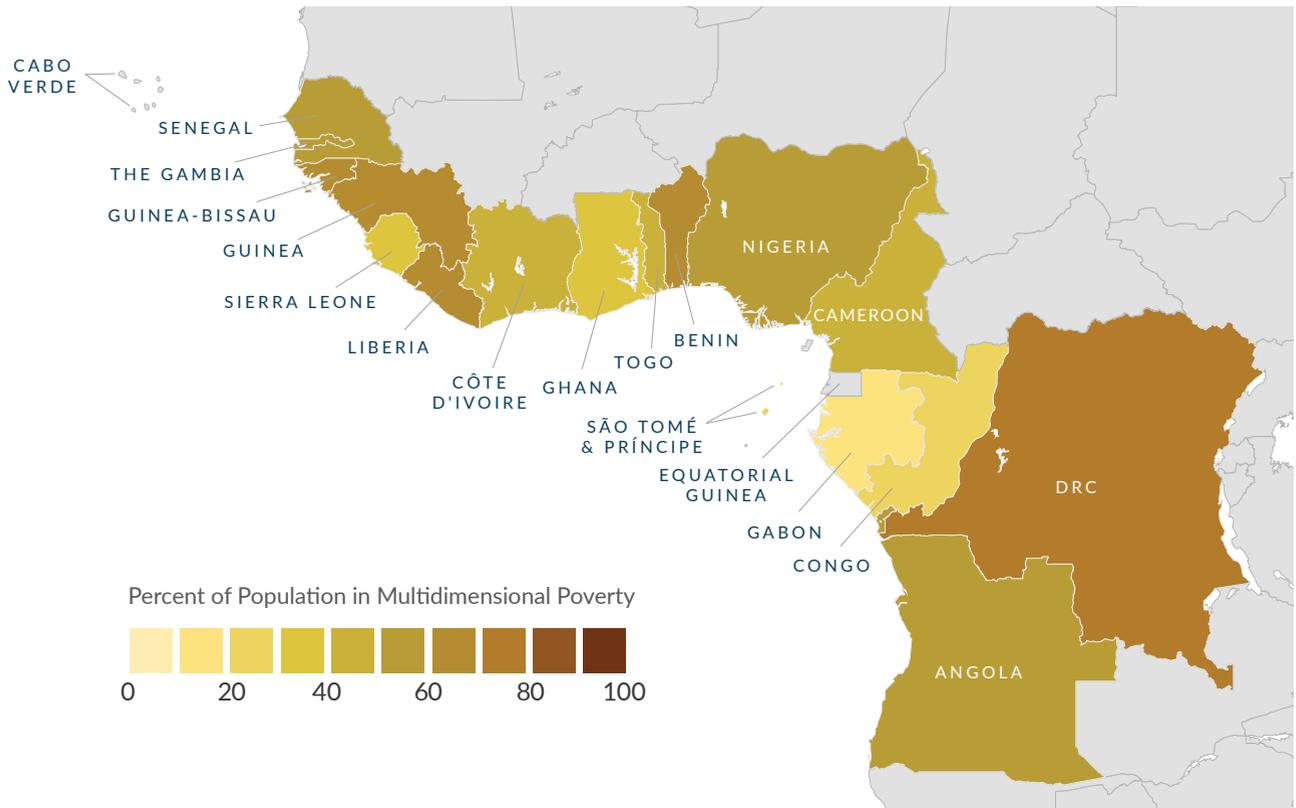
Socioeconomic security can be defined as “measures that enhance social capabilities, ensure economic security and enable the vulnerable sections of the population to survive.”¹⁵⁴ Economic security is inherently connected with all aspects of security, including food security. Gulf of Guinea economies directly support the entire region's development while indirectly supporting individual countries' development. Economic security is a necessary prerequisite for social security—education attainment, health service delivery, and food security that enables social inclusion.¹⁵⁵ Addressing economic, social, and physical aspects of security independently will yield incomplete conclusions.

Income disparity in sub-Saharan Africa is directly proportional to the level of poverty in these countries.^{156, 157, 158} Countries in West Africa, with the exception of Guinea-Bissau,¹⁵⁹ have reduced rates of inequality, while inequality is growing in Central Africa. Several countries with poverty rates above 60 percent are plagued by extreme conflicts (e.g., the Democratic Republic of Congo and Nigeria).¹⁶⁰ Likewise, the Multidimensional Poverty Index (MPI), which measures

deprivations in health, education, and standard of living at the household and individual level,¹⁶¹ shows varied degrees of severe poverty in some Gulf of Guinea countries.

The Democratic Republic of Congo (DRC) has the highest headcount ratio of multidimensional poverty at 74.05 percent (see Figure 1): the DRC is beleaguered by civil conflict and unrest. Similarly, Guinea-Bissau, bedeviled by its own political violence and considered the “narco hub” of Africa, unsurprisingly has a multidimensional poverty headcount ratio of 67.29 percent. In comparison to both the DRC and Guinea-Bissau, São Tomé and Príncipe has a 22.06 percent multidimensional poverty headcount ratio, reflecting the relatively low level of insecurity there.

FIGURE 1: MULTIDIMENSIONAL POVERTY BY COUNTRY IN THE GULF OF GUINEA¹⁶²



Human Well-being, Dwindling Ocean Health, and the Security Nexus in Coastal Gulf of Guinea

The relationship between environmental quality, resource availability, and physical security has long been debated.^{163, 164, 165} Examples across the Gulf of Guinea, from Nigeria’s Niger Delta through Senegal’s Casamance to Angola’s Cabinda, show that high demand for scarce resources regularly leads to competition in the face of serious environmental neglect.

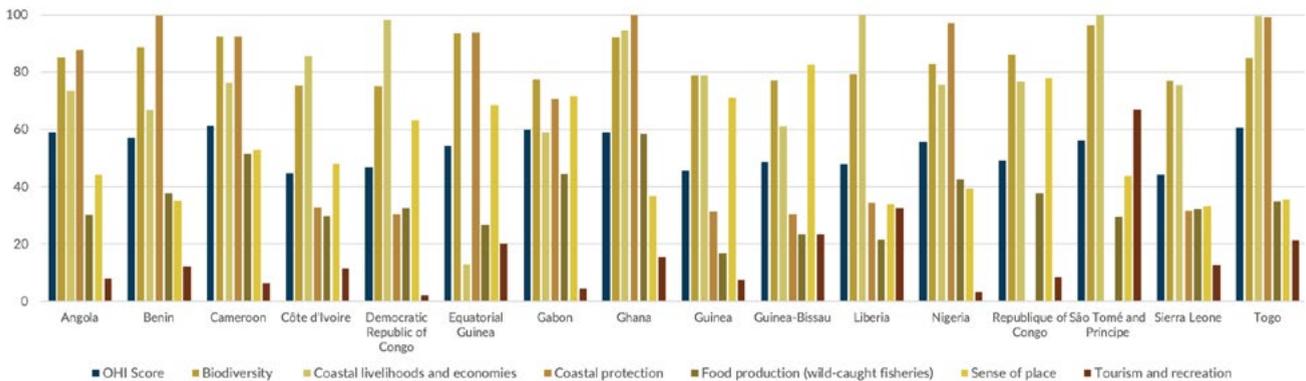
Ocean Health Index (OHI) data shows that the Gulf of Guinea region is generally performing at below-optimal ocean health levels. Most countries perform lowest on environmental quality measures like biodiversity and coastal protection; the region is on the highest risk level in the Ocean Health Index Large Marine Ecosystems classification.¹⁶⁶



A group of teenagers play in a house destroyed by rising water and coastal erosion in Bargny, Senegal. Photo: Vincent Treameau, World Bank.

Dependence on coastal and marine resources is complicated by suboptimal ocean health and a large population living in poverty within 100 kilometers of the sea.^{167, 168, 169} Fishing communities serve as an obvious example of the implications of under-prioritizing the environment in public policy: increased competition for resources exacerbates tensions and fuels insecurity as coastal communities in West and Central Africa compete for increasingly depleted fish stocks.^{170, 171} Senegalese fishers have been forced to travel to neighboring Mauritania due to dwindling fish stocks. Unfortunately, this resulted in three life threatening shootings and one fatality in 2017 and 2018, respectively, during a clash with Mauritanian coast guard officials.^{172, 173}

FIGURE 2: OCEAN HEALTH INDEX IN SELECTED GULF OF GUINEA COUNTRIES ACROSS VARIOUS GOALS ¹⁷⁴

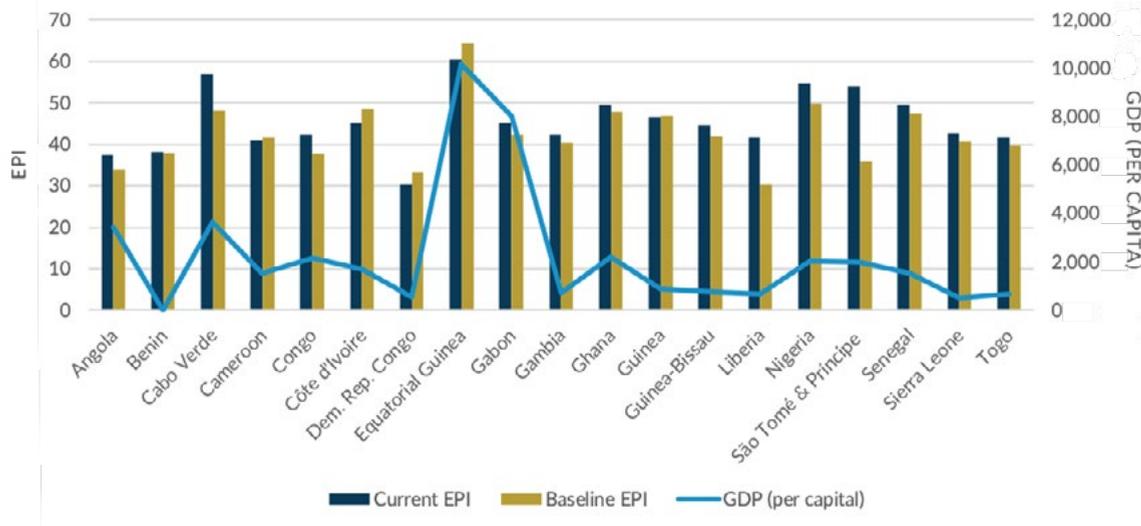


Environmental Degradation and Economic Development in the Gulf of Guinea

The Environmental Kuznets Curve emphasizes an inverse relationship between economic well-being in terms of GDP per capita and environmental degradation.¹⁷⁵ This means the relationship between the Environmental Performance Index (EPI)¹⁷⁶—current and baseline¹⁷⁷—and economic development (GDP per capita)¹⁷⁸ in some Gulf of Guinea countries provides a simple interpretation of how a turning point in human development can be attained when economic growth and environmental quality are at equilibrium. Figure 3 shows that Equatorial Guinea and Gabon have been able to attain equilibrium, which is indicative of an improved Human Development Index (Figure 4). With their existing relationship between economic growth and human development, “nations may enter either into a virtuous cycle of high growth and large gains in human development, or a vicious cycle of low growth and low rates of HD improvement.”¹⁷⁹ With

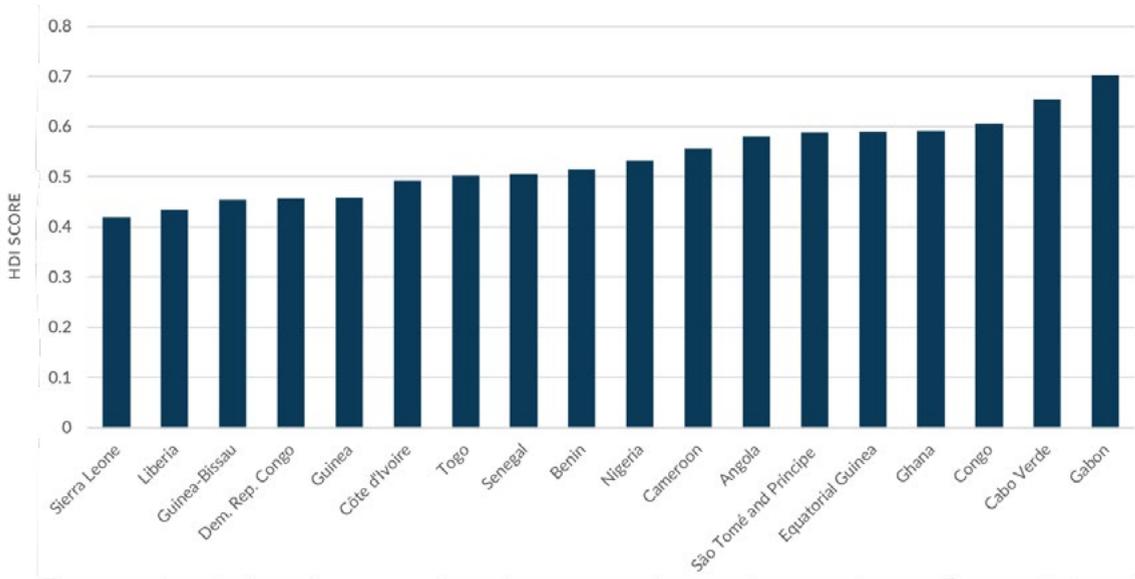
an unequal distribution of wealth and a declining environment, insecurity (particularly in coastal cities) is imminent as a country develops, as an increase in income per capita is linked to increases in demand for both space and natural resources. Equatorial Guinea demonstrates this: the discovery of large offshore deposits of hydrocarbons and subsequent production brought an increase in GDP, deterioration of the coastal and marine environment, and increases in crime rates in Malabo and Bata.¹⁸⁰

FIGURE 3: ENVIRONMENTAL KUZNETS CURVE IN SELECTED GULF OF GUINEA COUNTRIES¹⁸¹



The 2018 Current EPI scores evaluate policy objectives, issue categories, and indicators, while the Baseline EPI scores are based on the earliest time-series data for the EPI and the policy objectives, issue categories, and indicators.^{182, 183}

FIGURE 4: HUMAN DEVELOPMENT INDEX FOR SELECTED COUNTRIES IN THE GULF OF GUINEA¹⁸⁴



Sustainable extraction practices, premised on strictly defined environmental assessments by the oil and gas and mineral extraction sectors, are broadly beneficial to Gulf of Guinea economies. However, it is essential that these industries are part of a diversified economy rather than the foundation of the national economy. In the Gulf of Guinea, few, if any, of these preconditions are met.^{185, 186, 187, 188} Oil pollution depletes fisheries,^{189, 190, 191} contributing to competition for resources. In the Niger Delta, oil spills, such as the 2011 Bonga oilfield spill, push fisherfolks to migrate in search of new fishing grounds. Violent conflict has been observed between migrating fisherfolk and existing communities in new fishing grounds, which has, in extreme cases, resulted in loss of life.^{192, 193}

There are, however, distinctly positive cases from the region that should be noted. Improved management of Sierra Leone's natural resources through the Agenda for Change has been critical to economic development, peacebuilding, continued stability, and rural integration.¹⁹⁴ Grievances persist, however, including those over uneven distribution of social benefits, lack of government transparency, and unsustainable environmental practices.¹⁹⁵ These very grievances are often cited as being the catalysts for the civil conflict in Sierra Leone, and their persistence there today puts history at risk of repeating itself.

Likewise, a 40-year civil war in Angola initiated mass migration to safe havens in coastal provinces like Luanda, Cabinda, and Benguela. As a result, these regions now house more than half of all Angolans and almost two-thirds of the country's urban population.¹⁹⁶ Resources are strained and the areas experience 62 percent of all crime in the country.¹⁹⁷

Physical Security

Almost all countries in the region have experienced some form of civil war, including Côte d'Ivoire, Guinea-Bissau, Angola, Liberia, and Sierra Leone. This doesn't even account for spillover from conflicts in Libya, Mali, Niger, Chad, Uganda, and Burundi, among others. Conflicts have declined overall in the region,^{198, 199} but recent insurgencies in the Sahel have impacted landlocked neighbors like Mali, Chad, and Niger. Secessionist movements in Nigeria and Cameroon and high-intensity, unconventional wars against terrorism have emerged alongside armed banditry, farmer-herder clashes, and cattle rustling in the Sahel region, all of which point to the possibility of internal and transboundary violent conflicts recurring.

Several factors—including human rights violations, extreme poverty, bad governance, corruption, ethnic marginalization (perceived and actual), and the proliferation of small arms²⁰⁰—are intimately related to insecurity in the region. Cameroon and Nigeria appeared on the International Crisis Group's 2019 list of conflicts that bear watching,²⁰¹ possibly owing to the current spate of human rights violations, including clampdowns on political dissidents.^{202, 203} Government actions are partly²⁰⁴ fueling secessionist movements, as is the case with the Indigenous People of Biafra calling for freedom from Nigeria²⁰⁵ and the pseudo-civil-war between the Cameroonian government and Ambazonia²⁰⁶ separatist fighters (Red Dragons, Tigers, Ambazonia Defence Forces, and the Amba Boys). Attacks on oil infrastructure in the Niger Delta region by the Movement for the Emancipation of the Niger Delta (MEND) were motivated by unequal access to resources, ethnic marginalization, and gross environmental damage resulting in poverty and deprivation.



A Cameroonian Rapid Intervention Battalion (BIR) member patrols the abandoned village of Ekona in the anglophone southwest region, Cameroon, 2018. Photo: Zohra Bensemra, Reuters.

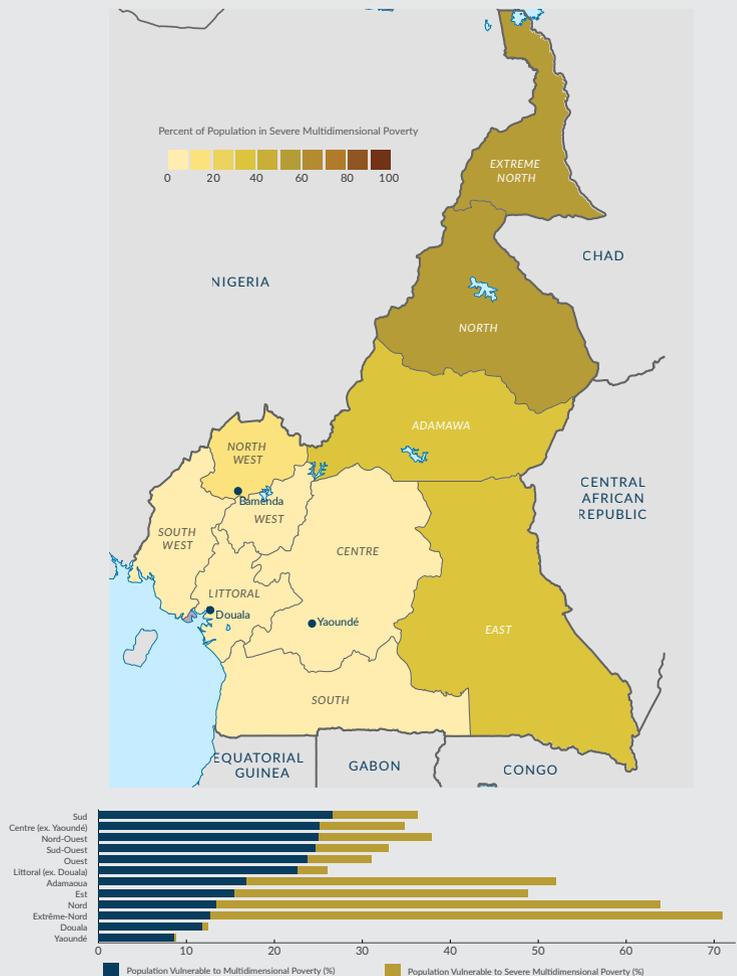
Gang violence and crime are also prevalent in many coastal cities across the region, perhaps attributable to the growing number of children out of school.²⁰⁷ Youth unemployment in West African countries has hovered between 12 and 14 percent dating back to 2008.²⁰⁸ Violent conflict between rival gangs in coastal communities in major cities such as Lagos,²⁰⁹ Port Harcourt, Lomé, Pointe Noire, Libreville, Freetown,²¹⁰ and Malabo^{211, 212, 213} are not uncommon. Gangs can serve as political tools for politicians who seek to rob ballot boxes, intimidate voters, assassinate opponents, and cause general upheaval.

Concerningly, the region is at increased threat from extremist Islamist groups, many of which originate in adjoining landlocked states. Groups like Boko Haram, the Islamic State’s West Africa Province, Ansarul Islam, and Jama’at Nusrat al-Islam wal-Muslimeen have been using these landlocked states as hideouts and bases for attacks in coastal countries in West and Central Africa, predominantly in Nigeria, Cameroon, and now Benin.²¹⁴

IMPROVING COASTAL WELFARE IN THE GULF OF GUINEA: AN EXAMPLE FROM CAMEROON

The World Bank’s Country Assistance Strategy for Cameroon, anchored on Cameroon’s strategy on growth and employment (Document de Stratégie pour la Croissance et l’Emploi 2009 to 2019, or DSCE),^{215, 216} was dedicated to creating opportunities for inclusive growth and poverty reduction²¹⁷ based on five pillars: 1) investment in telecommunications, energy, and transport infrastructure; 2) ensuring the transparent, equitable, and sustainable use of natural resources; 3) improvement of value chains and business climate; 4) improving service delivery through targeted programs on health, education, and social protection; and 5) improving local governance by increasing access to basic services through upgrading infrastructure and building capacity.²¹⁸ Figure 5 reveals that the percentage of the population that is vulnerable and in severe poverty in coastal districts fared better on average than those in inland districts. Implementation of the World Bank’s Country Assistance Strategy for Cameroon concomitant with the government’s DSCE clearly has had a role in reducing poverty in Cameroon’s coastal districts, perhaps because most of the country’s urban areas, industries, jobs, and infrastructure are concentrated in the littoral districts.

FIGURE 5: MULTIDIMENSIONAL POVERTY BY REGION IN CAMEROON ²¹⁹



Conclusion

The confluence of socioeconomic deprivation, income inequality, and a lukewarm response to environmental crises has had major consequences for human, economic, and environmental security in the Gulf of Guinea. Data from the Ocean Health Index, in correlation with the GDP per capita, implies that on the whole, Gulf of Guinea countries are struggling to achieve coastal environmental security. This reduces the standard of living for citizens, and fuels increases in social vices and health issues. Radical and sustainable measures to improve coastal and biodiversity protections are essential and the need is immediate.

Gulf of Guinea countries are struggling to achieve coastal environmental security. This reduces the standard of living for citizens, and fuels increases in social vices and health issues. Radical and sustainable measures to improve coastal and biodiversity protections are essential and the need is immediate.

Coastal security is unique because of the role of proximity to the sea, but socioeconomic, political, and environmental concerns at the national level also influence security on the coast. In coastal areas, various driving factors of security show that poverty, piracy and armed robbery at sea, drug smuggling, and human trafficking are only a few of the factors contributing to insecurity on the coast; the region must consider the full range of factors. Addressing the several threats to good maritime governance present in the Gulf of Guinea and by extension improving the welfare of coastal communities requires that great attention be given to economic development while seeking to reduce environmental degradations and socioeconomic and political exclusion. These threats, which include illegal fishing, piracy and armed robbery, illicit trades, and smuggling and trafficking in persons, are discussed in the next four chapters.

FISHERIES



FISHERIES

The Gulf of Guinea is home to some of the world’s most sought-after fish species, like tuna, shrimp, sardinella, bonga, grouper, sole, and octopus. Local livelihoods across the region are dependent on these resources.²²⁰ Fish are vital to food security in the Gulf of Guinea as the main source of animal protein in coastal communities.²²¹ However, this resource is existentially threatened by pollution, climate change, human population growth, and illegal and excessive fishing.

Overexploitation of fish stocks poses a major problem, a significant proportion of which is caused by illegal, unreported, and unregulated (IUU) fishing, primarily by large-scale commercial and foreign vessels. The clandestine nature of IUU fishing and the lack of reliable data make it difficult to accurately scope the extent of the problem, but a range of estimates suggest that between 40 and 65 percent of fish caught in the region are caught illegally.^{222, 223}

The decline in marine-capture fisheries undermines the livelihoods of fisherfolks and casts doubt on whether countries across the region can attain the African Union Agenda 2063. Many fish species are fully exploited or at depleted/overexploited levels,²²⁴ increasing the risk of fisheries conflicts erupting in the region as fisherfolks travel beyond their traditional fishing grounds to the waters of adjacent countries in search of fish,^{225, 226} putting them in competition with locals.

This chapter will examine the significance of fisheries to Gulf of Guinea countries and the region’s contribution to global fisheries production while highlighting the inherent problems of overexploitation, especially those resulting from IUU fishing. Declining fish stocks and the resulting detrimental effects on livelihoods increase vulnerability and drive disenfranchised people to illicit activities, such as IUU fishing, armed robbery at sea, illicit trades, and mixed maritime migration, undermining maritime safety and security in the region. This chapter also highlights some of the initiatives aimed at addressing IUU fishing and promoting conservation.

Key Findings

- The **PERVASIVENESS OF ILLEGAL FISHING IN THE GULF OF GUINEA IS IN PART DUE TO INADEQUATE LEGAL FRAMEWORKS** which fall short of international obligations. Where legislation exists, legal gaps and weak implementation and enforcement make Gulf of Guinea waters in particular attractive to IUU fishing vessels.
- Weak political and economic bargaining power in most Gulf of Guinea countries has led to **ONE-SIDED PARTNERSHIPS WITH DISTANT-WATER FISHING NATIONS**.^{227, 228}
- **THE LACK OF STATE SUPPORT FOR FISHERFOLKS TO FIND ALTERNATIVE SOURCES OF LIVELIHOOD** makes criminal activity, including IUU fishing, armed robbery at sea, illicit trades, and mixed maritime migration, more attractive to impoverished communities.
- **REGIONAL GOVERNMENTS ARE PRIORITIZING INCREASED INVESTMENT IN SURVEILLANCE AND MONITORING OF THEIR WATERS**, as well as engaging in cooperative agreements with other regional governments on transboundary problems.

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Fisheries Sector and Its Significance

The Gulf of Guinea forms the foundation of food security and livelihood for the region's growing population. Some countries in the region are among the top 10 in fish production in Africa and among the top 50 globally.²²⁹

The Gulf of Guinea's fisheries sustain livelihoods for small-scale fishers who depend on local species for economic and food security.²³⁰ The accessibility and affordability of fish makes it a vital—and sometimes sole—source of animal protein for local populations;²³¹ the proportion of protein sourced from fish is high for many Gulf of Guinea countries—over 60 percent in Equatorial Guinea, The Gambia, Guinea, São Tomé and Príncipe, and Sierra Leone.²³²

The fisheries sector also represents a critical source of employment for millions of people. In West Africa alone, up to a quarter of jobs are linked to the fisheries sector.²³³ Though fishing is dominated by men, most jobs in fisheries are in post-harvest distribution and processing, and these positions are dominated by women.²³⁴ Seventy-three percent of people involved in Nigerian fisheries are women,²³⁵ over 60 percent in Ghana,²³⁶ 59 percent in Côte d'Ivoire,²³⁷ and 51 percent in the DRC; the latter includes the aquaculture sector.²³⁸ Sixty percent of seafood in West Africa is marketed by women.²³⁹



A Cameroonian woman processes fish in the fishing village of Youpwe. Photo: Jean-Pierre Larroque, One Earth Future.

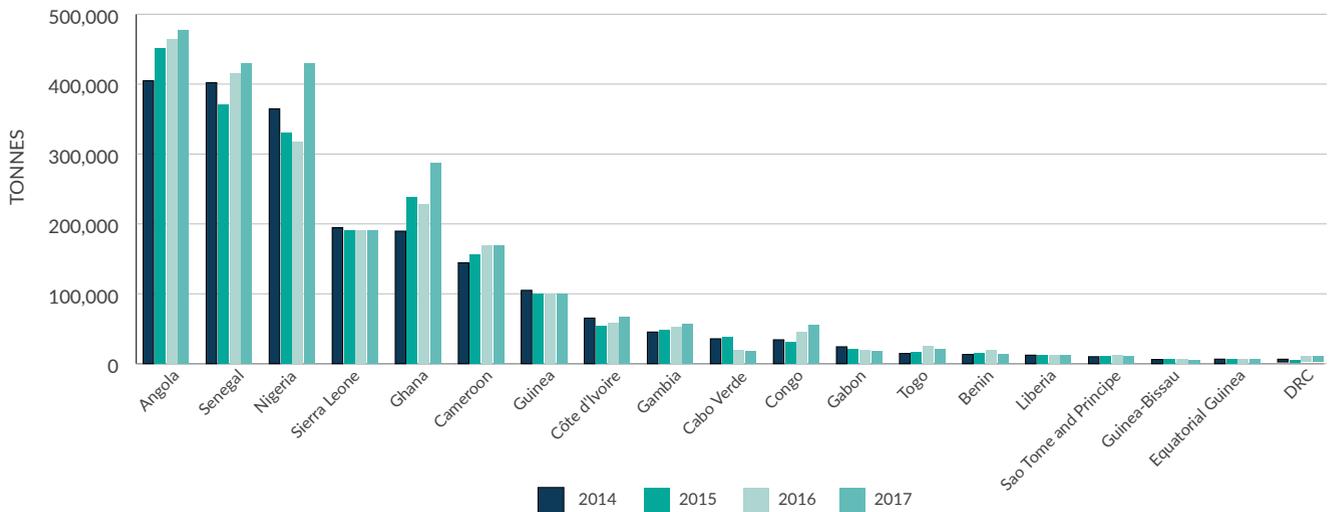
The fisheries sector also contributes directly to national economies through foreign direct investment, exports, license fees, and income from fishing agreements with distant-water fishing nations, with Benin, Cabo Verde, The Gambia, São Tomé and Príncipe, and Senegal earning 3 percent, 3.9 percent, 5.7 percent, 5.8 percent, and 13.5 percent of GDP, respectively, from the fisheries sector.²⁴⁰ Ghana is a useful example for expounding on the significance of the sector: the fisheries sector there generates over \$1 billion in income annually for Ghana's economy,²⁴¹ 1.2 percent of its overall GDP, and 5.6 of the Agricultural GDP.²⁴² Fish accounts for 60 percent of the animal protein consumed by Ghanaians,²⁴³ and the sector employs an estimated 10 percent of the population.²⁴⁴ Additionally, fishing is a tradition that has been passed from generation to generation, and has important cultural significance.

Fisheries Production

Fisheries in the Gulf of Guinea are among the most productive in the world.^{245, 246, 247} The region's marine-capture fisheries production in 2014 represented 3.81 percent of global fish production.²⁴⁸ The small-scale fisheries sector makes a significant contribution to the region's marine-capture fisheries production compared to the commercial fisheries sector. In Nigeria, 80 percent of domestic fish production is caught by small-scale fishers,²⁴⁹ 71 percent in Cameroon,²⁵⁰ over 70 percent in Ghana,²⁵¹ and 49 percent in Angola.²⁵²

The figures below showcase the marine-capture fisheries production in the Gulf of Guinea countries from 2014 to 2017. The most notable feature is the significant rise in production in Nigeria in 2017. The figure also highlights a fluctuation in fisheries production across the region, with the figures for Guinea and Sierra-Leone remaining the same three years in a row.

FIGURE 1: MARINE CAPTURE FISHERIES PRODUCTION (IN TONNES) IN THE GULF OF GUINEA 2014 – 2017



(Data extracted from the FAO FishStat database)

The majority of coastal states in the region lack the capacity to harvest fish in their EEZs; as a result, countries outside the Gulf of Guinea are the greatest beneficiaries of fisheries resources in the region.²⁵³ Regional countries sell fishing licenses to vessels owned by foreign companies, or enter into agreements with distant-water fishing nations.²⁵⁴ Such agreements generate revenue for regional governments by allowing vessels from the European Union, China, Russia, and South Korea to fish in their EEZs. Most of this catch is exported. In parallel, these fish-rich nations then import large quantities of low-value fish to meet the demand of growing populations.^{255, 256}

Depleting Fish Stocks

A majority of fish species in West and Central Africa, such as the yellowfin tuna, swordfish, and round sardinella, are overexploited.²⁵⁷ Over 50 percent of fish resources in the waters from Senegal to Nigeria are already overexploited.²⁵⁸

Three interconnecting factors undermine the health of fisheries in the Gulf of Guinea: the effects of climate change, marine pollution, and overfishing—in particular, IUU fishing.

Climate change is likely to affect the abundance, distribution, and assemblage of fish stocks on the African continent.^{259, 260} Climate change is evident in variations in ocean current patterns, nutrient inputs, and oxygen concentration, which often result in changes in ecosystem productivity.²⁶¹ African countries are most vulnerable to the impacts of climate change; moreover, West African fisheries sectors are expected to bear the brunt of warming climates. Warmer temperatures are expected to lead to a decline of 21 percent in the annual landed value of fish in West Africa and a decline of nearly 50 percent in fisheries-related employment by 2050.²⁶² If overexploitation of fisheries in the region continues at current rates, projections suggest marine-capture fisheries in Nigeria, Côte d'Ivoire, Ghana, Liberia, Sierra Leone, and Togo could halve by 2050.²⁶³

Marine pollution, especially from oil spillages and biological waste, is also implicated in depleting fisheries. In the Niger Delta, over 13 million barrels of oil have leached into water sources.²⁶⁴ In

THREATS TO FISHERIES HEALTH



CLIMATE CHANGE



MARINE POLLUTION



OVERFISHING

the absence of adequate clean-up efforts in affected areas, in extreme cases, oil pollution has impacted the ability of once-habitable breeding grounds to sustain marine life.²⁶⁵ Furthermore, the environmental pollution of the Niger Delta has wider implications for fisheries health across the Gulf of Guinea: an estimated 60 percent of the fisheries caught in the region breed in the mangroves of the Niger Delta.²⁶⁶ Ultimately, marine pollution aggravates the problem of fisheries depletion. Nevertheless, its impact is limited when compared to the effect of overfishing, particularly IUU fishing.²⁶⁷

The various forms of illegal fishing render the issue very complex: drivers are very different between large and small-scale sectors, and lack of resources means deterrence rates are low. Forms of illegal fishing include fishing by unlicensed foreign vessels; fishing in prohibited areas, including inshore waters; fishing with illegal nets and without a turtle-excluding device for shrimping vessels; illegal fishing by small-scale fishers, including fishing in restricted areas or with illegal nets or explosives; and illegal transshipment at sea by large-scale industrial vessels. Transshipment is the “transfer of catch from one fishing vessel to either another fishing vessel or a vessel used solely for the carriage of cargo.”²⁶⁸ Illegal operators engage in unauthorized transshipment to avoid port controls and to maximize profits.²⁶⁹ While all forms of IUU fishing are harmful to the marine environment, fishing without a license by foreign vessels and fishing in prohibited areas are most responsible for accelerating overexploitation and, as such, do the most damage to fisheries health. Though small-scale fishers also engage in IUU fishing, the scale of their operations is far less significant.^{270, 271}

The nature of IUU fishing makes it difficult to understand the scope. Estimates suggest that 40–65 percent of fish caught in West African waters are caught illegally.^{272, 273} IUU fishing has historically been described as a low-risk and high-reward²⁷⁴ crime due to the negligible consequences. The region remains vulnerable to IUU fishing by large-scale industrial vessels due to feeble fisheries governance and inadequate monitoring, control, and surveillance (MCS) capabilities.^{275, 276, 277, 278}

Fisheries subsidies also bear some responsibility for exacerbating depletion: subsidies paid to ship owners are key to financing the otherwise prohibitive cost of the long voyages necessary for distant-water fishing vessels to reach the waters of the Gulf of Guinea. The problem is that the licenses or partnership agreements under which these subsidized vessels operate confer fishing rights which include the authorized exploitation of species that are already either fully exploited or overexploited.^{279, 280} The subsidies authorize and facilitate the overexploitation of regional fish stocks.



Joint maritime forces inspect a fishing vessel suspected of illegal fishing in the Gulf of Guinea. Photo: Kwabena Akuamoah-Boateng, U.S. Navy.

Illegal, Unreported, and Unregulated Fishing as a Fisheries Crime

Fisheries crimes are increasingly being recognized as a form of transnational organized crime. IUU fishing is commonly found to be associated with corruption, forgery, fraud, and money laundering. Additionally, there are other crimes that often involve fishing vessels, such as piracy or armed robbery at sea, drugs or arms trades, and mixed migration.^{281, 282, 283} Additionally, fisheries crimes facilitate other crimes. Illegal fisheries transshipment activity at sea has been proven to be linked to drug, fuel, and human trafficking.^{284, 285, 286} Further, in the Gulf of Aden, the presence of IUU fishing vessels is often

cited as being a catalyst and exacerbating factor for piracy and armed robbery,²⁸⁷ but these circumstances do not translate directly to the Gulf of Guinea. That said, the risk of there being such a response to IUU fishing across the Gulf of Guinea region should not be underestimated: in 2012, fishers in Senegal noted that unless their government addressed IUU fishing in their waters, they, too, could be driven to piracy and armed robbery at sea.²⁸⁸

Though human trafficking is known to be a pervasive issue in the fisheries sector, the number of officially reported cases in the region is low.^{289, 290, 291} According to the UN Office on Drugs and Crime, there is an established link between IUU fishing and human trafficking as some vessels are known to exploit crewmembers for forced labor.²⁹² Child trafficking is recognized as a problem in the fishing sector in Ghana, as traffickers lure vulnerable parents with the promise of lucrative jobs for their children, only to later subject the children to forced labor in the fisheries sector.²⁹³

The Legal Framework and Illegal, Unreported, and Unregulated Fishing in West Africa

In all of its forms, IUU fishing undermines fisheries health and accelerates the depletion of fish stocks. IUU fishing by large-scale industrial vessels exploits lax fisheries management mechanisms. In other cases, lack of clarity in legislation together with weak enforcement provides cover for the overexploitation of regional fish stocks. Drawing primarily on how shortcomings in the national legal frameworks have resulted in the overexploitation of fisheries, the cases of Ghana and Sierra Leone will be explored.

FIGURE 2: LEGAL FRAMEWORKS IN GHANA AND SIERRA LEONE

GHANA	SIERRA LEONE
<i>Fisheries Act, 2002 (Act 625), amended to the Fisheries (Amendment) Act, 2014 (Act 880)</i> <i>Fisheries and Aquaculture Policy (2008)</i>	<i>Fisheries Management and Development Act, 1988</i> <i>Fisheries Management and Development Decree, 1994</i>
<i>Fisheries Regulations, 2010 (L.I. 1968), amended to the Fisheries (Amendment) Regulations, 2015 (L.I. 2217)</i>	<i>Fisheries Regulations, 1995</i>
<i>National Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing, 2014²⁹⁴ (addresses IUU fishing)</i>	<i>Fisheries Policy, 2003</i>
<i>Fisheries Management Plan 2015–2019²⁹⁵</i>	<i>Fisheries Bill 2010 (not yet enacted)</i>

Some of these regulations have been amended to better align with international measures aimed at combating IUU fishing; however, inadequate enforcement enables IUU fishing by large-scale industrial vessels, in Ghana’s case, through transshipment at sea. In 2013, the European Commission issued a yellow card warning to Ghana as part of the EU regulations to prevent, deter, and eliminate IUU fishing, spurring Ghana to action. Under the EU IUU regulations, three cards can be issued. First, a formal warning may be issued to countries that are seen to have inadequate measures in place to ensure catch is legal—a “yellow card.” Second, if a yellow card recipient fails to improve, they face fish import bans in the EU market—a “red card.” Third, when and if they make the required improvements, they may be delisted—a “green card.”²⁹⁶ Ghana’s yellow card was subsequently retracted in 2015 in recognition of the government’s efforts to improve fisheries governance and management,²⁹⁷ including the institution of an enhanced legislative framework and investments in the MCS system.²⁹⁸

The irony of Ghana’s “success” story is that progress was not sustained after the yellow card was lifted in 2015. Laxity in enforcement of regulations led the European Commission to later consider implementing a red card ban on fish imports from Ghana:²⁹⁹ the former director of the Monitoring, Control, and Surveillance Division of Ghana’s Fisheries Commission publicly stated that the lack of government support and funding rendered his office incapable of enforcing the laws. Ghana is currently at risk of being blacklisted for a second time by the European Commission.³⁰⁰

Failure to implement existing regulations has enabled the practice of Saiko, which entails the deliberate targeting of juvenile and small pelagic fish for transshipment at sea by specially adapted canoes. Regulation 33 of the Legislative Instruments 2010 (L.I. 1968) clearly notes that Saiko is illegal.³⁰¹ Saiko is so pervasive that, according to the Environmental Justice Foundation, the practice results in an IUU catch estimated at 100,000 metric tons each year.³⁰²

A similar narrative abounds in Sierra Leone, which received a yellow card from the European Commission in 2016. The EC cited the outdated legal framework and an inability to effectively monitor activities of licensed vessels.³⁰³ The warning remains in place, but Sierra Leone has made progress, including ratification of the UN Food and Agriculture Organization (FAO) Port State Measures Agreement in 2018. However, there is still the challenge of lack of enforcement. According to Section 23, 3(c) of Sierra Leone’s Fisheries Management and Development Decree No. 19 of 1994, vessels are prohibited from engaging in transshipment at sea, except at designated times and places.³⁰⁴ Whereas the introduction of a vessel monitoring system in 2011 led to a decrease in IUU fishing by the licensed fleet, the inadequate enforcement of this regulation, coupled with Sierra Leone’s anemic MCS capability, allowed overexploitation of the country’s fisheries to continue.^{305, 306}

Though regulations for sustainable fisheries exist, implementation and enforcement capabilities are desperately needed to close loopholes.³⁰⁷ Both countries are working to streamline the conflict areas in their regulations and are committed to consolidating international frameworks to eliminate IUU fishing with national measures. In addition to the legal frameworks listed in the table above, Ghana has implemented national port state measures to regulate illegally sourced fish products by preventing illegal fish from entering international markets or illegal operators from using different port services in their country to trade in fish and fish products,³⁰⁸ and Sierra Leone is in the process of implementing similar measures.³⁰⁹ In 2016, Ghana ratified the FAO Port State Measures Agreement to Prevent, Deter and Eliminate IUU Fishing (followed by Sierra Leone in 2018)—a legally binding instrument that supports global efforts to combat IUU fishing.³¹⁰

In recognition of the significance of having an adequate MCS mechanism for fisheries governance, some countries—The Gambia, Liberia, Gabon, and São Tomé and Príncipe—are joining forces with Sea Shepherd, a non-governmental organization, to counter IUU fishing.^{311, 312} Since the partnership between Sea Shepherd and The Gambia’s Ministry of Fisheries and Water Resources began in 2016, 45 vessels have been arrested for illegal fishing and other fish crimes.³¹³



Senegalese fishers casting a net. Photo: Eduard Garcia.

Impact of IUU Fishing

IUU fishing has adverse ecological, social, and economic implications, as it depletes fisheries resources, threatening food and economic security.^{314, 315} According to the FAO, sub-Saharan Africa is expected to see a significant decline in per capita fish consumption from 8.6 kilograms in 2016 to 8.3 kilograms by 2030.³¹⁶

FIGURE 3: PREVALENCE OF UNDERNOURISHMENT IN SELECT GULF OF GUINEA COUNTRIES (FAO, 2015)³¹⁷

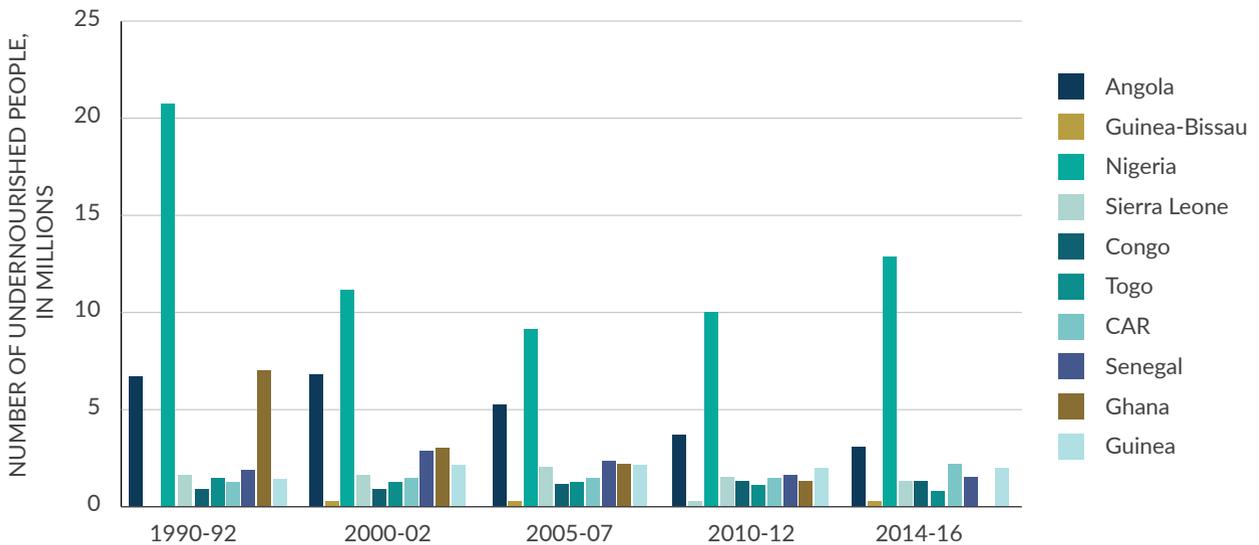


Figure 3 showcases the level of undernourishment in Angola, Guinea-Bissau, Nigeria, Sierra Leone, DRC, Togo, Senegal, Ghana, and Guinea from 1990 to 2016. Though fluctuation in the figures represents some progress in the reduction of the number of undernourished persons in the population, all the countries represented in the figure continue to experience some level of undernourishment.

Given the level of undernourishment in the region, the projected decline in per capita fish consumption across the Gulf of Guinea countries poses a serious threat to food security.³¹⁸ If malnutrition is to be avoided, food must provide essential nutrients,³¹⁹ such as those found in fish. Further, the overexploitation of fisheries casts doubt on the ability of countries in the region to bring an end to poverty and hunger by 2030,³²⁰ as enshrined in the United Nations Sustainable Development Goals (SDGs; SDG1 and SDG2 specifically).

IUU fishing also undermines the livelihoods of the local population, as income from license fees and taxes is lost. The aggregate economic cost of IUU fishing to six countries in the region—Mauritania, Senegal, The Gambia, Guinea-Bissau, Guinea, and Sierra Leone—is estimated at \$2.3 billion annually, with only a fraction of these losses recovered through penalties for fisheries-related offenses each year.³²¹ In a country like Sierra Leone, the economic cost of IUU fishing is up to \$100 million,³²² which represents 20 percent of its 2018 education budget.³²³ By comparison, IUU fishing in Ghana costs the country an estimated \$50 million annually.³²⁴

The loss of revenue relates to the value of the fish that are exploited illegally.³²⁵ This results in a loss of revenue in the form of lost catches, exports, domestic consumption, licensing fees, value-added tax, income tax, and, for the individuals involved, employment opportunities.³²⁶ This impacts the livelihoods of millions of vulnerable people in the region,

especially women, who depend on the fisheries sector through marketing/distribution and processing activities.^{327, 328} IUU fishing also presents a major obstacle for countries in the region to meeting SDG4—to improve economic growth—and simultaneously widens the gender inequality gap, threatening attainment of SDG5—achieving gender equality and empowering all women.³²⁹

Faced with reduced catch, fisherfolks have sought to engage in IUU fishing themselves, either by fishing in restricted areas or fishing across borders.³³⁰ Thirty percent of IUU fishing in Togolese waters is by Ghanaian canoes.³³¹ The potential for conflict between small-scale and industrial fishers and cross-border small-scale fishers competing for limited resources is heightened by continued overexploitation.^{332, 333, 334} Reports abound of clashes between Nigerian fishers and Cameroonian gendarme, including extortion and in extreme cases the death of Nigerians who had sought to fish in the once-disputed Bakassi Peninsula, which was ceded to Cameroon in 2002,^{335, 336} though these accounts are disputed by Cameroonian authorities.

Given the cross-boundary nature of the crime and its impacts, a collective response to IUU fishing is crucial. In recognition of this, a growing number of ongoing regional initiatives are aimed at improving fisheries governance. The West African Task Force (a working group of the Fisheries Committee for the West Central Gulf of Guinea, or FCWC),³³⁷ with technical support from Trygg Mat Tracking and Stop Illegal Fishing, and funded by the Norwegian Agency for Development Cooperation, or NORAD, supports regional cooperation to improve MCS capabilities, enforcement, and prosecution of IUU fishing.³³⁸ The Improved Regional Fisheries Governance in Western Africa (PESCAO) project is implemented by the Sub-Regional Fisheries Commission³³⁹ and FCWC and funded by the European Union, and is aimed at building the capacity of national and regional monitoring, control, and surveillance authorities to deter IUU fishing in the region.³⁴⁰

Conclusion

The health of fisheries in the Gulf of Guinea is dependent on a combination of marine fisheries conservation measures and a commitment to tackling fishing and fishing-related crimes. The complexity and interconnectedness of these two factors requires a holistic approach to ensuring sustainable use of the region's marine resources coupled with inter-agency cooperation and enhanced maritime law enforcement.

The health of fisheries in the Gulf of Guinea is dependent on marine fisheries conservation measures and a commitment to tackling fishing and fishing-related crimes.

Ensuring the sustainable use of the region's marine fisheries resources requires effective policy implementation at the national level. Governments across the region must also work together to close loopholes in legislation which have allowed the plunder of marine fisheries resources. Though countries like Ghana and Sierra Leone are already implementing fishing bans for small-scale and commercial fisheries,^{341, 342} such bans, particularly those aimed at small-scale fisheries, must be complemented by consultation with fisherfolks to encourage compliance and enforcement. Also, when fisheries bans extend to commercial fisheries, coastal states must ensure the enforcement of bans through improved MCS; otherwise, bans are essentially useless.

The impact of depleted fisheries is reflected in the increased threat to regional security. Those affected, in the absence of state support to build resilience to vulnerabilities, are tempted to engage in illicit activities which have wider implications for regional security due to their growing prevalence, damaging effects, and cross-border nature.

In recognition of the link between maritime security and the promise of the development of national economies, West and Central African countries have demonstrated commitment to integrated responses to threats in their common maritime domain. Together, they are working toward the development of a regional maritime enforcement capability.

PIRACY & ARMED ROBBERY AT SEA



PIRACY AND ARMED ROBBERY AT SEA

Niger Delta pirate groups are largely responsible for destabilizing the waters of the wider Gulf of Guinea through attacks on vessels and kidnappings of crewmembers. Attacks extend as far as Côte d'Ivoire in the west to the Democratic Republic of Congo in the south and as far as 170 nautical miles off the coast. Although it was reported that product was stolen during the hijacking incidents on the product tankers *Barrett* in January 2018 and *Pantelena* in August 2018, a general shift from hijacking for cargo theft to kidnapping crewmembers for ransom has been observed in recent years. But as piracy is cyclical in nature in this region, it is bound to reappear when the circumstances, such as a rise in oil prices, permit. Local passenger boats operating in the Delta and Rivers State are also often robbed.

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From January through December 2019, 98 incidents of piracy and robbery of vessels were recorded in the Gulf of Guinea in the Stable Seas dataset. In the corresponding time in 2018, 112 incidents were recorded. However, the biggest change was in failed attacks, with 24 fewer failed attacks recorded in 2019 than in 2018. This means that overall, pirates became more effective in 2019. Four more hijacking/kidnapping incidents (32 total) were reported in 2019 compared to 2018, resulting in 102 crew kidnapped in 2018 and 164 in 2019. In December 2019 alone, 53 crewmembers were kidnapped in the Gulf of Guinea. Three crewmembers were kidnapped in January 2020.

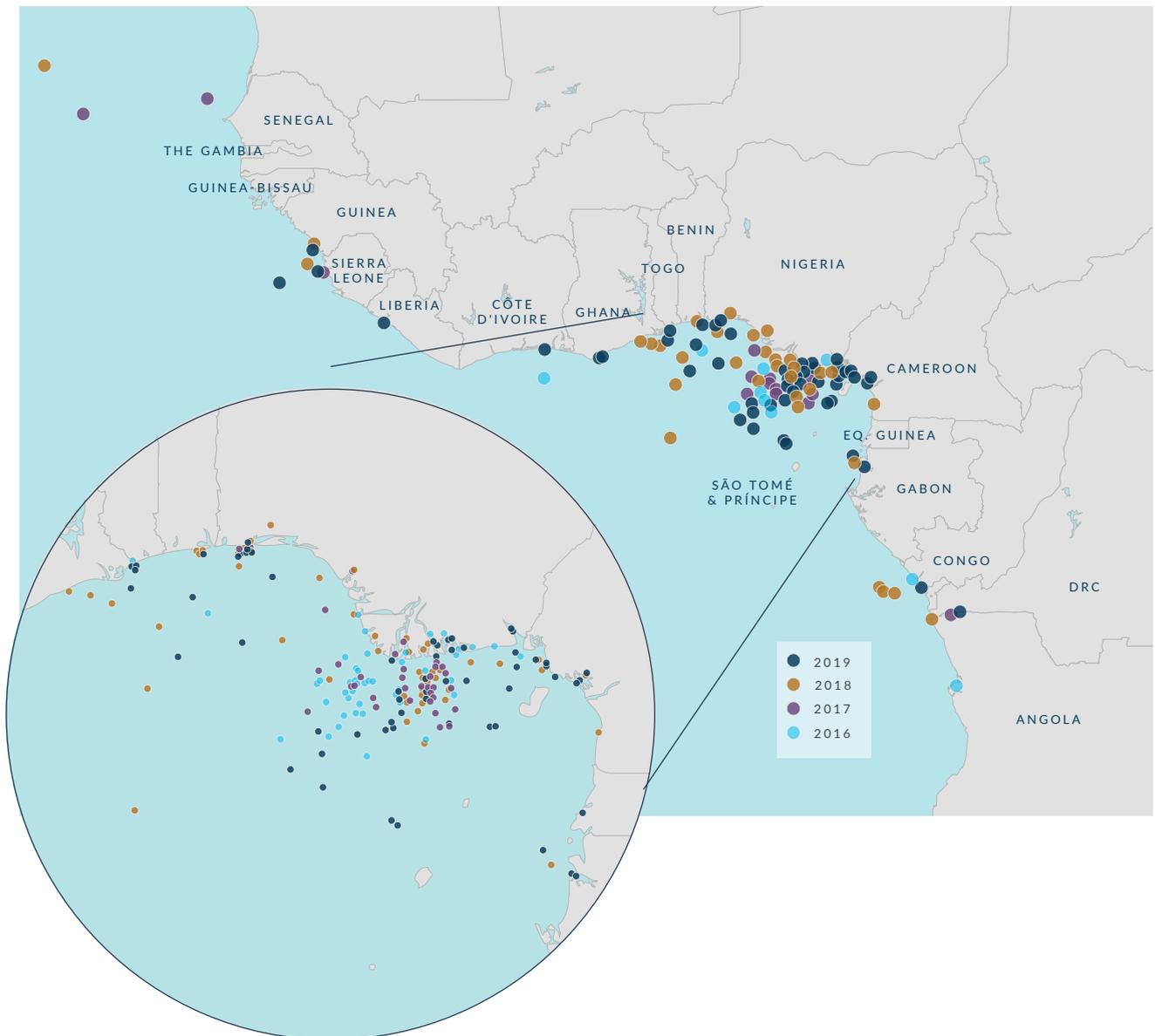
In an interview with *Lloyd's List* at the International Shipping Week event in London in September 2019, Dr. Dakuku Peterside, Director General of the Nigerian Maritime Administration and Safety Agency (NIMASA), said that the “negative impact” of hijackings and kidnappings is impeding growth in Nigeria’s shipping industry. He said: “We need to fix things. That’s the ultimate way to change perception about Nigeria and what’s going on in the Gulf of Guinea. ... We are welcome to all options to tackling piracy in the Gulf of Guinea, as it is a matter that deserves priority and attention, and so any sort of partnership will not be ignored.”³⁴³

Key Findings

- **NIGERIAN PIRATE GROUPS OPERATING FROM THE NIGER DELTA ARE RESPONSIBLE FOR MOST ATTACKS IN THE WIDER REGION.** In the last two years, groups have extended their reach, hijacking vessels and kidnapping crewmembers as far west as Ghana and as far south as the Democratic Republic of Congo.
- The long-term solution to hijacking and kidnapping in the wider Gulf of Guinea lies in the Niger Delta: **ECONOMIC DEVELOPMENT, ANTI-CORRUPTION MEASURES, AND IMPROVEMENTS TO SECURITY MEASURES WILL BE CRUCIAL TO ADDRESSING THE ROOT CAUSES OF PIRACY** and armed robbery of vessels.
- Links likely exist between pirate groups in the Delta and powerful individuals, resulting in a lack of political will to address the piracy and armed robbery problem. This is further complicated by the fluid lines between militant groups and pirate groups. The government will need to address this in a delicate and balanced way as too much force could lead to a resurfacing of militancy in the region. **ANY SOLUTION TO THE PIRACY PROBLEM OFF THE GULF OF GUINEA MUST INCLUDE COMMUNITY LEADERS IN THE DELTA.**
- It is expected that the Suppression of Piracy and Other Maritime Offences Act 2019 will facilitate the prosecution of pirates and robbers in Nigeria. However, this will only happen if piracy and armed robbery cases are investigated and pirates are arrested for these crimes. **WITHOUT THE WILL TO PROSECUTE PIRATES THE ACT WILL HAVE LITTLE VALUE.**

- The Internationally Recommended Transit Corridor performed well as an anti-piracy measure in the Gulf of Aden. **COORDINATED PATROLS AND GROUP TRANSIT SCHEMES ARE TWO POSSIBLE SOLUTIONS IN THE GULF OF GUINEA.** Group transit schemes or national convoys to protect merchant vessels in territorial waters and high-risk areas in the Gulf of Guinea do not currently exist. These are costly and will require building the capacity of navies, but if practical, they have the potential to improve safety for vessels traveling together in higher numbers.
- Robbery and attempted robbery of vessels were recorded in several of the anchorages of Gulf of Guinea countries. For the most part, these incidents can be classified as small-scale theft. **SECURITY MEASURES AT PORTS AND PATROLS AT ANCHORAGES NEED TO BE IMPLEMENTED TO COUNTER SUCH INCIDENTS.** Vessel masters should implement best management practices as found in the “Guidelines for Owners, Operators and Masters for Protection Against Piracy in the Gulf of Guinea Region.”³⁴⁴

FIGURE 1: INCIDENTS OF PIRACY AND ARMED ROBBERY IN THE GULF OF GUINEA, 2016-2019





Between 2006 and 2008 the Movement for the Emancipation of the Niger Delta kidnapped oil workers and attacked oil production facilities in the Niger Delta. Photo: David Clark, AFP, Getty Images.

Root Causes and Delta Militarism

Pirate groups not only find safe haven in the Niger Delta but are also to a large extent responsible for attacks on vessels in the wider Gulf of Guinea. However, this does not mean that citizens of other Gulf of Guinea countries are not involved in piracy or armed robbery. On 12 May 2019 the tanker *G Dona I* was hijacked at Lomé anchorage, Togo. The Togolese navy intercepted the tanker and arrested eight pirates—six Nigerians and two citizens of Togo. Kidnapped crewmembers from several vessels were held captive at pirate camps in the Delta in 2018, including crew from the ships *Anuket Amber*, *Ark Tze*, *FWN Rapide*, and *Pomerenia Sky*.³⁴⁵

At the root of the problem is the lack of economic opportunities. Although the Niger Delta is rich in oil, the wealth does not reach most Nigerians. Poverty, violence, underdevelopment, pollution, corruption, high levels of unemployment, and a lack of good governance create a climate where piracy and robbery flourish. Land and rivers are polluted by oil spills, bunkering, and illegal refinery operations, and are prone to disruptions by authorities. The problem is escalated by there being few arrests and prosecutions of pirate groups, giving the impression that there are few, if any, consequences for these crimes. The perception that there is cultural acceptance of involvement in crime, compounded by sea-blindness (the failure to appreciate the essential maritime component in strategic security, economic welfare, and most human activities), also amplifies the problem.

The greater unemployment problem is compounded by the high number of unemployed mariners, as they possess maritime capabilities which can be easily exploited by pirate groups. When the contract between the federal government of Nigeria and Global West Vessel Specialist Limited was terminated in 2015, 400 seafarers trained in piracy-related security measures were laid off, including several ex-militants. NIMASA trained almost 3,000 seafarers, according to the National Seafarers Development Programme, at least half of whom are ex-militants.³⁴⁶

These socioeconomic factors in the Delta led to the outbreak of violence in 2006 under the leadership of the Movement for the Emancipation of the Niger Delta (MEND). Oil installations were attacked, and expatriate oil workers were kidnapped. This insecurity spilled over to the maritime domain, resulting in crew kidnappings and vessel hijackings. In 2006, 49 crewmembers (mostly oil-industry workers) were kidnapped from vessels off Nigeria, and 39 in 2008.³⁴⁷

In 2009, the Nigerian government implemented an amnesty program for 30,000 militants and unemployed youth in the Niger Delta to bring an end to attacks on oil infrastructure. Militants received allowances and even training, in some cases. Lucrative contracts were allocated to former militants, such as Government Ekpumopolo (Tompolo), to protect the pipelines they had previously attacked.³⁴⁸ In 2013, as part of this program, ex-militants received commercial diver training

at the Underwater Warfare School at Navy Town in Ojo, Lagos.³⁴⁹ A memorandum of understanding was signed between the Nigerian Navy and Mieka Dive Limited, owned by Tompolo.³⁵⁰

In 2016, President Buhari cut the budget allocated for militants and youth by 70 percent.³⁵¹ Illegal oil facilities and oil networks were dismantled and anti-corruption efforts were implemented, affecting prominent and powerful individuals in the Delta. Several new militant groups, such as the Niger Delta Avengers (NDA), emerged and targeted assets and personnel of oil corporations. Kidnappings of crew from vessels reemerged, with 32 crewmembers kidnapped from vessels in 2016.

Some of these attacks required a high level of expertise in explosives and intelligence. On 13 February 2016 militants blew up the Shell Petroleum Development Company/Nigerian National Petroleum Corporation’s Trans Forcados Export Pipeline. NDA claimed responsibility for the attack. The installations that were attacked are 6 and 8 meters below the sea surface, which implies that divers were essential.³⁵²

By the end of 2016 the Nigerian government had reengaged with militants, and allowances resumed in 2017.

Hijacking of Vessels and Kidnapping

Geographically, piracy and armed robbery extended to a wider region, with a higher concentration of violence off both Brass and Bonny in Nigeria and off Idenao and Douala in northern Cameroon. Starting in early 2018, vessel hijackings for product or for ransom, or to kidnap crew for ransom, became violent, unpredictable, and opportunistic.

During attacks, up to ten pirates in speedboats chased vessels, firing at the bridge. Vessels were boarded using a ladder with hooks or a hook attached to a rope. At times hijacked vessels were used as motherships to launch additional attacks. Communication and navigation equipment were destroyed once the pirates or robbers boarded, and vessels were often ransacked. Naval escort vessels, armed onboard security teams, and security measures implemented by the crew often discourage pirates, but pirates in the Gulf of Guinea are more brazen than those off the coast of Somalia and are not always dissuaded when security guards return fire. Security personnel and crewmembers have been killed or wounded during attacks. While senior crew such as the master, chief officer, or chief engineer were often targeted in years past, an increase in the number of crewmembers kidnapped (with as many as 20 taken in a single incident) has been noted since early 2018.

FIGURE 2: HIJACKING OF VESSELS, 2009–2019

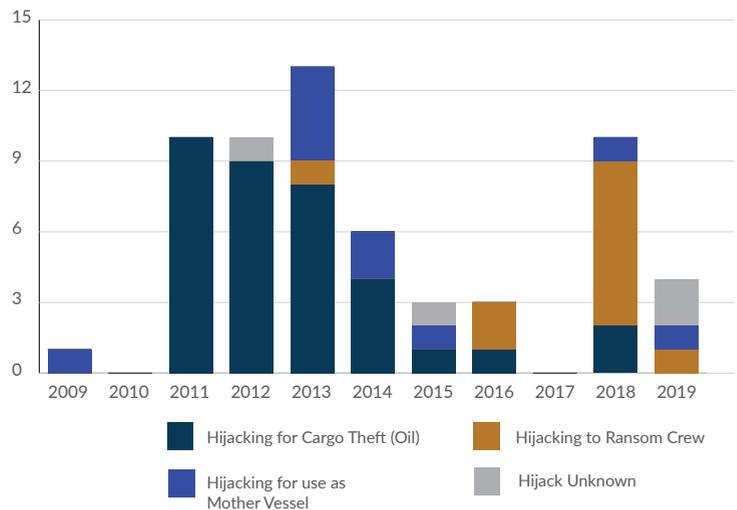
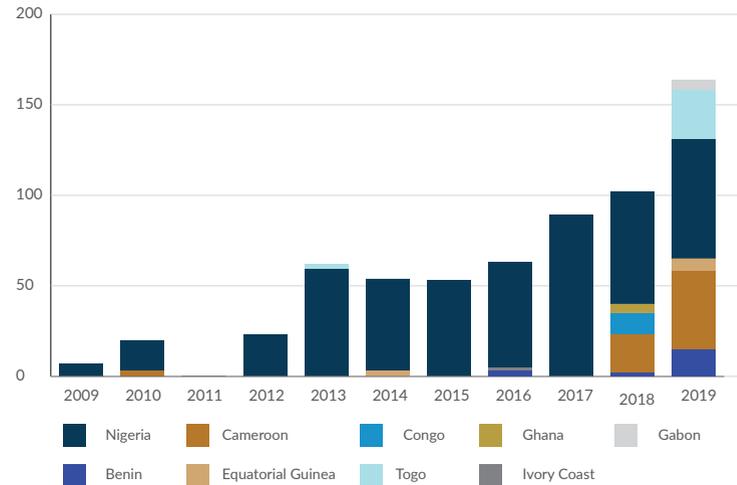


FIGURE 3: KIDNAPPING OF CREW, BY LOCATION OF INCIDENT, 2009–2019



Nigerian authorities indicate that some of the incidents reported as piracy in Nigerian waters are related to other crimes such as oil smuggling. One such case is the kidnapping of crew from MT *Apecus*. It was reported that six crewmembers were kidnapped from the product tanker on 19 April 2019.³⁵³ According to one of the kidnapping victims, the vessel was boarded by armed men from a speedboat and taken to a forested area where 50 members of the pirate group were present. The pirates demanded \$1 million, but reportedly settled on \$500,000. The crewmembers were released on 26 June 2019 after a company representative³⁵⁴ allegedly delivered the ransom to the pirate camp in Bayelsa.

According to the Nigerian Navy, the incident was orchestrated by Osimili Adah, the managing director of Petrogress, Inc. in Nigeria, in an illegal oil transaction gone wrong. The executive officer of Nigerian Navy Ship *Pathfinder Port Harcourt* said Adah planned to move stolen crude oil from Nigeria with MT *Apecus* and MT *Invictus*, a sister ship owned by the same company. Adah and 17 others were arrested for allegedly attempting to illegally export stolen crude oil to Ghana.³⁵⁵

Several aspects of this case are controversial and may well support the Nigerian Navy's version of events. It was not the first time that Petrogress vessels have been involved in controversy. On 17 January 2015 the product tanker MT *Mariam* was hijacked off Bayelsa, Nigeria, in international waters. The stolen cargo was transferred to the pirate vessel MT *Invictus*.³⁵⁶ In 2012 another vessel of the same company, *Takoradi* (name changed to *Optimus* in 2014), was held in connection with illegal bunkering.³⁵⁷ However, the fact that this might be a dispute between criminal groups does not mean that the incident is not a case of piracy. The *Apecus* was boarded by armed men and crew were kidnapped for ransom.

Kidnapping and Robbery in Ports and Anchorages

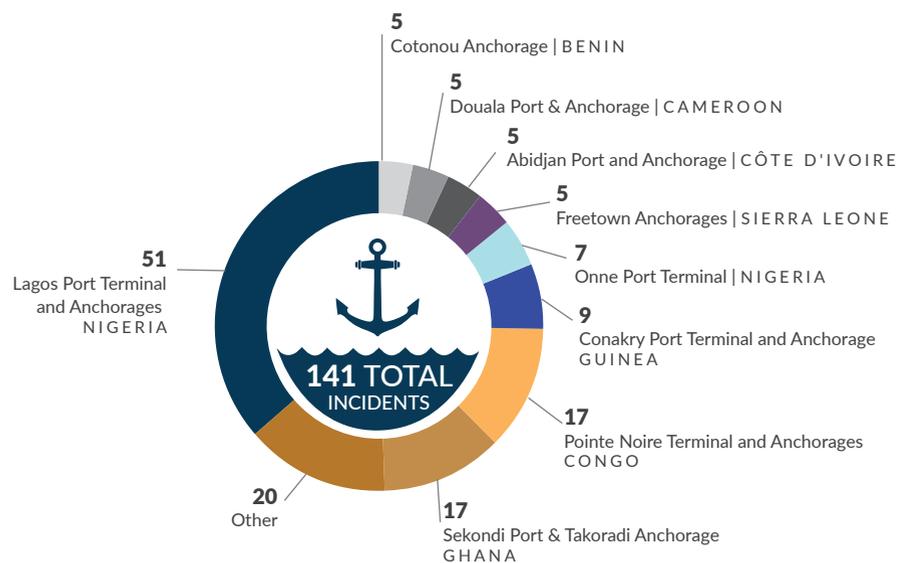
Although most incidents at ports and anchorages in the region can be classified as small-scale theft, violent robberies, hijackings, and kidnappings were also reported. Vessels were hijacked and/or crewmembers were kidnapped from anchorages at Bonny, Nigeria; Lomé, Togo; Cotonou, Benin; Tema, Ghana; and Douala, Cameroon.

Lagos Anchorages and Port Complex, Nigeria

Between 2016 and 2019, 51 incidents of robbery and attempted robbery of vessels were reported at Lagos Anchorages (33) and the Lagos Port Complex (18). Incidents were recorded at the Lagos main anchorage, the secure anchorage area (SAA), and the ship-to-ship anchorage. These incidents had a low success rate and were mostly nonviolent.

The SAA is located 10 nautical miles southwest from the entrance to the Lagos port channel and was conceptualized in May 2013 as a solution to armed robbery off Lagos. Security at the anchorage was effective, but costly to shipowners,³⁵⁸ and in October 2019, the Nigerian Ports Authority notified the Nigerian Navy of their decision to dismantle the SAA.³⁵⁹ The SAA was subsequently suspended, but vessels continue to anchor at the anchorage. The Integrated National Security and

FIGURE 4: INCIDENTS AT PORTS & ANCHORAGES, 2009–2019





*Congestion on access road to Apapa Sea Port, Lagos.
Photo: Nnamdi Levi Igbokwe*

saw an increase in traffic in the first quarter of 2019, further increasing congestion in port; a total of 213 ships with a total tonnage of 6,778,397 berthed in Apapa and Lagos ports.³⁶²

Prospective investors in the port infrastructure have been discouraged by rigid government policies. It is feared that the federal government's efforts to fix the Apapa and Tin Can port access roads will only address the problem in the short term as the projected volume increase in port activities will likely further contribute to congestion. According to the chairman of the Nigerian Ports Consultative Council, the port corridor must be reserved and restricted as an exclusive economic zone for port operations; the port should be a transit area and a limited-time holding bay, but not a storage area.³⁶³

Onne Port, Nigeria

Robbers gain access to vessels berthed at the Federal Ocean Terminal and the Federal Lighter Terminal located at Onne port in Rivers State by using speedboats or canoes fitted with outboard engines. They then steal ship's property. The number of incidents is likely higher than reported. Masters have requested access control at the port and adequate watchkeepers at night.³⁶⁴ Three suspects were arrested while robbing an OSV in February 2019 after Port Control was notified,³⁶⁵ and in August 2019, crewmembers locked another robber in the pump room after he was noticed on CCTV.³⁶⁶

Sekondi Port and Takoradi Anchorage, Ghana

Between 2016 and 2019, 17 robberies and attempted robberies were reported at the Port of Sekondi (3) and at Takoradi Anchorage (14) in Ghana. An increase in robberies was seen beginning in early 2018, half of which were successful at Takoradi Anchorage.

Waterways Protection Infrastructure, or Deep Blue Project, was approved by the Nigerian Federal Executive Council in early 2018 and aims to reduce piracy and armed robbery of ships and other crimes in Nigeria's territorial waters and the Gulf of Guinea. Six interceptor boats were procured and arrived in the country recently, with more assets arriving before mid-2020.³⁶⁰

In incidents at the Lagos Anchorages, vessels are approached by between three and ten robbers onboard small wooden boats at night or when vessels are engaged in ship-to-ship operations. Robbers board via the anchor chain and hawse pipe (the pipe through which an anchor cable passes) or by throwing a hook attached to a rope over the railing. They mostly target fuel tanks by siphoning fuel with a hose. In a few cases, ship's property was stolen. At Lagos Port, 8 of the 18 robberies were successful. Robbers gained access to vessels through the open waterfront using small boats and canoes. Robbers are often armed with knives, and crewmembers were threatened in some cases.

Aging road and port structures, inefficient transit procedures and logistical systems, the termination of security personnel services, and the implementation of 24-hour port operations to alleviate congestion placed pressure on security operations and were likely contributing factors to the 2018 increase in robbery.³⁶¹ The Lagos Port Complex

During such a robbery on 23 March 2019, laptops valuing \$4,200 were stolen from the UK-flagged pipe-layer *Seven Pacific*. The Norwegian captain identified a blue speedboat with the inscription PM *Princess Marine* as being in proximity to the vessel at the time of the robbery. The boat's owner confirmed that she had rented the boat out to Thomas Yalley early in March 2019 to use to supply food and drinks to vessels at the Takoradi Anchorage. He and another member of the group involved have since been arrested, but three suspects remain at large. Authorities suspect that this group was also responsible for other robberies.³⁶⁷ Since the end of March 2019 no further robberies have been reported at the port or anchorage.

Freetown Anchorages, Sierra Leone

A robbery and two attempted robberies at Pepel and Freetown anchorages off Freetown, Sierra Leone, in 2017 were likely connected to the Freetown Container Terminal strike which slowed operations at the port. Lack of space at the port caused delays and longer working hours for the container drivers.³⁶⁸ Another robbery was reported in July 2019 at Freetown Anchorage.

Cotonou Anchorage, Benin

Five incidents were recorded between January and March 2018 at Cotonou Anchorage, Benin. As the method of attack is so similar, the same group was likely responsible for all attacks. Four were against tankers and one was against a refrigerated cargo ship. Two hijackings with the intent to steal fuel and to ransom crew were reported. What was unique about these incidents was that the crewmembers were kept hostage on the tankers for three and seven days, respectively, while the ransom negotiations were ongoing. It was reported that 2,000 metric tons of product was stolen from one of the ships involved—the *Barrett*.³⁶⁹ Pirates are most vulnerable to arrest when they are leaving the ship and no longer have the hostages as a bargaining tool; it is possible that this is why pirates took short-term hostages for the trip back to land in the *ST Marseille* hijacking and released them once on land.

In November 2019 Benin's government decided to provide armed security onboard vessels in Cotonou port.³⁷⁰ In April 2019 the government announced the establishment of a National Center for Maritime Control. A surveillance system incorporating coastal radar will also be acquired to safeguard the nation's land and sea borders and fight against piracy and other maritime crime in its EEZ.³⁷¹

Douala Anchorage, Cameroon

The government of Cameroon announced in August 2019 that they will place free armed security guards onboard vessels at the Douala anchorage after crewmembers were kidnapped there during three attacks in 2019.³⁷²

Arrests and Prosecutions of Pirates

Very few criminals are arrested for crimes of piracy and robbery of vessels in Nigeria; even less evidence of successful prosecutions is available. On occasion, Nigerian authorities arrest men accused of robbery on passenger boats in internal waters.

The Suppression of Piracy and Other Maritime Offences Act 2019 was signed into law by President Buhari in June 2019.³⁷³ This bill gives effect to the provisions of the 1982 United Nations Convention on the Law of the Sea and the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its protocols. The hope is that the bill will facilitate the prosecution of pirates in Nigeria.

Other arrests in recent years in the Gulf of Guinea are as follows.

MT *Mariam*

On 17 January 2015 the product tanker MT *Mariam* was hijacked off Bayelsa, Nigeria, in international waters. The cargo was transferred to MT *Invictus*. Using an onboard tracking device, the owners of MT *Mariam*, Opal Shipping, informed Ghanaian authorities of the vessel's position in Ghanaian waters. The Ghanaian navy intercepted the vessel and arrested eight Nigerian pirates.³⁷⁴ Two Ghanaians, a freight forwarder and a shipping agent, were subsequently arrested in connection with the incident.³⁷⁵ The eight Nigerian pirates were deported to Nigeria on 7 January 2016 to stand trial on the directive of the Minister of the Interior;³⁷⁶ it is unclear if they were ever actually prosecuted in Nigeria.

MT *Maximus*

On 11 February 2016, MT *Maximus* was hijacked off Abidjan, Côte d'Ivoire. The vessel was tracked by the respective navies of Côte d'Ivoire, Ghana, and Togo for more than ten days and 700 nautical miles until finally being intercepted by the Nigerian Navy in São Tomé. The Nigerian Navy arrested six pirates. Satellite phone communications from the pirate vessel *Dejikun* as well as the testimonies of the six accused pirates led to the mastermind behind the hijacking, but no records of his arrest could be found. The owner of the *Dejikun*, Mustapha Gani, was arrested in June 2016.³⁷⁷ The trial of the pirates involved in the hijacking proceeded at the Federal High Court in Lagos on 10 October 2017; no other information on the outcome or postponement of the trial could be found.

FWN *Rapide*

Nigerian citizen Itoruboemi Benson Lobia was arrested in South Africa while en route to Mauritius on 7 November 2018 for his alleged involvement in the kidnapping of 11 crewmembers from the general cargo ship FWN *Rapide* near Port Harcourt, Nigeria, on 21 April 2018. He was also allegedly involved with the kidnapping of eight crewmembers off the general cargo vessel BBC Caribbean³⁷⁸ on 5 February 2017, 45 nautical miles southwest of Brass, Nigeria. The Dutch government requested his extradition to the Netherlands as the FWN *Rapide* is a Dutch-flagged, Dutch-owned vessel. His lawyers appealed his extradition in early 2019, but he was extradited to the Netherlands on 5 December 2019.

G *Dona I*

On 12 May 2019 the Togolese navy intercepted the chemical tanker G *Dona 1*, which had been hijacked at the Lomé anchorage. Five suspects from Ghana, one from Benin, and one from Nigeria were arrested in connection with the incident. The suspects are to be prosecuted in a special court in Togo.³⁷⁹

Attacks on Fishing Vessels

High numbers of attacks on fishing trawlers in Nigerian waters were reported between 2013 and 2017. Attacks on fishing vessels had a devastating effect on the Nigerian fishing industry, which boils down to a loss for the Nigerian economy. According to the Nigerian Trawler Owners' Association (NITOA), there was a drastic reduction in the number of attacks on Nigerian fishing vessels in 2018. Data on incidents of piracy and robbery against local fishing vessels is not available.

To generate investment, some countries in the Gulf of Guinea engage in Fisheries Partnership Agreements with distant-water fishing nations such as China, South Korea, Russia, and the European Union.³⁸⁰ In recent years, Asian fishing vessels flagged to and operating from regional countries have been targeted and crew kidnapped for ransom. It is not clear if the pattern is similar for African-operated fishing vessels. During 2018, a total of 26 fishermen were kidnapped from nine fishing vessels in four separate incidents in the Gulf of Guinea and ten fishermen from four vessels during two separate incidents in 2019.

Maritime Security and Cooperation

Several international and regional organizations are actively countering piracy in the region, including the International Maritime Organization (IMO), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Gulf of Guinea Commission (GGC), and the Maritime Organization of West and Central Africa (MOWCA).

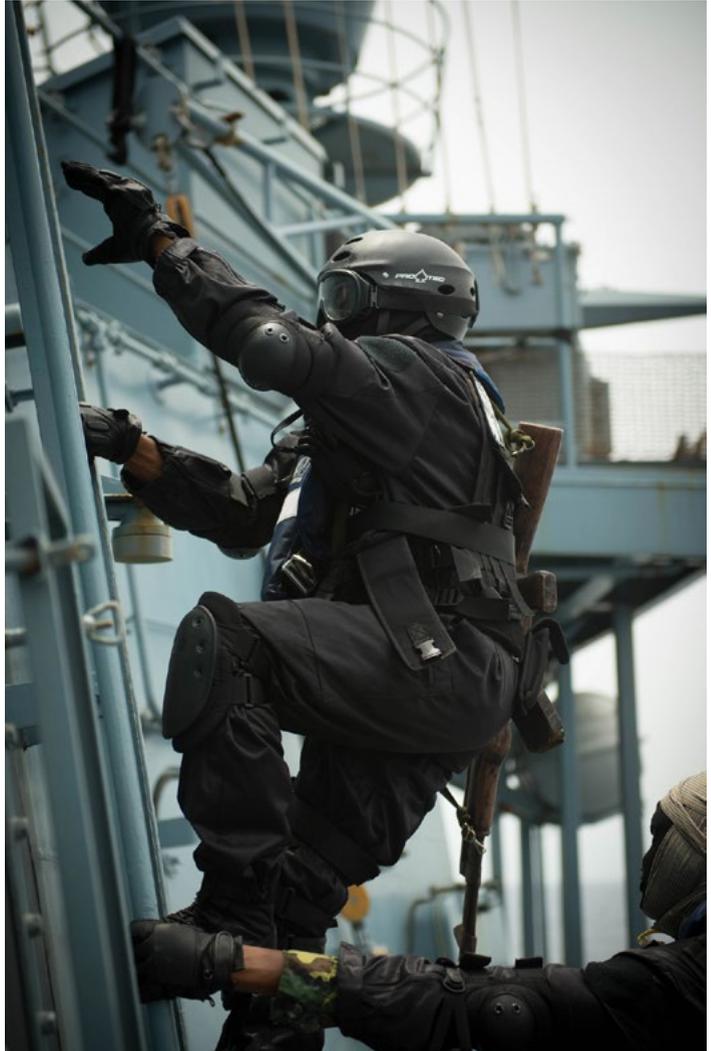
The Code of Conduct concerning the repression of piracy, armed robbery against ships, and illicit maritime activity in west and central Africa was adopted in June 2013 in Yaoundé by representatives from 25 West and Central African countries.³⁸¹ Signatories agreed to share and report relevant information, interdict ships suspected of engaging in illegal activities, and ensure that persons responsible for committing illegal activities at sea are apprehended and prosecuted.

In December 2013, the 28th session of the IMO Assembly adopted Resolution A.1069(28)³⁸² on Prevention and Suppression of Piracy, Armed Robbery Against Ships and Illicit Maritime Activity in the Gulf of Guinea. The resolution made urgent appeals to states in the region to initiate measures to end acts or attempted acts of piracy, armed robbery against ships, and other illicit maritime activities. It also called for financial contributions to the IMO West and Central Africa Maritime Security Trust Fund and assistance to states in the Gulf of Guinea to develop their national and regional capabilities to improve maritime governance and prevent piracy and armed robbery against ships and other illicit maritime activities within their jurisdiction.³⁸³

The United Nations Office on Drugs and Crime (UNODC) and the International Criminal Police Organization (INTERPOL) share expertise and facilitate training on the practical implementation of the suppression of piracy and armed robbery against ships, among other things.

US Africa Command sponsors Obangame Express, an annual multinational exercise designed to strengthen maritime security and cooperation, information sharing, and maritime domain awareness in the Gulf of Guinea. Twenty African nations and US Naval Forces Africa as well as other European and South American nations took part in the exercise in 2018.³⁸⁴

In June 2013 member states of ECCAS, ECOWAS, and the GGC instituted the Yaoundé process to form a regional strategy to prevent and prosecute illicit activities in the Gulf of Guinea. The Interregional Coordination Centre (ICC), which connects the Regional Maritime Security Centre for Central Africa (CRESMAC) and the Regional Maritime Security Centre for West Africa (CREMAO), is the coordination mechanism of the Yaoundé agreement.



An Ivory Coast boarding team member ascends a ladder during a training scenario as part of Obangame Express 2015. Photo: Raul Pacheco/US Army.

In support of this initiative, the European Union adopted a strategy to enhance maritime safety and security in the Gulf of Guinea and to promote economic development in the region. The Gulf of Guinea Inter-regional Network (GoGIN) project is the implementation mechanism of this initiative.³⁸⁵

The Maritime Trade Information Sharing Centre—Gulf of Guinea (MTISC-GoG) Pilot Project was established by the Oil Companies International Marine Forum in October 2014. The center, located in Accra, Ghana, aimed to establish an affordable and sustainable regional maritime information-sharing entity within the Gulf of Guinea.³⁸⁶ In 2016, MTISC-GoG was replaced by the Maritime Domain Awareness for Trade—Gulf of Guinea (MDAT-GoG) center operated by French and UK navies from Brest, France, and Portsmouth, England.

The shipping industry published “Guidelines for Owners, Operators and Masters for Protection Against Piracy in the Gulf of Guinea Region” as a general framework for combating piracy in the Gulf of Guinea.³⁸⁷

Conclusion

Nigeria remains at the epicenter of the current wave of piracy in the Gulf of Guinea. Criminality in the Niger Delta is spilling over to the greater region as pirate groups expand their area of operations. Criminals from other regional states are, however, also involved in kidnappings and hijackings and are responsible for robberies at anchorages in the region.

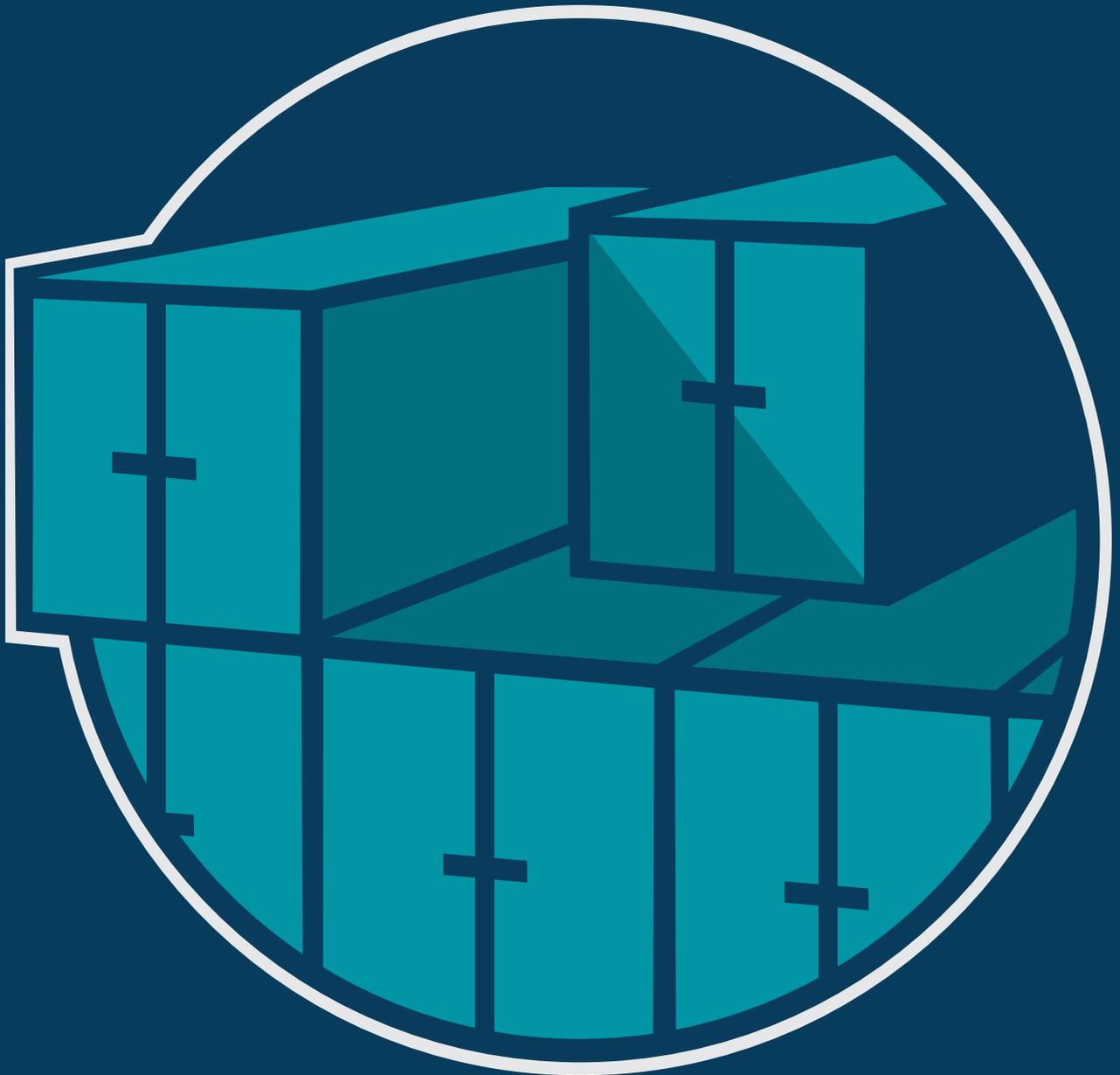
Owners and masters are advised to file reports with MDAT-GoG when entering the voluntary reporting area. The “Guidelines for Owners, Operators and Masters for Protection Against Piracy and Armed Robbery in the Gulf of Guinea Region” (Version 3, June 2018), to be read in conjunction with the “Global Counter-Piracy Guidance for Companies, Masters and Seafarers,” provides detailed advice to assist in risk assessment for masters of vessels transiting the area.

There are increased calls for greater cooperation with the international community in the Gulf of Guinea. This can take many different forms. One possibility is establishment of a transit corridor, group transit schemes, or national convoys where vessels travel in groups to increase safety; although costly, these could provide protection for merchant vessels in territorial waters and the high-risk area in the Gulf of Guinea. This will require building the capacity of navies in the region as well as international partnerships.

Unemployment of youth in the maritime industry will need to be addressed as these individuals could be recruited into pirate groups and have the necessary capabilities. Economic development of the region and investment in infrastructure, employment opportunities, anti-corruption measures, integration of militants, and additional security measures will be critical to addressing the problem over the long haul.

Nigeria remains at the epicenter of the current wave of piracy in the Gulf of Guinea, yet this is spilling over to the greater region.

ILLICIT TRADES



ILLCIT TRADES

Illicit trade in drugs, arms, and contraband is escalating in the Gulf of Guinea. Porous land borders, inadequate maritime security enforcement, and corruption make the region attractive to criminal networks. Because of the economic implications, illicit trade is the costliest maritime crime in the Gulf of Guinea, but also because of its role in undermining stability in the region.

Illicit trade ranges from informal cross-border bartering to more serious crimes such as trafficking in wildlife, fuel, weapons, and drugs. The clandestine nature of illicit trade makes it difficult to quantify the economic impact to the region; however, according to a 2018 report by the Organisation for Economic Co-operation and Development (OECD), cocaine trafficking throughout West Africa represents a criminal flow worth over \$3 billion annually.³⁸⁸ In Nigeria, the economic cost of crude oil theft was estimated at \$10.4 billion in 2016 and 2017 combined.^{389, 390} In 2013, as much as 98 percent of artisanally produced gold from the Democratic Republic of Congo was smuggled out of the country, and was valued at between \$383 and \$409 million.³⁹¹

Porous land borders, inadequate maritime security enforcement, and corruption make the region attractive to criminal networks.

The majority of illicit products are legal merchandise being traded illegally. Sometimes criminal groups have a market for legal products (like fuel) with “out-of-reach” communities in coastal areas. The sale of these goods illegally circumvents state taxes and undercuts legitimate business, as such goods are underpriced. Illegally traded counterfeit pharmaceuticals are dangerous as the contents are unknown; this is especially true where usage is high, such as in Nigeria and Ghana.³⁹² Nonstate actors may use trade in arms and drugs to access criminal syndicates. Profits may be used to fund their violent campaigns.

Additionally, drug laws in the region are not fully effective: the region is a transport hub for illicit drugs, but also increasingly a market for and producer of substances like methamphetamines.³⁹³ According to UN Office on Drugs and Crime (UNODC) 2016 figures, cannabis use in West and Central Africa is at 12.4 percent; the global average is 3.8 percent. The trade and use of narcotics are at levels which threaten regional stability.³⁹⁴

This chapter offers an overview of illicit trade in the Gulf of Guinea that is organized around the trades in drugs, contraband, fuel, wildlife, and weapons. It will discuss implications of these trades for the security of the region as well as steps taken by coastal states to address some of these challenges.

Key Findings

- **THE ILLICIT TRADE IN LICIT GOODS SUCH AS FUEL, FISH, RICE, AND TOBACCO SUSTAINS LIVELIHOODS IN BOTH COASTAL AND LANDLOCKED COUNTRIES IN THE REGION.** Illicit actors exploit inadequate monitoring capabilities and the corruptibility of some enforcement personnel.
- **ARMED NON-STATE ACTORS AND TERRORIST GROUPS PROFIT FROM ILLICIT TRADES.** Boko Haram, al-Qaeda in the Islamic Maghreb, and the Movement for Unity and Jihad in West Africa are some of the extremist organizations that engage in arms³⁹⁵ and drug trafficking.^{396, 397}
- **ILLICIT DRUG USE STRESSES HEALTH SYSTEMS IN THE GULF OF GUINEA.** Policy reforms will need to focus equally on both prosecution of drug traffickers and rehabilitation of users.
- The cross-border criminal syndicates involved in the illicit wildlife trade **SOURCE IVORY, PANGOLINS, AND OTHER CRITICALLY ENDANGERED SPECIES FROM THE REGION, AND USE IT AS A TRANSIT HUB** for products moving on to destination markets in Europe and Asia.

Contraband

In the case of the Gulf of Guinea, “contraband” often refers to basic necessities which are not readily available, or, when available, are expensive. Examples of these goods include rice, sugar, fish, clothes, cigarettes, pharmaceuticals, and vehicles. In Nigeria, policies to improve local rice production included a ban on rice imports from land borders and a 70 percent tariff on imports by sea. As a result, rice smuggling over the Nigeria–Benin border via Sèmè-Kpodji³⁹⁸ has increased considerably.

Trafficking in pharmaceutical drugs (including counterfeits) by land and through seaports is a growing problem, and one with major implications for public health. According to the UNODC, an estimated 10 percent of pharmaceutical drugs in circulation in West Africa are counterfeit,³⁹⁹ with an estimated \$438 million generated from the sales of counterfeit antimalarials in 2009 alone,⁴⁰⁰ a figure in excess of the total GDP of São Tomé and Príncipe in 2018.⁴⁰¹ The Gulf of Guinea is the maritime nexus of the counterfeit medicine trade. Much of the fabricated drugs in circulation are smuggled through regional seaports: Togo and Benin are frequent transit hubs for landlocked countries and containerized cargo routed to Niger, respectively.⁴⁰² In Cameroon, contraband goods are usually ferried from neighboring countries through the Tiko seaport before being transported by land to elsewhere in the country.⁴⁰³ In March 2019, the World Health Organization warned about the circulation of counterfeit hypertension drugs in Cameroon which were known to cause hypoglycemia.⁴⁰⁴ Following a joint operation by the Cameroon Marine force and the Cameroon Customs Brigade, some counterfeit antimalarials were seized in Douala in April 2019.⁴⁰⁵

The link between the illicit sales of licit goods (especially marine products such as fish) and instability across the region and even across the continent cannot be ignored. Insurgent groups such as Boko Haram have profited from the sale of fish and fish products.⁴⁰⁶ This resulted in a ban on the transport and commercial sale of such products in affected states being imposed by the Nigerian army in 2017, which continues in certain areas as a way to counter the activities of the organization.^{407, 408, 409}

Drugs

The Gulf of Guinea is a favorite layover point for transnational drug cartels trafficking cocaine from Latin America and heroin from Asia due to the region’s relative proximity to South America, the porous nature of maritime borders, and the corruptibility of enforcement personnel. According to the UNODC, between 2004 and 2007, two distinct drug transshipment hubs emerged in the West African part of the Gulf of Guinea: one in Guinea-Bissau and Guinea; and the other in the Bight of Benin, which spans from Ghana to Nigeria.⁴¹⁰ The Bight of Benin is playing a less significant role than in years past; however, West Africa remains a favored transshipment point for drug shipments destined for Europe: roughly 25 to 35 percent of all Andean cocaine consumed in Europe passes through West Africa,⁴¹¹ with cocaine transshipments in Guinea-Bissau, Cabo Verde, and Senegal in particular increasing in the last year.⁴¹²

In 2019 alone, over 14 tons of cocaine were intercepted in Guinea-Bissau, Cabo Verde, and Senegal^{413, 414, 415, 416, 417}—more than the total amount seized on the entire continent between 2013 and 2017.

FIGURE 1: BREAKDOWN OF 2019 COCAINE SEIZURES



Successful interdictions may indicate improved law enforcement capability at ports, but may also suggest that traffickers have upped their use of regional maritime routes that were previously believed to be in decline.^{419, 420} The shift from air to maritime trafficking, including the increased containerization of illicit drugs in the region,⁴²¹ showcases the sophisticated nature of the trade. The influence of South American drug lords in West Africa is reflected in the September 2019 seizure of 1947 kg of cocaine in Guinea-Bissau. A media report suggests that the national guard and customs authorities waved the drugs destined for Europe through en route to Mali, implying possible law enforcement involvement, before they were discovered in three properties outside Canchungo in northwestern Guinea-Bissau.⁴²²

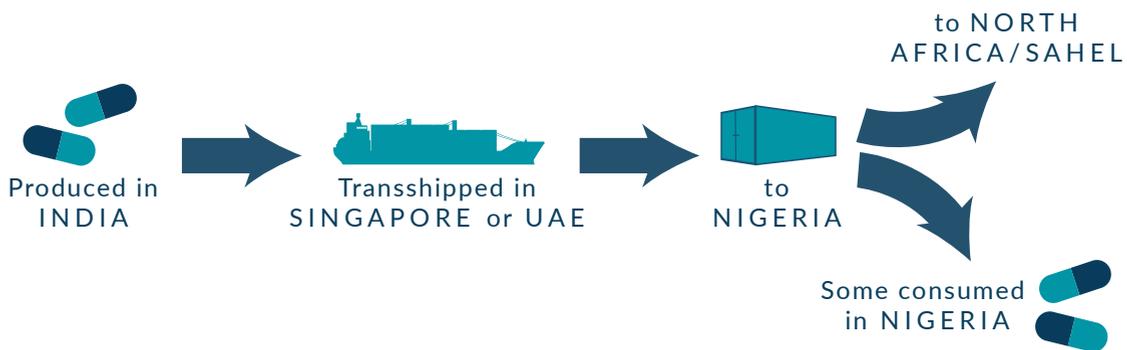
FIGURE 2: MAP OF THE FLOW OF COCAINE THROUGH THE GULF OF GUINEA, 2013⁴¹⁸



Opioids such as heroin and tramadol (which have psychedelic and highly addictive properties) are increasingly trafficked to West Africa from Asia.

Beyond its use as a transit hub for drugs, the region is increasing production of illicit drugs such as cannabis, resins, and methamphetamines for global markets.^{423, 424}

FIGURE 3: TRAMADOL TRAFFICKING FLOW⁴²⁵



The flow of illicit drugs through the Gulf of Guinea has increased the number of drug users in the region, with implications for public health, development, and stability.⁴²⁶ Further, drug use in the region has a history of intensifying conflicts. In particular, illicit drugs facilitated the conscription of child soldiers during the civil wars in Liberia and Sierra Leone. In turn, these child soldiers, together with other combatants and their commanders, committed some of the vilest abuses in these conflicts while addicted to drugs like amphetamines, cocaine, and crack cocaine.⁴²⁷

The link has also been made between drug use and terrorist activities. According to local experts, there is a link between the consumption of tramadol and the activities of insurgent groups such as Boko Haram. Some experts surmise that stemming the tide of tramadol trafficking could cripple Boko Haram.⁴²⁸

A link between drug trafficking and international terrorist organizations such as al-Qaeda in the Islamic Maghreb (AQIM) has also been established: AQIM exploits weak maritime enforcement capabilities to traffic drugs.⁴²⁹ In particular, AQIM exploits countries like Guinea-Bissau to coordinate trans-Sahel drug trafficking.⁴³⁰ Also, organized criminal networks are said to engage Islamist militants linked to al-Qaeda and the Islamic State to protect their shipments, meaning that illicit drugs are also indirectly used as a source of income to finance terrorist campaigns.⁴³¹

Countering the illicit drug trade requires international cooperation. The invaluable role played by the European Union's Maritime Analysis and Operations Centre—Narcotics (MAOC-N), whose cooperation and collaboration with law enforcement agents in Senegal⁴³² and Cabo Verde⁴³³ led to historic cocaine seizures in 2019, shows that without international support, a solution to illicit trades is impossible.

Wildlife

Wildlife trafficking in the Gulf of Guinea, especially trafficking in ivory, rhino horn, and pangolin, undermines conservation efforts of at-risk animal populations. Indeed, seaports in the Gulf of Guinea are a central transit hub for trafficked wildlife products primarily destined for Asian markets. Harbors in Nigeria, Togo, and Cameroon have been identified as transit points for ivory trafficking.^{434, 435, 436} Thirty-three seizures in the region between 2012 and 2018 amounted to a staggering 55,893 kilograms of pangolin scales intercepted while being trafficked from Ghana, Congo, Nigeria, and Cameroon. Nigeria and Cameroon represent the central transit hubs for the illegal trade.⁴³⁷



A man shows a seized pangolin skin at the headquarters of Côte d'Ivoire's Transnational Organised Crime Unit (UCT) in Abidjan. Photo: Sia Kambou, AFP via Getty Images.

Gulf of Guinea countries are not just transit points, but also sources of wildlife products. Despite laws prohibiting hunting, capture, and trade of all pangolin species in Nigeria, Ghana, Cameroon, and Benin, pangolins continue to be hunted for their meat and scales—partly for local use but mostly destined for markets in Asia, particularly in China (including Hong Kong), Malaysia, Vietnam, and Laos.^{438, 439, 440} Extensive elephant poaching occurs in the Central African region in places like Cameroon, Congo, and Gabon, and elephant products are transported to transshipment points in West African countries, especially Nigeria and Togo, before moving on to destination markets in Asia.⁴⁴¹

Linked to trade in animal products is the illicit timber trade. High Chinese demand for rosewood from Guinea-Bissau fuels the illegal rosewood harvest⁴⁴² despite a five-year moratorium on logging and exports imposed by Guinea-Bissau's government in 2015.⁴⁴³ In Ghana, Nigeria, and The Gambia, the illicit trafficking of rosewood is increasing,^{444, 445} and despite a March 2019 ban on the timber trade in Ghana, the illegal trafficking of rosewood to China has continued and has cost the country an estimated \$10 billion since 2012.^{446, 447, 448} In Senegal, the extensive nature of illicit logging and shipment of timber from the Casamance forest through the Port of Banjul in The Gambia onward to China and India risks the disappearance of the forest altogether.⁴⁴⁹

Weak wildlife-related regulations, inadequate law enforcement, corruption, and porous borders have enabled movement of wildlife across the region, though there are signs of progress. Nigerian Customs seized 927 kilograms of pangolin products in 2016 and 402 kilograms in 2017 before seizures rocketed to 12.3 tons in 2018.⁴⁵⁰ According to a Nigerian Customs representative, such seizures indicate increased awareness of the urgency of stemming the tide of maritime trafficking as well as improving maritime enforcement.



Fuel and Crude Oil

Fuel smuggling subverts the economies of oil-producing countries in the region. The cost of fuel smuggling to Ghana in 2017 was an estimated \$270 million.⁴⁵¹ In Angola, an estimated 10 percent of the country's fuel is smuggled to neighboring Democratic Republic of Congo (DRC), where the cost of fuel is much higher. This price difference is in part due to high subsidies on fuel in Angola.^{452, 453} The balance remains in the smugglers' favor, meaning that the illicit trade with the DRC and Namibia continues.⁴⁵⁴ Smugglers in Nigeria are incentivized by low fuel costs arising from ample production and price subsidies, which encourages traffickers to continue illegally trading fuel to countries like Benin, Ghana, Cameroon, and Togo.^{455, 456, 457}

In Nigeria, fuel and crude oil theft and smuggling are major problems, such that 30 percent of all refined products entering the country are smuggled to neighboring countries,⁴⁵⁸ while an estimated 120,000 barrels of crude oil are stolen each day.⁴⁵⁹ In 2011, a Togolese official noted that over 75 percent of fuel sold in the country was illegally smuggled from Nigeria.⁴⁶⁰ Meanwhile, in Benin, more than 80 percent of the country's fuel consumed in 2012 is estimated to have been smuggled from Nigeria.⁴⁶¹ According to the chairperson of the Ad Hoc Committee of the National Economic Council on Crude Oil Theft, Prevention and Control, Nigeria lost over 22 million barrels of oil in the first half of 2019 to oil theft, the equivalent of 6 percent of daily production, valued at \$1.3 billion. It risks losing a further \$1.4 billion, a joint total of \$2.7 billion, by the end of 2019 unless the threat is combated.⁴⁶² Elsewhere, the Managing Director of the Nigerian National Petroleum Corporation (NNPC) disclosed that Nigeria lost about \$750 million to oil theft in 2019.⁴⁶³ The disparity in the figures indicates that the full scope of the economic cost of oil theft in Nigeria remains unknown. The unique nature of Nigeria's crude oil, Bonny Light Crude Oil, classifies it as a very sweet oil due to its low sulfur content,⁴⁶⁴ making it also easily refined using artisanal refineries and thus attractive to criminals who not only target pipelines but also vessels carrying it. Thieves engage in ship-to-ship transfer of the product, which is then refined in artisanal refineries and sold.^{465, 466}



A man carrying oil on his motorcycle on the outskirts of Porto Novo, Benin. It was estimated that in 2012 more than 80 percent of oil consumed in Benin was smuggled in from Nigeria. Photo: Erick Christian Ahounou, AFP via Getty Images.

To curb oil smuggling, Nigeria's Department of Petroleum Resources introduced a tracking system which involves the use of an algorithm and satellite data to monitor pipelines as well as detect the activities of rogue vessels.⁴⁶⁷ Meanwhile, increased interagency effort against smuggling appears to be yielding positive results;⁴⁶⁸ the Nigerian Navy's anti-smuggling and anti-crude-oil-theft operations have led to a 13 percent decrease in smuggled petroleum products and a 34 percent decrease in illegal refineries since operations began in 2018.⁴⁶⁹ There remains a need to address the salient issues that encourage these activities at the local level in order to sustain progress by the navy. The absence of petroleum dispensing stations in most oil-producing communities makes illegal refineries and oil smuggling viable in order to simply meet local demand.

Beyond the economic implications, fuel and oil smuggling undermine regional stability. Despite the 2009 amnesty program aimed at encouraging militants from groups such as the Niger Delta Avengers and MEND to stop violent attacks, proceeds from oil theft are still used to sustain violence against the government and the oil companies, resulting in casualties and property destruction.^{470, 471, 472, 473} In addition, though evidence is scant, oil-theft proceeds may have helped sustain the Laurent Gbagbo regime during Côte d'Ivoire's civil war.⁴⁷⁴ Also, porous borders and corruptible officials⁴⁷⁵ have enabled fuel smuggling by non-state actors. In February 2019, the Cameroonian police, assisted by the country's elite corps, seized hundreds of fuel containers smuggled from Nigeria by a suspected rebel group that were on the way to the Central African Republic.⁴⁷⁶

Small Arms and Light Weapons

Illicit trade in small arms and light weapons fuels communal conflicts, threatening national security and sustainable development of the Gulf of Guinea. The pervasiveness of maritime arms trafficking has contributed to alarming levels of armed conflict, militancy, piracy and armed robbery at sea, and general insecurity.^{477, 478, 479, 480, 481} A large proportion of arms trafficking involves maritime routes, as evidenced by the interception of large shipments by sea of small arms and light weapons in West Africa, especially Nigeria. Nigerian Customs confiscated 13 containers loaded with rocket launchers, grenades, and other ammunition from Iran en route to The Gambia in 2010, 2,761 pump-action guns from Turkey in 2017, and 661 pump-action guns from the same country in 2018.⁴⁸²

The lack of adequate maritime enforcement across West and Central African countries is exploited by violent non-state actors. Nigerian authorities believe that illicit drugs, especially tramadol, are exchanged for arms from groups operating in the Sahel by insurgent groups operating in northern Nigeria.⁴⁸³ Proceeds from illicit drug sales are used to buy arms and support logistical needs.⁴⁸⁴ The proliferation of arms in the Gulf of Guinea is further reflected in the recent spate of piracy and armed robbery attacks in the region. Armed attacks on vessels protected by naval personnel in Togo in November 2019⁴⁸⁵ resulted in one security guard being shot and wounded and four crewmembers being kidnapped. In Nigeria in January 2020,⁴⁸⁶ four naval personnel were killed and three crewmembers were kidnapped.

The proliferation of illicit arms fuels conflict across the region. According to a Cameroonian navy representative, Cameroonian separatists operating in coastal areas of Nigeria were caught in 2018 attempting to smuggle arms into the southwestern region. This discovery resulted in increased patrols between the two navies to counter the flow of arms.⁴⁸⁸ Rebel groups also seek to evade detection by acquiring licit weapons illegally, as evidenced by the 2014 seizure by Central African Republic officials of Spanish-manufactured ammunition intended for the Anti-Balaka militia fighters. Further investigation revealed the weapons were shipped from Spain as part of a licit transaction to a registered firearms retailer in Yaoundé, Cameroon.⁴⁸⁹ Though African countries, including those outside the region, are key sources of illicit arms,⁴⁹⁰ ⁴⁹¹ local experts suggest that many of these weapons originate in Iran and Turkey, and increasingly pass through Spanish ports.

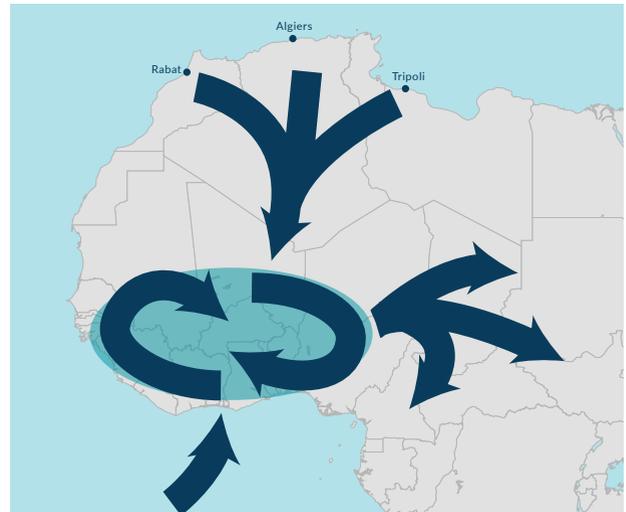
Conclusion

Porous borders, weak maritime enforcement, and corruption have enabled illicit trades in the Gulf of Guinea region. Illicit trade undermines local livelihoods, public health, economic development, and security across the region.

Illicit trade of legal goods thrives because perpetrators fulfill demand for out-of-reach communities. Efforts to counter illicit trades must be accompanied by investments in local communities. Specifically, the Nigerian government's decision to close its border with Benin is counterproductive in the long-term, because it will impact legitimate business and the Beninese economy.^{492, 493} In reality, "closed borders are only closed for legal things,"⁴⁹⁴ the implication being that the only people affected are legitimate businesses, as criminals simply seek out new routes to move their goods. This view is supported by the claim that though the border closure has been effective in curbing smuggling in the area of the southern borders, it has been ineffective in the northern part of the country as smuggling has persisted at the boundaries between Nigeria and the Niger Republic and is increasingly used by criminals as an alternative route.^{495, 496}

Finally, countering illicit trade requires strict enforcement of existing laws at the national level as well as effective cooperation between countries at the regional and international levels. Lessons from previous reforms have shown that a high level of collaboration is vital: local laws will not be adequately enforced without support from the national government. Furthermore, national policies will yield limited results if enforcement officials lack adequate training or are corruptible. In the same vein, lack of coordinated regional response will undermine national efforts as, without it, the cycle of illicit trade will continue.

FIGURE 4: MAJOR SMALL ARMS AND LIGHT WEAPONS ROUTES IN WEST AFRICA (INTERPOL, 2018)⁴⁸⁷



Countering illicit trade requires strict enforcement of existing laws at the national level as well as effective cooperation between countries at the regional and international levels, and must be accompanied by investments in local communities.

MARITIME MIXED MIGRATION



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In the Gulf of Guinea region, intraregional movements of people intersect with Europe-bound migration; the latter is said to be less in volume than the former.⁴⁹⁷ According to the International Organization for Migration, approximately 9 million people move “internally, intra-regionally, continentally and internationally” in West Africa, making it the most traveled area in all of Africa.⁴⁹⁸ In some instances, countries such as Benin, Cameroon, Côte d’Ivoire, Ghana, Nigeria, and Togo are countries of origin, destination, and transit all in one.⁴⁹⁹ Nigerians and Gambians have featured highest in the number of European arrivals in the past few years.⁵⁰⁰

Not all travel is voluntary, and oftentimes, the lines between smuggling and trafficking blur as journeys evolve. For example, debt bondage⁵⁰¹ renders women vulnerable to sexual exploitation in countries of transit or destination where they are forced to work as prostitutes to pay off their journey. Other cases indicate that many migrants are forced to work without pay. Prior to 2013, for example, many migrants sought short-term work to pay off several legs of their journey.⁵⁰² Aside from the vulnerabilities of becoming a trafficking victim during the journey, human trafficking in the Gulf of Guinea is considered one of the most prevalent maritime crimes, especially trafficking of minors for forced labor.⁵⁰³

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Movement at sea is facilitated by the absence of proper surveillance and a functioning maritime security architecture. Though, where sea routes are monitored and patrolled, shifting routes increase human insecurity: in the case of the closure of the Senegal–Canary Islands route, migrants were forced inland which increased people’s vulnerabilities, especially in light of reported abuses of migrants in Libya.⁵⁰⁴ And while the ECOWAS Treaty has facilitated trade and cooperation among its member states, it has also allowed criminal networks to operate across relatively porous borders. In addition to an international framework that governs human trafficking and the smuggling of migrants, several regional protocols have been put in place by the African Union (AU), Economic Community of Central African States (ECCAS), and the Economic Community of West African States (ECOWAS) that address the severity of the issue.

This chapter outlines the most common drivers for migration as well as different aspects which render people in the region vulnerable to human trafficking. Following this initial examination is a discussion of government efforts to curb human trafficking and to ensure protection for migrants and victims of trafficking.

Key Findings

- **CHILDREN MAKE UP THE MAJORITY OF TRAFFICKING VICTIMS IN THE GULF OF GUINEA REGION**, with an estimated 200,000 to 300,000 children trafficked annually for forced labor.⁵⁰⁵ Close to 2 million children are said to be forced into work on cocoa plantations in Côte d’Ivoire,⁵⁰⁶ though the Global Slavery Index puts the estimates for the past five years for Ghana and Côte d’Ivoire at roughly 16,000 children.⁵⁰⁷ Tens of thousands more work in the artisanal and small-scale mining sector in the region, most notably in Cameroon, Ghana, Guinea, and Senegal.⁵⁰⁸
- **INTRAREGIONAL MOVEMENT OF PEOPLE IS FAR MORE PERVASIVE THAN INTERNATIONAL TRAVEL**. Oil-producing countries such as Angola, Cameroon, Equatorial Guinea, Gabon, and Nigeria⁵⁰⁹ attract large numbers of people from less wealthy countries in the region, including landlocked countries. This is in accordance with migration transit theory, which stipulates that residents of poorer countries tend to travel shorter distances than those from more developed countries.⁵¹⁰
- **THERE ARE LINKS BETWEEN FISHERIES AND THE IRREGULAR MOVEMENT OF PEOPLE**. While fishing migrants have traditionally moved across countries of the Gulf of Guinea, there are also cases of fishing vessels involved in smuggling operations as well as reports of people exploited for sex and labor on vessels engaged in illegal, unreported, and unregulated (IUU) fishing.

Drivers of Voluntary Mixed Migration

There have been distinct periodical intraregional movements of labor migrants to particular countries, particularly movements into the far more developed coastal countries from landlocked countries such as Mali or Burkina Faso.⁵¹¹ Ghana registered an influx of West African migrants from the early 1950s onward until the 1966 coup.^{512, 513} Côte d'Ivoire recorded a similar trend on its cocoa plantations in the 1960s.⁵¹⁴ As Ghanaian policies drove out tens of thousands of labor migrants in 1969, Nigeria absorbed large numbers of migrant laborers due to its sustained economic progress. However, the economic crisis of the 1980s led to the expulsion of roughly 2 million labor migrants.⁵¹⁵ In recent years, oil-producing countries such as Gabon which have traditionally attracted fewer labor migrants⁵¹⁶ have registered an increase in labor migration.⁵¹⁷

Like in other regions of the world, most migrants begin their journey voluntarily by paying smugglers to take them to their preferred destinations. Though it is impossible to gauge accurately, estimates in 2010 and 2011 pinned the profits of smuggling in West Africa at roughly \$105–155 million;⁵¹⁸ this number is likely to have increased considerably over time.

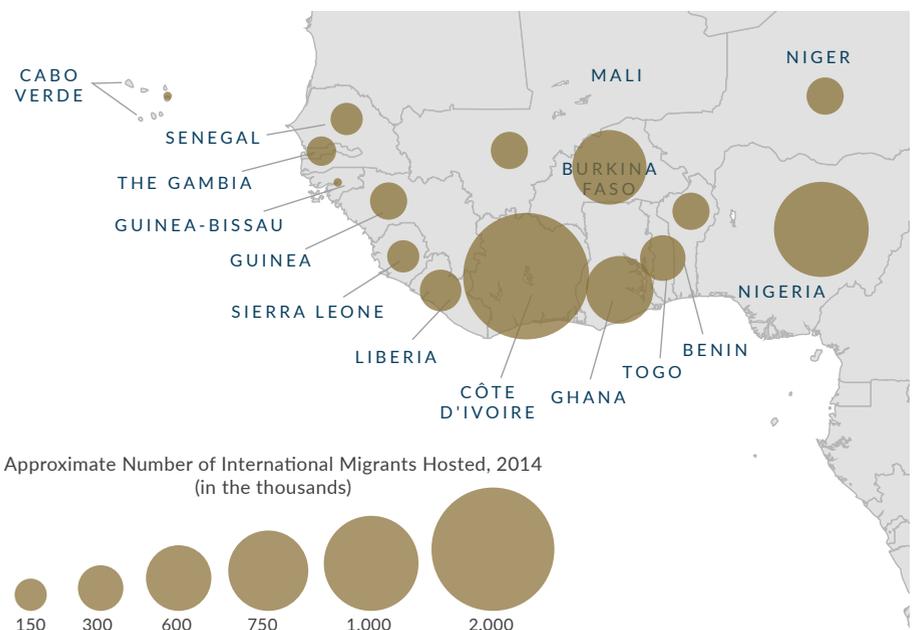
Transnational criminal groups have established a network of local recruiters in West African states who exploit poverty and lack of employment opportunities among youth.⁵¹⁹ In the maritime space, transshipment hubs are often used to transfer migrants; two regional clusters of countries have been identified as such for the Gulf of Guinea region: one includes Cabo Verde, The Gambia, Guinea, Guinea-Bissau, and Senegal, while the other includes Benin, Ghana, Nigeria, and Togo.⁵²⁰

The Intra-regional Labor-Migration Nexus

The massive movement of people across West African countries is a result of colonial rule; the establishment of urban centers and the simultaneous neglect of rural areas has historically triggered people to seek formal employment in cities.⁵²¹ In doing so, people moved along linguistic lines. In other words, people who migrated to Côte d'Ivoire, for example, came from other Francophone countries such as Guinea or Burkina Faso.⁵²²

According to a 2017 report by the African Union, in 2014 Côte d'Ivoire and Nigeria were among the top destination countries for migrants on the continent with 2.3 million and 1.3 million people from other countries, respectively.⁵²³ Compared to other countries in the region, Ghana hosted a considerable number of migrants at roughly 660,000,⁵²⁴ followed by Gabon with more than 400,000 migrants.⁵²⁵ Cabo Verde and Guinea-Bissau fare as the lowest among the ECOWAS states with a combined total of under 32,000.⁵²⁶ Despite their status as resource-rich countries, migration rates in comparison to total population in Angola and the Democratic Republic of Congo (DRC) account for less than 1 percent.⁵²⁷

FIGURE 1: ECOWAS STATES HOSTING INTERNATIONAL MIGRANTS





*A man sits overlooking the water in a Cameroonian fishing town.
Photo: Jean-Pierre Larroque, One Earth Future.*

The Intra-regional Fisheries–Migration Nexus

Maritime-based migration in the Gulf of Guinea has deep historical roots with centuries of trade documented as occurring across coastal communities but also movements of people due to armed violence and economic hardship. Among these movements of people, fisheries-related human migration forms a particular subset of regional labor migration.

Since fisheries-related human migration has taken place within the complex system of political borders drawn and redrawn during colonization and struggles for independence, there is little data available on the scale of people moving around, as the definitions of what constitutes internal migration versus transboundary migration have shifted over time.⁵²⁸ Even today, these fishing migrants are barely monitored. In the absence of proper monitoring tools, neither countries of origin nor host communities account for seasonal fishing migrants, let alone their families.⁵²⁹

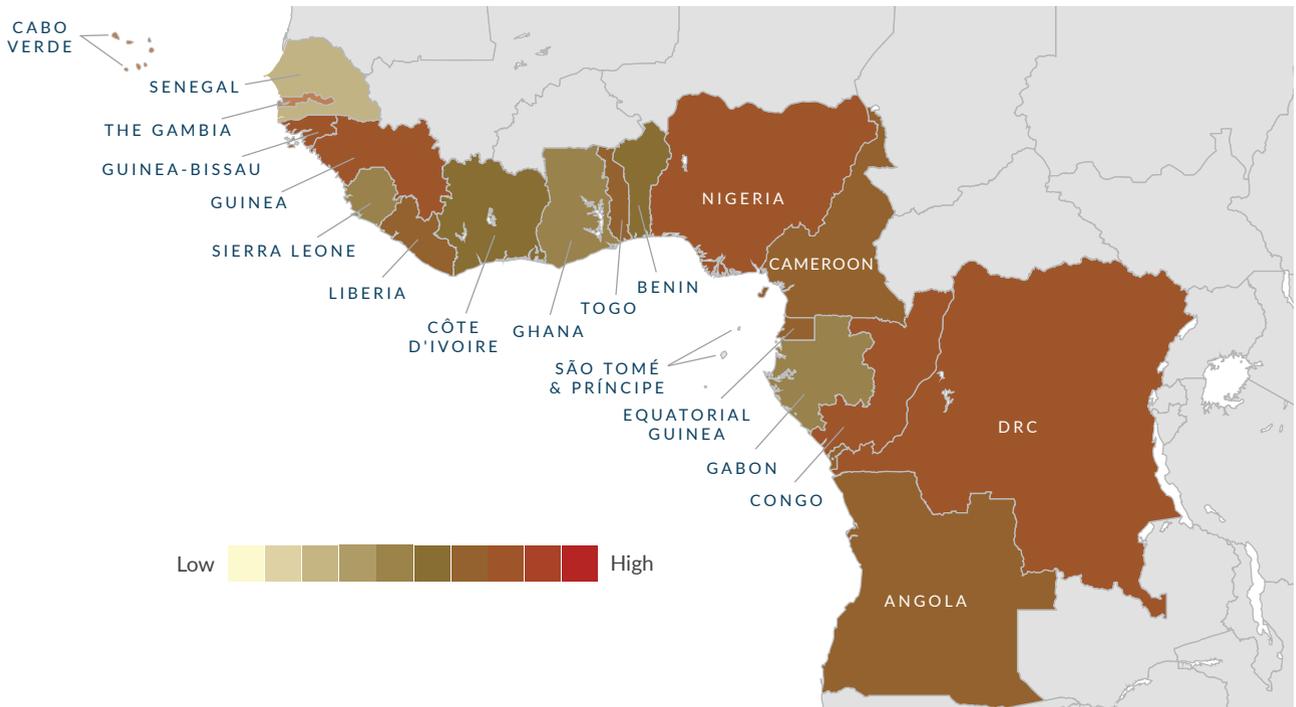
Though the ebb and flow of people is mostly tied to the seasonal movement of fish stock, the underlying motivations are characterized by the economic and political push and pull factors that have been observed with migrants generally.⁵³⁰ Given the temporary nature of their stay in many coastal communities, these migrants have very little protection and are often neglected in development schemes,⁵³¹ though there are indications of nascent recognition.⁵³²

With origins in Côte d'Ivoire, fishing migrants' movements gradually expanded across traditional migration and trading routes to include people moving from and to Benin, Cameroon, Gabon, The Gambia, Ghana, Guinea, Liberia, Nigeria, Sierra Leone, Senegal, and Togo.⁵³³ In some areas, the fisherfolk even formed permanent fishing settlements, though migration remains mostly temporary, with men constituting the majority of migrants.⁵³⁴ As fish stocks are rapidly declining in the region, these fisherfolk may face conflicts with indigenous communities as competition over fish in small-scale fisheries is pitting people against each other. Fishing migrants might also be forced to migrate farther or leave coastal areas altogether, thus increasing the vulnerabilities of their families. Polygamy and the abundance of port-based sex workers have also increased health concerns such as HIV/AIDS among the fishing migrants, with long-term consequences for families and communities.⁵³⁵

Involuntary Mixed Migration

Globally, human trafficking is considered the third-largest crime industry. According to the Global Slavery Index, an estimated 9.2 million people in Africa are subjected to forced labor and sexual exploitation (including forced marriage and commercial sexual exploitation), giving Africa the highest prevalence rate (7.6 per 1,000 people) in the world.⁵³⁶ Regionally, Nigeria and the Democratic Republic of Congo fare the highest in percentage with over 1 percent of all African victims.

FIGURE 2: GLOBAL SLAVERY INDEX ESTIMATED PREVALENCE OF MODERN SLAVERY BY COUNTRY, 2016



Adapted from Global Slavery Index's online map

	Estimated prevalence (victims per 1,000 population)	Estimated absolute number of victims (of total population)	Regional ranking
ANGOLA	7.2	199,000 (of 27,859,000)	21
BENIN	5.5	58,000 (of 10,576,000)	35
CAMEROON	6.9	157,000 (of 22,835,000)	24
CABO VERDE	4.1	2,000 (of 533,000)	42
CÔTE D'IVOIRE	5.9	137,000 (of 23,108,000)	31
DRC	13.7	1,045,000 (of 76,197,000)	7
EQUATORIAL GUINEA	6.4	7,000 (of 1,175,000)	28
GABON	4.8	9,000 (of 1,930,000)	39
THE GAMBIA	5.8	11,000 (of 1,978,000)	32
GHANA	4.8	133,000 (of 27,583,000)	38
GUINEA	7.8	94,000 (of 12,092,000)	13
GUINEA-BISSAU	7.5	13,000 (of 1,771,000)	19

LIBERIA	7.4	33,000 (of 4,500,000)	20
NIGERIA	7.7	1,386,000 (of 181,182,000)	15
REPUBLIC OF CONGO	8.0	40,000 (of 4,996,000)	12
SENEGAL	2.9	43,000 (of 14,977,000)	46
SIERRA LEONE	5.0	36,000 (of 7,237,000)	37
TOGO	6.8	50,000 (of 7,417,000)	25

In the Gulf of Guinea region, smuggling of migrants and several types of human trafficking overlap and are often connected to other transnational crimes. For example, IUU fishing is linked to both smuggling of migrants and forced labor, which also includes incidences of child trafficking and sexual exploitation.

The Scale of Intra-regional Child Trafficking

Children from poorer countries (including Benin, Guinea-Bissau, Ghana, Nigeria, and Togo) are trafficked to Cameroon, Gabon, Guinea, and Senegal to work on plantations.^{537, 538} In Nigeria and the DRC, children from Benin, Ghana, and Togo are forced to work in mines,⁵³⁹ while elsewhere, children are trafficked to Côte d’Ivoire, Guinea, Nigeria, or as far as Mali to work as domestic helpers.^{540, 541} Many of these victims arrive by cramped boats from southern Nigeria.⁵⁴²

Internationally, children—especially girls—are trafficked to Europe for sexual exploitation. Italy in particular is a prominent hub for sex work and has grown in recent years due to the massive flow of migrants across the Mediterranean.⁵⁴³ Since cultural norms have traditionally led families to involve children in farm labor or send them to live with relatives or work far from home, the scale of exploitation of minors continues to be a severe problem in the region.⁵⁴⁴

Though some reports mention forced recruitment of children into armed groups as a form of child trafficking, this particular crime technically falls under a different UN regime of protocols and conventions that govern the rights and protection of the child. However, the history of child soldiers in West Africa—most notably in Angola, Côte d’Ivoire, Liberia, and Sierra Leone—warrants attention and should not be underestimated. With the end of armed violence and unrest in many countries in the region, only the DRC and Nigeria are reported to have active child soldiers in armed groups to this day.⁵⁴⁵



*A young boy works among artisan miners digging for copper in the Democratic Republic of the Congo.
Photo: Pers-Anders Pettersson/Getty Images.*

Intraregional and International Sex Trafficking

There have been reports of women and girls being forced into sex work on boats of oil bunkerers in the Gulf of Guinea.⁵⁴⁶ In other cases, women have been subjected to sexual exploitation on fishing vessels or in port areas.⁵⁴⁷ Female migrants are known to be abused by government officials as smugglers use the sexual assault of women and girls as a form of bribe for uninterrupted passage.⁵⁴⁸ Aside from this, women and girls are also subjected to sexual exploitation during intraregional trafficking for domestic work as part of the *wahaya* practice,⁵⁴⁹ though the practice is predominantly found in Niger, where “in addition to the four wives permitted by Islam, men take on additional ‘unofficial’ wives (*wahayu*) who are treated as domestic and sexual slaves.”⁵⁵⁰ Last, almost 6 million people are reportedly subjected to forced marriage in all of Africa, of whom women constitute 84 percent and underage girls approximately 37 percent.⁵⁵¹ Though it is culturally accepted to marry off underage girls in large parts of the region, forced marriage as a form of human trafficking has been reported in Guinea-Bissau.⁵⁵² Forced marriage as a practice also occurs in the context of armed violence such as that in Nigeria and the DRC,⁵⁵³ and was a common form of sexual exploitation during the civil wars in Sierra Leone and Liberia.

Trafficking for Forced Labor and Sexual Exploitation in Fisheries

Though low in volume, there have been reports in the past of human trafficking or smuggling of migrants on fishing vessels as a means for fishermen to supplement income⁵⁵⁴ on routes from West Africa to Morocco.⁵⁵⁵ There are also links between IUU fishing and human trafficking for sexual exploitation⁵⁵⁶ whereby women and girls are forced to stay on a boat,⁵⁵⁷ but it remains unclear how many women and girls suffer from this abuse. These tactics—forced onto a boat and exploited—are similar to those used to exploit men and boys on fishing vessels that engage in IUU fishing. To curb human trafficking as one crime of IUU fishing, the countries of Benin, Côte d’Ivoire, Ghana, Liberia, Nigeria, and Togo established the West Africa Task Force in 2015,⁵⁵⁸ though underreporting and lack of awareness and maritime law enforcement capacity continue to hamper progress.^{559, 560}

As mentioned, there are culturally accepted practices of sending children away to work. In Ghana, this practice has subjected young boys to work under horrendous conditions in the fishing industry,⁵⁶¹ though less in the maritime space.⁵⁶² It is important to note, however, that both parents and children are often led to believe that children will work at an agreed-upon destination; however, in many cases, similar to sex trafficking, children are trafficked further after they arrive on site; middlemen are often unaware of the final plight of these children or simply do not care.^{563, 564}

Though all countries in the Gulf of Guinea region ratified the International Labour Organization’s (ILO) Worst Forms of Child Labour Convention (1999) and the ILO’s Abolition of Forced Labour Convention (1957), millions of children continue to be forced to work. In the most recent US Department of State *Trafficking in Persons Report*, Cabo Verde, Cameroon, Gabon, Ghana, Guinea-Bissau, Sierra Leone, and the Republic of the Congo have been implicated in having forced labor in the fishing industry.⁵⁶⁵

State Efforts to Address Smuggling and Trafficking of Persons

Several international, continental, and regional legal and policy instruments govern the issue of smuggling and human trafficking in West Africa (Table 2). Despite this comprehensive framework, very few countries in the region have established national strategies and instruments to enforce the protection of victims and migrants and to prevent crimes from happening in the first place.⁵⁶⁶ In addition, few countries in the region draw links between foreign labor and meeting labor market needs.⁵⁶⁷ Put differently, labor migration remains highly unregulated and labor supply remains decoupled from industries and businesses. Moreover, as has been observed with other crimes, some offenses in the maritime space are not only culturally sanctioned but also mislabeled. For example, victims of forced labor on boats associated with IUU fishing are not treated as victims of trafficking but will rather be investigated for irregular migration offenses.⁵⁶⁸

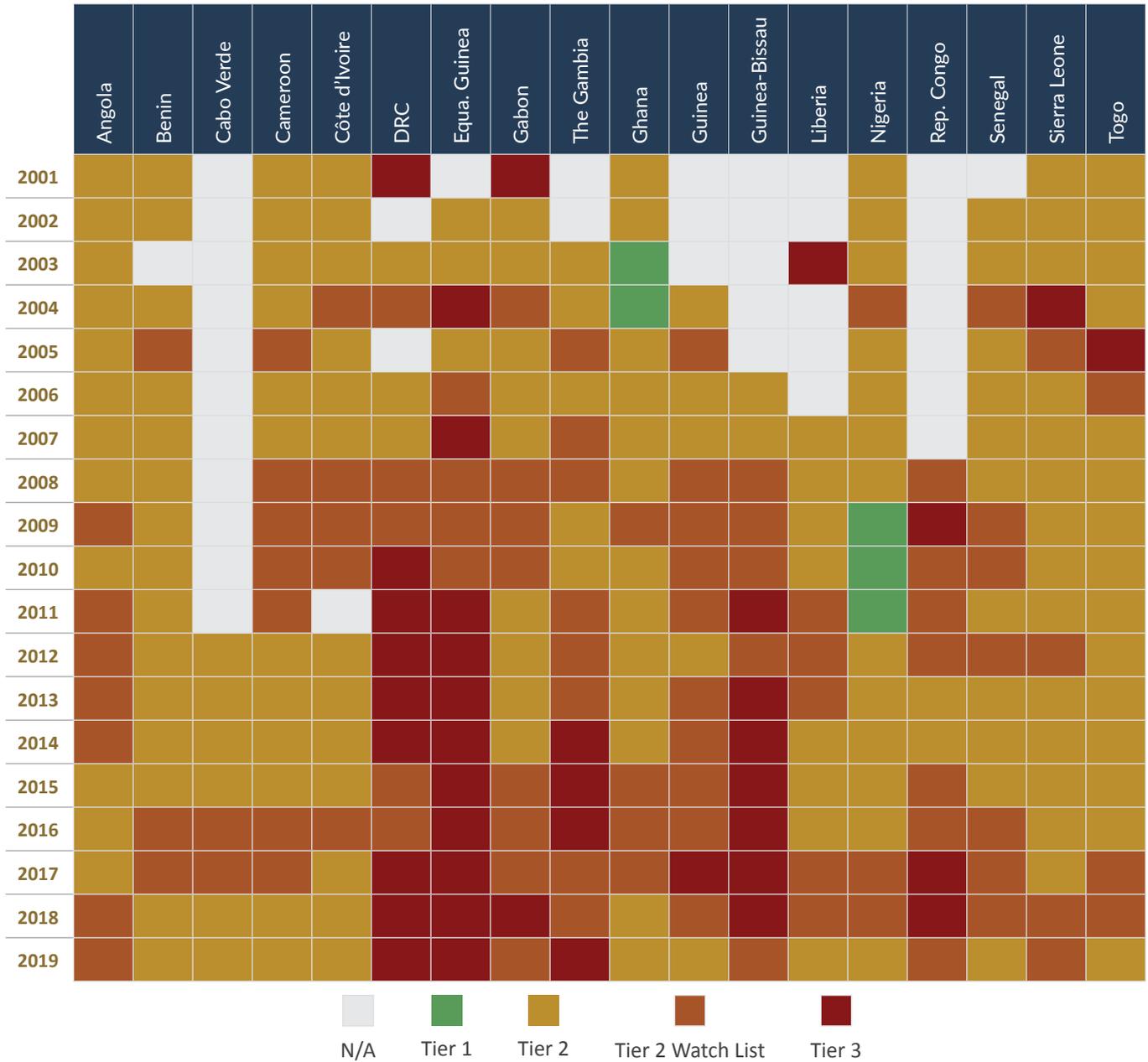
FIGURE 3: PROTOCOLS AND POLICIES ON MIGRATION AND TRAFFICKING IN THE GULF OF GUINEA REGION

INTERNATIONAL	CONTINENTAL ⁵⁶⁹	REGIONAL ^{570, 571, 572}
United Nations Convention against Transnational Organized Crime (2003)	AU Migration Policy Framework (2006)	ECOWAS Treaty (1975, revised 1993)
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children- Palermo Protocol (2000)	Joint Africa-EU Declaration on Migration and Development (2006)	Protocol on Free Movement of Persons, the Right of Residence and Establishment (1979)
Protocol against the Smuggling of Migrants by Land, Sea and Air (2000)	AU Plan of Action on Boosting Intra African Trade (2012)	ECOWAS Common Approach on Migration (2008)
UN Convention on the Protection of the Rights of Migrant Workers and Members of their Families (1990) ⁵⁷³	Continental Free Trade Area	Migration Dialogue for Central African States (2012)
International Labour Organization's Worst Forms of Child Labour Convention (1999)		ECCAS Treaty (1983)
International Labour Organization's Abolition of Forced Labour Convention (1957)		ECCAS Protocol on Freedom of Movement and Rights of Establishment of Nationals of Member States (1983)
		ECCAS Declaration on Cross-Border Security in Central Africa (2007)
		Plan of Action against Trafficking in Human Beings, Especially Women and Children in West and Central Africa (2006)

The policy versus implementation conundrum is reflected in the rankings of the US Department of State's reports (Figure 4). Most countries, with a few exceptions, remain on the US Department of State's watch list. Three countries have remained in Tier 3 for most of the time of monitoring: the DRC, Equatorial Guinea, and Guinea-Bissau.

Given the historical intraregional movement of people in the region, coupled with cultural notions around child labor and lack of a functioning maritime security architecture, it is difficult to curb the problem effectively. In addition, regional cooperation and coordination is often hampered by language barriers; aside from thousands of local languages and dialects, four European colonial countries (France, Portugal, Spain, and the UK) left their linguistic footprints in the region, thus often pitting Anglophone and Francophone communities against each other.

FIGURE 4: US DEPARTMENT OF STATE TRAFFICKING IN PERSONS TIER RANKINGS, 2001–2019



Nonetheless, countries of the region have overcome past issues and cooperated with INTERPOL in cross-border operations such as Operation Adwenpa II⁵⁷⁴ in 2016 and Operation Epervier II⁵⁷⁵ in 2019, which led to the rescue of several hundred victims in border areas such as Benin/Nigeria, Guinea/Mali, and Burkina Faso/Ghana. Minors from these rescues came from Benin, Burkina Faso, Côte d'Ivoire, Niger, Nigeria, and Togo. Such success stories demonstrate the eagerness of countries in the region to enhance their awareness and capabilities, though the region is still mostly neglecting the maritime space.

Recent initiatives and sustained efforts by international stakeholders such as the UN Office on Drugs and Crime indicate improvements in this regard. However, it is important to avoid an overly securitized view of maritime mixed migration. The “closure” of the West Africa-Canary Islands maritime migration route is a case in point.

Shifting Routes, Shifting Vulnerabilities

In the early 2000s, the Canary Islands, especially La Tejita, attracted Africans on their perilous maritime journey to Europe. As a Spanish overseas territory, the islands offered a more realistic chance to receive entry into the European Union⁵⁷⁶ than becoming trapped in North African states. A similar attempt to reach the EU was observed a few years earlier in the Spanish enclaves of Ceuta and Melilla in Morocco.⁵⁷⁷ Once the violent clashes there led to a closure of the border between Morocco and the Spanish enclaves, the Canary Islands became a target for maritime migration in 2006.⁵⁷⁸ Over 50,000 people are said to have arrived in the Canary Islands from 2006 to 2008.⁵⁷⁹ In response to the influx of migrants, Spain entered into several bilateral agreements with countries of major launching sites (including Senegal) that essentially sealed off this maritime route.⁵⁸⁰ Heralded as a milestone in halting seaborne migration, building border management capacity in countries of origin,⁵⁸¹ and ostensibly for the protection of people’s lives, the enforced patrols led to a steady decline of migrants; numbers were down to roughly 220 in 2010.⁵⁸² However, numbers have increased again since 2017⁵⁸³ as the massive surveillance of this route is too expensive to be sustained. In addition, the border patrols and enforced maritime domain surveillance did not stop migration. Though Spanish investments into development projects have aimed at providing alternatives to encourage youth to stay in their countries,⁵⁸⁴ these initiatives can hardly tackle all push and pull factors. Migration continued, albeit employing other routes. In fact, the closure of the West African route merely pushed people inward.⁵⁸⁵ As mentioned above, the conditions in Libya, but also the security situations in Mali and Burkina Faso, pose considerable risks to migrants. However, in recent years, the Western Mediterranean route through Morocco has once again gained popularity and dominance for West African migrants,⁵⁸⁶ with a record high of 57,034 detected entries in 2018.⁵⁸⁷

Combating the flow of illicit maritime migration across the Gulf of Guinea requires a concerted effort between states that involves collaboration and cooperation between the relevant agencies. The next chapter reviews the capabilities of Gulf of Guinea countries to ensure maritime safety and security in their waters, with emphasis on maritime law enforcement agencies.

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MARITIME ENFORCEMENT CAPACITY



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Gulf of Guinea heads of state came together for the first time in 2013 to commit to strengthening regional maritime security in the interest of peace, stability, and sustainable development. The meeting culminated in the adoption of three strategic documents: a political declaration signed by the then-25 Gulf of Guinea countries;⁵⁸⁸ a memorandum of understanding signed by the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC); and a code of conduct under which the heads of state affirmed their commitment to regional maritime cooperation towards a stable maritime environment that can contribute to regional prosperity.⁵⁸⁹ Member state navies and coast guards have since developed a number of response initiatives aimed at combating threats to shared security.

However, priority for the limited budgetary allocation is often given to armies over navies or coast guards across the region.^{590, 591} In West Africa, with the exception of Nigeria, Ghana, and Senegal, most navies and coast guards are underdeveloped and cannot adequately enforce maritime security and governance.⁵⁹²

The centrality of maritime safety and security to economic development in the Gulf of Guinea requires action to improve the enforcement capabilities of maritime agencies, including the development of harmonized operational procedures. This chapter will discuss the maritime enforcement capabilities in Gulf of Guinea countries, identify challenges and impediments to further force development, and finally, offer tangible recommendations on how to improve force efficiency and effectiveness.

The centrality of maritime safety and security to economic development in the Gulf of Guinea requires action to improve the enforcement capabilities of maritime agencies, including the development of harmonized operational procedures.

Key Findings

- The prevalence of piracy and armed robbery at sea in the region, compared to other global hotspots, has re-energized political attention for maritime security, evidenced by the commitment to implementing the provisions of the 2013 Yaoundé Code of Conduct. However, **NAVIES, COAST GUARDS, AND OTHER LAW ENFORCEMENT AGENCIES ACROSS THE REGION ARE INADEQUATELY FUNDED**, constraining their ability to fulfill their mandates.
- **IMPROVED COOPERATION AT THE REGIONAL LEVEL IS EVIDENT** in the operationalization of the Yaoundé Architecture; however, some gaps remain at the regional level and in interagency cooperation at the national level.
- There is a **CRITICAL NEED TO DEVELOP A HARMONIZED OPERATIONAL PROCEDURE BASED ON NATIONAL MARITIME STRATEGIES**; Côte d'Ivoire's "State Action at Sea" strategy offers a good example, though with some limitations.
- While enhancing maritime presence and interdiction capability is essential, **IMPROVING THE INTELLIGENCE CAPACITY OF THE MARITIME ENFORCEMENT AGENCIES IS MOST CRITICAL** to interdicting illicit activities in the Gulf of Guinea.

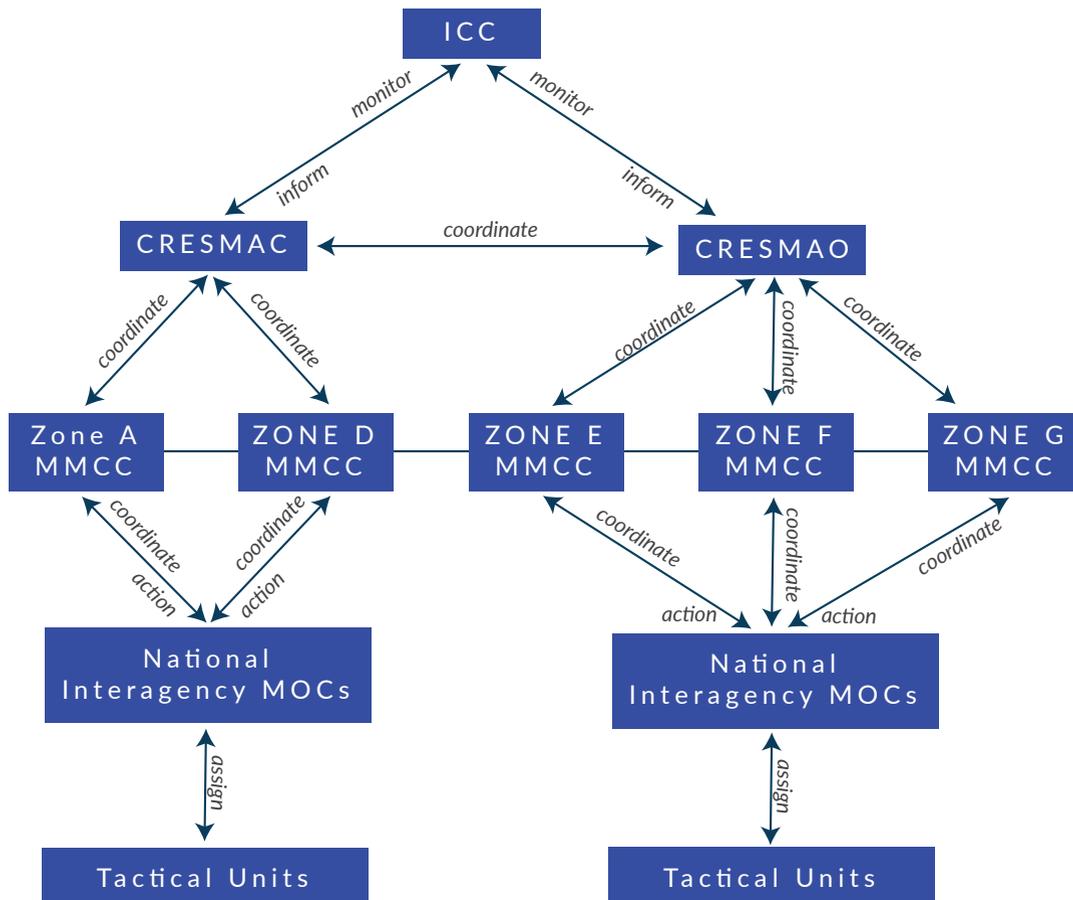
Maritime Enforcement Beyond National Frontiers

The cross-border nature of maritime security challenges in the Gulf of Guinea necessitates a transregional response. Without one, criminal networks are emboldened to exploit states lacking the capacity to monitor and enforce rule of law in their maritime domain. The partnership between Nigeria and Benin in Operation Prosperity^{593, 594, 595} has made progress against piracy and armed robbery at sea while having the unintentional effect of simultaneously driving crime to waters of nations lacking such capacity. A vast majority of countries across the region lack naval capacity to enforce

security in the vast expanses of their maritime domains. It should be noted that some countries, like Liberia, São Tomé and Príncipe, and Cabo Verde, have coast guards but still lack capacity to patrol or enforce laws in their maritime territory.

Owing to the improved maritime domain awareness (MDA) across the region, there is now a clearer understanding of the economic significance of a safe marine environment, as well as the centrality of a collective response to regional maritime security challenges. The meeting of the heads of state of Gulf of Guinea countries in 2013 resulted in the adoption of the Yaoundé Code of Conduct. The Yaoundé Code of Conduct eventually culminated in the establishment of the Yaoundé Architecture with the Interregional Coordination Centre (ICC) at the apex. The ICC was established in 2014 and operationalized in 2017.⁵⁹⁶

FIGURE 1: EXISTING INFORMATION SHARING NETWORK



For the architecture to function equitably, maritime enforcement capability at the tactical unit and national interagency Maritime Operation Centre (MOC) levels must improve significantly, as their roles require coordination with relevant maritime enforcement agencies and MOCs of other states as well as multinational maritime coordination centers (MMCCs). To that end, the ensuing section looks at some of the challenges of maritime enforcement capability in the Gulf of Guinea, drawing on relevant examples from select countries.



Ghana navy Lt. Robert Agong monitors seaborne activities from the maritime operations center (MOC) in Accra, Ghana. Photo: David R. Krigbaum, US Navy.

Challenges to Maritime Enforcement in the Gulf of Guinea

The maritime security landscape in the Gulf of Guinea has evolved in the last few years, as reflected in the establishment of frameworks and structures and the continued development of guiding principles. However, serious challenges remain, including, importantly, lack of naval and coast guard capacity across the region.

Inadequate Law Enforcement Platforms—Ships, Boats, and Maritime Patrol Aircraft (Surface and Air Assets)

Maritime security and law enforcement agencies like navies, coast guards, and marine police in most Gulf of Guinea countries do not have the capacity to provide a credible deterrence to crime in the maritime space.^{597, 598} The majority of maritime enforcement agencies in the region are under-equipped for extensive patrolling and pursuit beyond territorial waters. These weaknesses have exposed economic and environmental threats with negative implications for maritime security.

In The Gambia, maritime enforcement agencies are unable to effectively enforce security in their narrow waters, making the country attractive to criminals. In particular, poor monitoring capacity in The Gambia's water is reported as a major cause of illegal, unreported, and unregulated fishing by foreign vessels.⁵⁹⁹ In order to protect itself, the United States Coast Guard imposed a condition of entry in 2015 for vessels arriving from The Gambia, as the latter was deemed to have insufficient anti-terrorism measures in place in ports.⁶⁰⁰ Vessels arriving from other countries in the region, namely Cameroon, Côte d'Ivoire, Equatorial Guinea, Guinea-Bissau, Liberia, Nigeria, and São Tomé and Príncipe, are subject to similar conditions for not maintaining what the US Coast Guard has described as sufficient and "effective anti-terrorism measures in their ports."⁶⁰¹

Inadequate maritime enforcement platforms in the Gulf of Guinea states often result in a lack of maritime domain awareness (MDA)—which is vital to the maritime safety and security of coastal states—as resources are insufficient to cover the marine environment of most countries across the region. Nations like Nigeria,^{602, 603} Ghana,^{604, 605} and São Tomé and Príncipe⁶⁰⁶ have some MDA infrastructure, but still lack complete situational awareness. Consequently, these ungoverned spaces have become breeding grounds for illegal activities which largely go undetected.

Lack of Interagency Collaboration and Cooperation

Cooperation between agencies is a vital aspect of improving maritime safety and security. Though some progress has been made with multinational cooperation, at the national level, inadequate levels of interagency partnership hamper states' abilities to combat security threats.

GHANA'S SURVEILLANCE SYSTEM

The surveillance system in Ghana has all the necessary tools for effective monitoring of its maritime domain; the system in place is well-placed for a swift exchange of information between enforcement agencies. However, its leading agencies—the Ghana Maritime Administration, the navy, and the Ministry of Fisheries and Aquaculture Development—operate separate surveillance systems, which inhibits the ability to effectively coordinate on issues relating to maritime security.⁶⁰⁷ The March 2018 incidents off Tema Harbor in Ghana showcase how inadequate interagency collaboration and cooperation can undermine the effectiveness of maritime enforcement agencies.

In the early hours of 26 March 2018, armed men boarded a cargo vessel at the Tema anchorage. After taking charge of the vessel, they commanded the crew to head east but were informed that they had insufficient fuel. Now off the coast of Ghana, the criminals hijacked a second vessel—a tanker—and disembarked from the first, taking two hostages with them. The crew of the second vessel were instructed to head towards Nigeria, but they, too, noted insufficient fuel. The same armed men hijacked a third vessel, this time a fishing vessel, and sailed towards Nigeria, taking with them five hostages from the first two vessels.^{608, 609} Despite being close to the Tema port, the response of the Ghana Navy to the incidents was slow: it took hours after the first incident occurred for them to respond. Although the Ghanaian navy succeeded in retrieving the fishing vessel two days later,⁶¹⁰ the occurrence of three incidents in the same day suggests a lapse in communication between Ghana's Ports Authority and the navy. The lack of a coordinated system of monitoring, information sharing, and communication reinforces the haphazard operationalization of maritime security frameworks at the national level while also inhibiting multilateral integration among maritime enforcement agencies.

Improving Maritime Enforcement Capability

Improving maritime enforcement capability in the Gulf of Guinea must start with the harmonization of the roles of the relevant institutions at the national level. Important areas of harmonization are discussed below.

Intelligence-Gathering and Education

Maritime law enforcement operations require the generation of actionable intelligence by relevant authorities.⁶¹¹ Intelligence-gathering is vital to maritime security when resources are limited:⁶¹² in light of constraints across the region, navies and coast guards must efficiently deploy finite assets. Effectively allocating resources requires building intelligence capacity so that navies and coast guards can prevent crimes from happening in the first place. Adequately deployed, intelligence-driven maritime enforcement ensures that some criminals are intercepted before they even leave land. If the opportunity to stop illicit actors on shore is missed, however, assets can be deployed at sea, as evidenced by recent seizures of illicit drugs in Cabo Verde,⁶¹³ Guinea-Bissau,⁶¹⁴ and Senegal.⁶¹⁵

Developing Harmonized Operational Procedures Through National Maritime Strategies to Combat Transnational Maritime Organized Crime

A national maritime strategy outlining the responsibilities, order of engagement, and standard operating procedures of the maritime law enforcement agencies ensures smooth coordination between authorities, from sharing information to interdiction and prosecution. This harmonizes interoperability by ensuring that all agencies have the legal mandate to mobilize assets to combat illicit activities at sea. Specifically, all maritime law enforcement officers have the mandate under a national maritime strategy to interdict, arrest, and support the investigation of those on vessels suspected of engaging in criminal activity at sea.

Maritime Presence and Interdiction Capability

Intelligence, education, operating procedures, and strong MDA are meaningless if the assets needed and used by the maritime enforcement agencies are obsolete and/or unavailable.⁶¹⁹ Therefore, governments must invest in maritime assets.

Relatedly, given the resource limitations of maritime enforcement agencies across the Gulf of Guinea, technology plays a vital role in advancing interdiction capabilities while simultaneously enhancing MDA. In particular, tools like the Regional Maritime Awareness Capability (RMAC) program facilities, Vessel Traffic Management and Information System (VTMIS), fishing vessel monitoring systems (VMS), automatic identification systems (AIS), and Long-Range Identification and Tracking (LRIT) system can be better deployed to improve maritime situational awareness.⁶²⁰ Improving maritime presence and interdiction capability through investment in modern assets, including adoption of technology, is vital in order for multinational joint patrols to bridge the gap of country limitations and for multinational agency collaboration to be operationalized.

Further, capacity-building has to be continuous, especially in states that cannot afford training of maritime enforcement personnel. Once achieved, capacity-building needs to be harmonized. This will entail the development of a comprehensive capacity-building program for maritime security professionals; the Interregional Coordination Centre in Yaoundé, with financial and technical support from Norway through the United Nations Office on Drugs and Crime, has commenced work in this area.

Togo's Success Story

In the early hours of Sunday, 12 May 2019, the Togolese navy engaged in a pursuit and intercepted and apprehended six individuals who approached *G Dona 1*, a chemical cargo vessel, at the Lomé anchorage. The navy dispatched a team to investigate when it observed some erratic maneuvers by the vessel and the naval team was unable to establish contact with the vessel's operation room. The vessel was subsequently boarded by the naval team and the suspects were arrested and handed over to the maritime police for further investigation.⁶²¹

LESSONS FROM CÔTE D'IVOIRE'S "STATE ACTION AT SEA"

Article 4 of the Yaoundé Code of Conduct of 2013 calls on signatory states to "develop and implement appropriate national maritime security policies to safeguard maritime trade from all forms of unlawful acts."⁶¹⁶ In line with this, in November 2014 the government of Côte d'Ivoire enacted the National Strategy for State Action at Sea (*Stratégie pour l'Action de l'Etat en Mer*)⁶¹⁷ through an executive decree signed by its president.

Though some aspects of the State Action at Sea strategy are yet to be implemented, Côte d'Ivoire has made progress since the adoption of the strategy.⁶¹⁸ As states like Nigeria and Ghana are looking to adopt a national maritime strategy, Côte d'Ivoire's State Action at Sea offers insights into how a harmonized procedure of engagement might empower the operationalization of the multinational (zonal) maritime security framework, as roles and responsibilities of national navies and coast guards are always clear.



Ghanaian navy boarding team members prepare to take part in a weapons trafficking scenario as part of Exercise Obangame Express 2015. Photo: Luis R. Chavaez Jr, US Navy.

The cross-boundary nature of security threats in the Gulf of Guinea requires a collective response from all countries in the region. For coordination to be effective, maritime enforcement agencies across the region must contribute to part of a multilateral strategy in line with the provisions of the Yaoundé Code of Conduct. Gulf of Guinea countries must commit to maritime safety and security in the region by enhancing agency capacity through asset procurement to improve MDA and interdiction. Doing these things, with support from the international community, would make it difficult for illicit actors to continue operating transnationally in a manner that allows criminals to commit a crime in one state and escape to another. The next chapter explores the extent to which multilateral and international initiatives can enhance maritime safety and security in the region.

Though maritime insecurity persists,⁶²² the swift response of the Togolese navy during this high-risk operation and the successful rescue of the victims and subsequent arrest of the culprits demonstrates progress. Human capacity, training on gathering intelligence, harmonization of operations between maritime enforcement agencies, and most importantly, the interdiction capability of the navy have all been improved, allowing for such actions to be successfully conducted.

Conclusion

Gulf of Guinea countries are making progress in combating security threats in the collective maritime domain. Challenges remain, including weak maritime security architecture, and are aggravated by funding limitations and reluctance to cooperate among state agencies. To bridge these gaps, navies and coast guards across the region are procuring naval equipment,⁶²³ investing in MDA, developing a harmonized framework, bolstering training, and enhancing information-sharing for improved interagency cooperation.

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INTERNATIONAL COOPERATION



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Perhaps nowhere on earth is international cooperation more critical to maritime security than in the Gulf of Guinea. The relative sea-blindness and lack of maritime assets of many Gulf of Guinea states, combined with abundant natural riches and possibilities for economic gain, mean that the Gulf of Guinea has become a hotbed for illicit maritime activity. The Gulf of Guinea coastline is home to several closely packed nations, as well as some maritime boundary disputes. Spillover of illicit activity in one nation's waters easily and often affects neighbors. The proximity of these states combined with the multinational nature of both maritime trade and resource extraction and the transnational nature of illicit actors exploiting regional security weaknesses creates jurisdictional fault lines. Jurisdictional fault lines, transnational threats, and lack of state resources contribute to maritime security concerns in the region, and international cooperation is needed to address all of these challenges.

Jurisdictional fault lines, transnational threats, and lack of state resources contribute to maritime security concerns in the region, and international cooperation is needed to address all of the challenges facing the Gulf of Guinea.

Unsurprisingly, extensive efforts have been taken to address maritime security concerns through multinational projects and programs. First, intraregional efforts have been initiated by groupings of Gulf of Guinea states, primarily within and between the economic communities of the West and Central African states (i.e., ECOWAS and ECCAS), but increasingly—with the publication of the African Union's Africa Integrated Maritime Strategy and the Lomé Charter—at a pan-African level. Second, international partners have made significant contributions to enhancing maritime security capabilities, and in some cases capacity, of Gulf of Guinea states. While often focused on training of naval personnel in individual Gulf of Guinea states, these efforts have also addressed sea-blindness, and encourage individual states to cooperate more closely with each other and to contribute to the international and regional frameworks they themselves helped create.

Key Findings

- International cooperation efforts to improve maritime security in the Gulf of Guinea can be viewed in two principal categories: **INTRAREGIONAL EFFORTS AMONG AFRICAN STATES TO INCREASE COOPERATION IN ADDRESSING MARITIME THREATS, AND EFFORTS BY EXTERNAL INTERNATIONAL PARTNERS** to enhance maritime enforcement capacity and rule of law.
- These lines of effort have had some success in improving cooperation, and more mixed results in enhancing the maritime security situation. **THE PRIMARY LIMITER OF PROGRESS APPEARS TO BE THE LACK OF POLITICAL WILL IN SOME GULF OF GUINEA STATES TO IMPLEMENT OR INSTITUTIONALIZE AT THE NATIONAL LEVEL** what has been agreed on at the international level or provided by international partners.
- The international cooperation instrument that has shown **THE GREATEST PROMISE FOR ENHANCING COOPERATION, AND BY EXTENSION SECURITY, IS THE YAOUNDÉ CODE OF CONDUCT**. Based on concepts from previous successful cooperation frameworks, it has allowed creation of a standing regional cooperation architecture which provides easy entry points for international partners to provide capacity-building assistance and allows cooperation at the operational and tactical levels with neighboring countries, circumventing lengthy political channels.

Regional Cooperation Frameworks

Beginning in the early 2000s, a number of intra-Africa efforts were undertaken to address maritime insecurity in the Gulf of Guinea. The three multinational organizations central to this effort have been the Gulf of Guinea Commission (GGC), the Economic Community of Central African States (ECCAS), and the Economic Community of West African States (ECOWAS). The two economic communities began to take an interest in multinational maritime cooperation as piracy in both East



Cameroonien officers at a maritime operation center. Photo: Jean-Pierre Larroque, One Earth Future.

and West African waters increasingly made headlines. The GGC, founded in 2001 by the eight major oil-producing Gulf of Guinea states with the purpose of increasing cooperation, especially for energy production and security, has also played a role in the closely related area of maritime security, for the obvious reason that most Gulf of Guinea energy production occurs offshore.

The first concrete output from regional cooperation⁶²⁴ to enhance maritime security was realized in 2009 when ECCAS members agreed upon a maritime security protocol that established a three-tier zone concept for multinational cooperation in the maritime security realm. This structure creates a network of national maritime operations centers (MOCs) coordinated by zone-level multinational maritime coordination centers (MMCCs) and includes a single regional coordination center. The original concept called for four overlapping zones, but was later simplified to two. Zone D, made up of Cameroon, Equatorial Guinea, Gabon, and São Tomé and Príncipe, is closest to the Niger Delta—the source of much of the threat—and quickly established a technical cooperation agreement to set up the Zone MMCC (located in Douala) and to begin joint patrols by the four nations’ navies and coast guards. Zone D is now seen as the model for zone-level multinational cooperation and the concept has been extended across the Gulf of Guinea.

The ECCAS protocol has been followed by other regional and pan-African documents (see Table 1). In 2012, the African Union (AU) agreed upon a long-range, broad-reaching, Africa-wide maritime strategy, “Africa’s Integrated Maritime Strategy (AIMS) 2050,” which addresses a range of maritime security concerns. More crucially, in 2013, heads of state from ECOWAS and ECCAS met in Yaoundé, Cameroon, and adopted a “protocol concerning the repression of piracy, armed robbery against ships, and illicit maritime activity in West and Central Africa,” known as the Yaoundé Code of Conduct. ECOWAS followed this up with its own maritime strategy that adopted the ECCAS zone concept for West Africa. The result has been the creation of what is known as the Yaoundé Architecture across the entire Gulf of Guinea from Senegal to Angola, with a standing information-sharing structure made up of an Interregional Coordination Centre (ICC), regional centers for maritime security in each economic community (CRESMAC and CRESMAO), an MMCC for each of five zones, and national MOCs. The Yaoundé Architecture also includes mechanisms to implement the provisions

of the Yaoundé Code for joint patrols, embarked officers, cooperation in detection of maritime crimes, analysis and distribution of information related to maritime crime, and, to a lesser extent, enhancement of multinational training for maritime professionals.

FIGURE 1: AFRICAN MULTINATIONAL AGREEMENTS AND DOCUMENTS

Name	Date Agreed	Purpose and Scope	Signatories	Ratified	Binding
2050 AU Integrated Maritime Strategy	Jan 2014	Foster increased wealth creation from Africa's oceans and seas by developing a sustainable thriving blue economy in a secure and environmentally sustainable manner (AIMS Art IV: "Vision")	AU Commission	N/A	No
African Charter on Maritime Security and Safety and Development in Africa (Lomé Charter)	October 15, 2016	Boost implementation of the 2050 AIMS Strategy, through prevention and suppression of maritime crime, a flourishing and sustainable Blue Economy and foster national, regional and continental cooperation to enhance maritime domain awareness and enforcement. (Lomé Charter, Art III: Objectives and IV: Scope)	35 AU heads of state and	Only Togo	Yes
ECCAS Maritime Strategy Protocol	Oct 24 2009	Collectively enhance maritime security through the sharing of information, the implementation of joint surveillance and patrols, and the harmonization of legal regimes. (Kamal, p. 236)	All heads of state of government of ECCAS nations	Yes	Yes
ECOWAS Maritime Strategy	29 Mar 2014	EIMS is a comprehensive reference for actions at national and regional levels, defining twenty action areas across five strategic objectives, with the first addressing strengthening maritime governance the specifically concerned with maritime security	All heads of state of government of ECOWAS nations	N/A	Yes (under the terms of the revised ECOWAS Treaty)
The Code of Conduct concerning the repression of piracy, armed robbery against ships, and illicit maritime activity in west and central Africa (Yaoundé Code of Conduct)	25 June 2013	Cooperate to the fullest extent possible on the prevention and repression of piracy and armed robbery against ships, transnational organized crime in the maritime domain, maritime terrorism, IUU fishing and other illegal activities at sea in the areas of: <ul style="list-style-type: none"> • Information sharing; • Interdicting suspect ships and/or aircrafts at sea; • Apprehending and prosecuting persons committing or attempting to commit illegal activities at sea; and • Caring for victims of maritime crime 	All heads of state of government of ECCASS and ECOWAS nations; Secretaries General of ECASS, ECOWAS and GGC	N/A	No



Delegates at a meeting to evaluate the Yaounde Code of Conduct in 2017. Photo: Jean-Pierre Larroque.

In October 2016, in an effort to spur efforts to implement the Yaoundé Architecture and to make the Yaoundé Code binding, heads of African states met in Lomé, Togo, for an AU Extraordinary Summit on Maritime Security and Safety and Development in Africa. The resulting Lomé Charter reaffirmed the commitment of African nations to enhancing maritime security, cooperating to address criminal activity at sea, and harmonizing national legislation with existing international law (UNCLOS) and regional agreements and efforts (the Yaoundé Code and Yaoundé Architecture). Unfortunately, to date, only one African nation, host nation Togo, has ratified the charter,⁶²⁶ and other than providing some useful definitions for maritime security–related vocabulary, the charter has not yet contributed much to enhancing maritime security.

In contrast, the Yaoundé Code has proven its value as an instrument for international cooperation on maritime security. It has provided the foundation for all subsequent regional cooperation on maritime security and has become the framework by which most extra-regional assistance has been delivered—for example, multinational naval exercises like Obangame Express and Grand African NEMO now take place within the Yaoundé Architecture and are designed to train for the capabilities called for by the Yaoundé Code. The ICC, the CRESMs, and most Zone MMCCs have also been established and are in various stages of operationalization.

However, there is still some way to go to reach full implementation of the Yaoundé Architecture, the current state of implementation being as follows:

- CRESMAC is established, but CRESMAO does not yet have a multinational staff.
- The Zone D MMCC is the only one conducting coordinated joint patrols, and of the other zones, only Zone E has an established MMCC with multinational staff.
- Most Gulf of Guinea nations have set up MOCs, but these vary greatly in capability and do not yet routinely share or analyze maritime security information with each other or their respective MMCCs. They cannot yet be said to be functioning as the “national focal point to facilitate coordinated, effective, and timely information flow among the Signatories”⁶²⁷ envisioned by the Yaoundé Code.

There are several reasons why the Yaoundé Architecture has not proceeded as swiftly as some may have hoped. Two in particular stand out. First, the role of the ICC and CRESMs is not yet clear. Second, each zone has specific local conditions that affect cooperation among zone members.

Although both the ICC and CRESMAC have functioned with multinational staff for some time, there is a degree of ambiguity around specific activities and what they should be producing, and for whom. The common diagrams of the Yaoundé Architecture indicate that it is a hierarchical structure, but this is not in fact the case. The ICC does not work for either ECCAS or ECOWAS, but should help the two coordinate,⁶²⁸ and neither the CRESMs nor the ICC need to have a role in day-to-day real-time operations: they are not superior headquarters in a chain of command, and national MOCs and MMCCs do not need either support or permission from the CRESMs to plan and execute patrols or respond to incidents. It is doubtful that nations would wish to cede this authority to regional bodies. Yet both CRESMAC and CRESMAO have watch floors for tracking the real-time maritime picture. Meanwhile, there is little evidence of a more systematic approach to strategic and operational-level activities.

What could these activities entail? The ICC published its ideas on its role and the specific activities it should undertake in its four-year program.⁶²⁹ These include working towards four specific objectives, each accompanied by several tangible activities:

- building the legal and judicial capacities of member states on maritime safety and security;
- improving the professional skills of maritime law enforcement agencies;
- contributing to information-sharing on ways to secure the maritime space; and
- contributing to determining, delimiting, and demarcating maritime borders and peaceful dispute resolution.

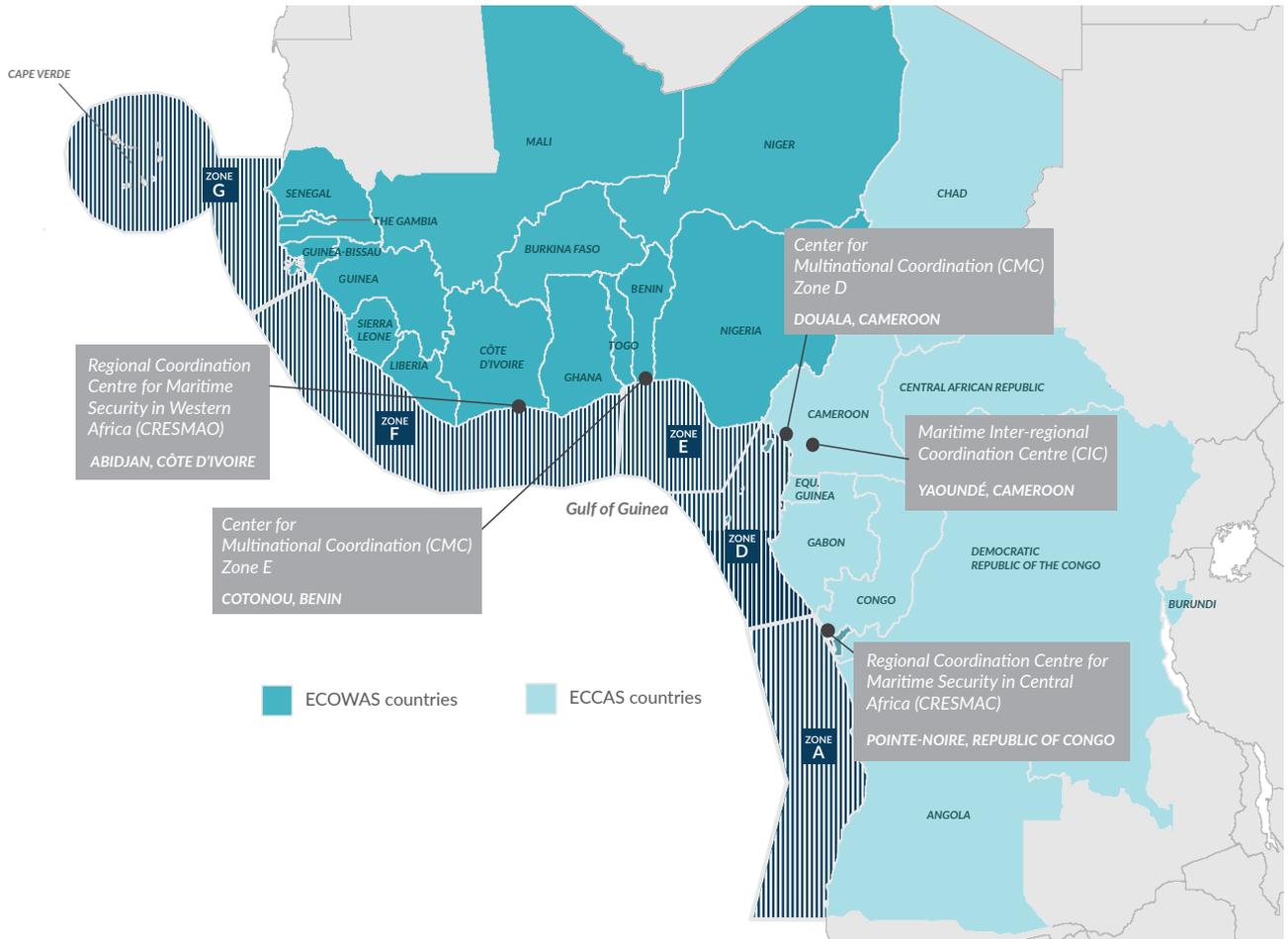
No similar document exists for the CRESMs, but they should be engaging with national authorities at the strategic level in comparable fashion to encourage rule of law and maritime enforcement by encouraging implementation of zone agreements or organizing multinational training exercise opportunities or by engaging with political authorities on ways to continue implementation of respective zone maritime strategies. At an operational level, they should collect and analyze data to establish trends, and do what may be generally referred to as intelligence, criminal analysis, and synthesis of information. Products of such efforts would include suspect vessel lists, suspicious crew lists, trend analysis, and prediction of future illicit activity. However, although there have been some CRESM-sponsored training workshops, field notes for this study indicate that the ICC is not yet carrying out many of the activities identified in its program and the CRESMs are not yet performing these activities in a systematic way.

The second practical issue affecting Yaoundé Architecture implementation is that each zone has to contend with different conditions. An examination of the conditions for each zone (see Figure 2) can help explain why some zones developed more quickly than others. The relevant conditions are:

- the length of time the zone has existed
- whether member nations have mutual interests (including beyond maritime security) and a history of good relations
- whether member nations have similar maritime concerns
- whether member nations have similar enforcement capacity and can share the burden of patrols
- proximity to the source of maritime threats
- presence of a champion (individual or agency)

These factors help explain why Zone D is fully functional while Zones E and F have lagged behind and almost no progress has been made in Zones A or G.⁶³⁰ The apparent correlation between these conditions and the level of development of the zone indicates that efforts to spur implementation of the zones of the Yaoundé Architecture need to be appropriately tailored to local conditions.

FIGURE 2: INFORMATION SHARING IN WEST AFRICA



Nonetheless, the Yaoundé Code has proven to be a promising mechanism for enhancing multinational cooperation. It allows persons and centers working at operational and tactical levels to cooperate multi-nationally in areas such as information-sharing and, where local conditions encourage it, in the realm of coordinated joint patrols, liaison officers, and hot pursuit. It gives international partners a framework to design engagements and training exercises, enhancing coordination among them and increasing synergy in deliverables, as will be discussed in the next section.

FIGURE 3: EXAMINATION OF THE CONDITIONS FOR EACH ZONE

	Zone A	Zone D	Zone E	Zone F	Zone G
Zone established	2009	2009	2013	2014	2014
MMCC established	N/A	2009	2015	2017	N/A
Joint patrols	No	Yes	Some, but not coordinated by MMCC	No, but MOU to do so signed July 2019	Yes Senegal, Cabo Verde work closely together and have agreements with Gambia, Guinea-Bissau to patrol their waters
Mutual interests and history of cooperation	No Long history of conflict and rivalry among all three nations	Some No history of war or conflict; they share some ethnic and historical similarities	Some Size disparity and different colonial pasts are offset by proximity and economic ties	Little All five nations have very different colonial pasts and few modern common interests	Yes All four share geographic and ethnic/ historical ties; Cabo Verde and Guinea-Bissau share strong links
Common maritime concerns	No Angola has a long coast and rich resources; other two have very short coasts, relatively fewer resources	Yes All nations concerned about maritime threats of all types, particularly piracy and IUU fishing	Some All nations face maritime threats of all types, but each displays different level of concern and energy in addressing them	Some Côte d'Ivoire and Ghana concerned about piracy and oil infrastructure security; all concerned by IUU fishing	Yes Though far from the piracy epicenter, all four are impacted by IUU fishing, drug trafficking, and migration
Similar enforcement capacity	No Angola has operational blue-water patrol capability; Congos have very limited beyond riverine	Yes Three of four nations have blue-water patrol capability	No Nigerian Navy vastly more capable than that of Benin or Togo	No Ghana and increasingly Côte d'Ivoire have capable patrol forces; the others have essentially no patrol assets to speak of	No Senegal and Cabo Verde have capable patrol forces; the others have essentially no patrol assets to speak of
Proximity to threats	Some distance to focal point of piracy; not on major trafficking routes	Immediately adjacent to nexus of piracy	Immediately adjacent to nexus of piracy	Some distance to focal point of piracy; not on major trafficking routes	Central pivot point of trafficking and maritime migration; extensive fishing activity
Champion	No	Cameroon (Navy) leader in establishing Zone and addressing threats	Nigeria able to operate singly, no need to include others	No	Senegal has been very proactive in addressing threats

External Partner Cooperation Programs

At around the same time that African nations and regional organizations began to turn towards the sea and take active measures to promote maritime security, various other nations and international organizations became interested in supporting these efforts. Recognizing that insecurity in African waters can have impacts around the world and that many African nations had essentially no ability to provide for their own maritime security, major capacity-building programs were begun that continue to this day. Key national partners in these efforts have been the US, France, and China. Other nations with interests in the region have also contributed to capacity-building efforts, including Belgium, Brazil, Germany, Portugal, and the UK. Increasingly, international organizations with maritime portfolios have gotten involved in this effort, whether by participating in existing efforts or creating their own. These include efforts by the EU, the International Maritime Organization (IMO), and the UN Office on Drugs and Crime (UNODC).

International partners' capacity-building efforts have focused on provision of material, training, professional exchanges, and workshops and exercises designed to enhance maritime professionalism, maritime infrastructure, maritime domain awareness, and response capabilities. Since the inception of the Yaoundé Code in 2013, these efforts have largely aligned with the Yaoundé Architecture and aim to prepare participating nations for the keystone Gulf of Guinea maritime security exercises: the US Naval Forces Africa–led annual Obangame Express and the French navy-led NEMO series. The exception is China's capacity-building efforts, which consist almost entirely of provision of naval vessels and equipment and are unaligned with other international efforts.

While these capacity-building efforts have been received positively across the Gulf of Guinea and have resulted in improvements to maritime security capacity across much of the region, there have also been several perceived shortcomings. First, many respondents to this study indicated that there is a lack of coordination among the donor partners, meaning some efforts have not been as successful as they could have been. Second, donors have limited ability to assess the impact of their cooperation and support, hindering their ability to adapt future efforts based on the outcome of past ones.

Lack of donor coordination was a main concern of many African maritime security professionals interviewed for this study. There is no consolidated plan which integrates all international donors, and the two principal international partners, France and the US, in many ways operate in parallel. Until recently, efforts to enhance maritime enforcement capacity, conducted largely by extra-regional navies and coast guards, have taken place entirely separately from efforts to enhance maritime rule of law led by international organizations like the IMO and the UNODC.⁶³¹ There is also a lack of coordination within individual partners. For example, numerous US agencies are concerned with Gulf of Guinea maritime security. Although US Naval Forces Africa leads on coordination, it struggles to track other US agency programs or identify the most appropriate tools to meet specific capacity-building objectives.⁶³² And, of course, donors face limitations in funding and availability of assets.

A final factor is that international partners do not always share the same priorities and interests in specific threats as the Gulf of Guinea partners they are working with. Issues that are specifically addressed in the Yaoundé Code are of varying interest to different international and Gulf of Guinea partners, with some focused on piracy, others on trafficking or crude oil theft/fuel smuggling, and still others on illegal, unreported, and unregulated (IUU) fishing. Often these priorities do not overlap, whether between specific agencies, pairs of nations, or regions as a whole, complicating capacity and capability-building efforts.

The result is training provision that is sometimes repetitive or unnecessary, material that does not correspond to the needs or capabilities of the recipient, and an overall number of partner engagements that can be overwhelming for regional navy staff.

MAJOR INTERNATIONAL PARTNER CAPACITY-BUILDING PROGRAMS

INTERNATIONAL MARITIME ORGANIZATION

The IMO's Maritime Safety Division conducts numerous technical assistance missions in the Gulf of Guinea in support of enhancing maritime safety and security. These are conducted in cooperation with other international partners. An overview of these efforts is laid out in the IMO's publication: "Strengthening Maritime Security in West & Central Africa".⁶³³

UN OFFICE OF DRUGS AND CRIME

UNODC operates the Global Maritime Crime Programme, which in the Atlantic region project delivers programming within legal reform, MLE capacity building, and regional cooperation and coordination in the Gulf of Guinea Region. Unlike other programmes GMCP focuses on policing and legal frameworks, rather than enforcement.⁶³⁴

EUROPEAN UNION

The EU provides support in numerous areas to enhancing Gulf of Guinea maritime security under the EU Gulf of Guinea Action Plan⁶³⁵ principally through the Critical Maritime Routes Gulf of Guinea Integrated Network (GoGIN). GoGIN, which succeeded the CRIMGO project in 2016 has as its goal: "improve safety and maritime security in the Gulf of Guinea, notably by supporting the establishment of an effective and technically efficient regional information sharing network."⁶³⁶

The EU also funds direct support to regional initiatives such as SWAIMS (Support to West African Integrated Maritime Strategy) and the European Fisheries Control Agency's PESCAO programme to improve regional fisheries governance in western Africa.⁶³⁷ The EU is the principal funder of the Maritime Analysis and Operations Center, Narcotics, which fuses maritime and police intelligence to combat trans-Atlantic narcotic trafficking.

UNITED STATES AFRICA COMMAND

AFRICOM's efforts to enhance maritime safety and security are run through its maritime component, US Naval Forces Africa (NAVAF), under the umbrella program Africa Partnership Station (APS). APS builds maritime safety and security by increasing maritime awareness, response capabilities and infrastructure through bilateral engagements, security force assistance, regional exercises

(principally OBANGAME EXPRESS) and joint operations through the African Maritime Law Enforcement Program (AMLEP). NAVAF coordinates closely with the US Dept of State ASD for Africa. Other US agencies run maritime related programs in the Gulf of Guinea; most but not all are coordinated through or with NAVAF. Prior to 2014, APS included regular warship deployments to African waters to conduct engagements with multiple countries. Since then, deployments have been limited to occasional (less than once very two years) visits by naval auxiliaries.⁶³⁸

FRANCE

France has many national interests in African maritime issues and maintains a significant military presence in the Gulf of Guinea region. This includes routine long-term deployments by naval forces to the region (at a minimum at least one frigate is present in Gulf of Guinea water six months a year) under Operation CORYMBE, and major naval assets deploy in support of specific events. France leads the NEMO series of exercises, which culminate in Grand African NEMO, as major at-sea and shore maritime enforcement and crisis response exercise involving many regional and international partners.⁶³⁹

BRAZIL

As the major naval power in the southern Atlantic, Brazil maintains an interest in Gulf of Guinea maritime security. The Brazilian Navy participates annually in OBANGME, and has special capacity building programmes with Angola and Namibia.

CHINA

Although China does not have any defense agreements with Gulf of Guinea states, its major economic footprint ashore and its reliance on African maritime resources, especially fisheries, are strong incentives to encourage maritime security enhancement in the region. China has delivered, often at no cost, many of the modern patrol now found in Gulf of Guinea navies' inventories.

OTHER EUROPEAN NATIONS

European Nations with historical or economic interests in Africa also engage directly in African maritime security through support programs or engagements. Belgium, Portugal and the UK routinely deploy (more or less annually) deploy warships to the Gulf of Guinea, often to participate in NEMO, OBANGAME or AMLEP and usually with countries with which they have special relations (i.e. Portugal with PALOP countries, Belgium with Benin, DRC and Gambia). Germany has been a major funder to ECOWAS information sharing architecture⁶⁴⁰ and often participates in OBANGAME.

DEPLOYMENT OF WARSHIPS

The deployment of foreign warships provides one of the best ways for enhancing the at-sea skills and operational experience of African maritime professionals, while simultaneously demonstrating support and commitment to enhancing maritime security in Africa. A warship is a self-contained mobile training center, with the crew able to provide most of the expertise needed to conduct engagements with African partners. Warships can embark African naval personnel and integrate them into the crew and conduct at sea operations ranging from maneuvering drills and helicopter operations to high series interception and boarding operations—something few African sailors have experienced in their navies and coasts guards given the limited number and size of their patrol assets. During port visits, warships enhance the sending nations’ diplomatic efforts and provide opportunities for crews to engage with locals and experience local culture.

Unfortunately few international partners routinely deploy warships to the Gulf Guinea. Only France maintains a routine naval presence in these waters. Belgium, Brazil, Portugal and the UK deploy ships more or less annually. Since 2013 the US has deployed only two warships to the Gulf of Guinea—USS *Mt Whitney* participated in Obangame 2018 and USCGC *Thetis* participated in Obangame 2019. The US has deployed naval auxiliaries to the Gulf of Guinea—2019 saw the first deployment since 2016 of a Spearhead class auxiliary—but these vessels, with their civilian crews, limited berthing and communications outfits, and different legal status, do not provide the same opportunities for engagement, especially for African maritime professionals, as proper warships. The sad truth is that major international donor navies have commitments across the world and shrinking fleets: African maritime security competes with these other commitments for ever fewer resources.



Belgian, Beninese and Togolese navy personnel conduct navigation training at sea aboard BNS Godetia during her 2019 Maritime Capacity Building deployment to West Africa. Photo: Belgian Navy Facebook.

The second issue is that it has proven difficult for donors to follow up on the impact of partners’ efforts. During major exercises like Obangame or NEMO, assessors from the planning groups can evaluate the performance of tactical units. As these exercises are conducted annually, they can provide insight into progress over time based on numerical scoring. However, insight cannot be gained into how regional navies build upon (or do not) the skills learned and practiced during each exercise, or if personnel who participated were placed into positions where they could employ their training. More crucially, it is very difficult outside of the major exercises or other short-term engagements to know how often a Gulf of Guinea navy actually goes to sea, much less where they patrol or what they do when they are at sea. Without feedback assessments on impact, engagement planners at international partner organizations have great difficulty in adapting successive engagements to meet the actual needs of each Gulf of Guinea partner. Rather, cookie-cutter engagements are repeated over and over, expending resources but not necessarily contributing to increasing capability or capacity of Gulf of Guinea partners, or aligning to their own efforts to enhance security.



U.S. and Nigerian military forces take part in a visit, board, search, and seizure drill aboard the Military Sealift Command's joint high-speed vessel USNS Spearhead (JHSV 1) during a training mission as part of Obangame Express 2015. Photo: Kenan O'Connor, U.S. Navy.

Two examples illustrate this. In 2016, the USNS *Spearhead* arrived in Ghana to conduct a third annual month-long fisheries enforcement operation. The majority of foreign fishing vessels pulled into port for the duration of the operation rather than risk interdiction, and went right back to fishing as soon as *Spearhead* left. Similarly, Exercise Obangame has had, since its inception in 2010, the long-term objective that African nations would take the lead on planning and hosting the exercise. To date, no African nation has done so, even for a single operation area or zone—the exercise is still entirely dependent on US planning resources and funding. Nor has any Gulf of Guinea nation sponsored or organized its own exercise or, with the few specific exceptions mentioned earlier, joint patrols with neighbors.

Conclusion

Overall, a great deal of effort has been put into international cooperation aimed at enhancing maritime security in the Gulf of Guinea. And there can be little doubt that much has been accomplished. Several states now have functional navies and coast guards with modern naval assets that are able to patrol deep into their EEZs, where 15 years ago most of these navies had no more than a few colonial-era patrol boats confined to their harbors. A unifying framework, the Yaoundé Code of Conduct, now exists for addressing maritime threats across the region, and a standing, multinational structure, the Yaoundé Architecture, is being built up and enjoys the political support of both Gulf of Guinea governments and international partners. Fifteen years ago, it would have been unthinkable to have an opposed boarding of a hijacked vessel that involved information-sharing among six Gulf of Guinea states, as happened with MT *Maximus* in 2016, or that the navy of Togo could rescue a hijacked vessel as far out to sea as it did early in 2019. Interregional cooperation and extra-regional support can be seen as major contributors to these successes.

But there is still a long way to go. The spate of attacks against merchant vessels in late 2019 indicate that these waters remain dangerous. As described in other chapters of this report, fish continue to be hauled out of the sea as fast as ever, and drugs still flow into West Africa by sea. Progress has been slow towards ratifying international conventions and maturing the centers envisaged under the Yaoundé Architecture. Many of the jurisdictional fault lines remain.

Retired Navy Captain Dr. Kamal-Deen Ali, the Executive Director of the Centre for Maritime Law and Security Africa, Ghana, identifies two key factors that hinder international cooperation: the level of political authority behind the framework and the extent to which the framework demands the relinquishment of sovereignty. He gives an example of where such a framework failed for these reasons: the Maritime Organisation of West and Central Africa Coast Guard (MOWCA-CG) network, which has for all intents and purposes ceased to make any progress and which had little political support yet demanded states yield a great deal of sovereignty over military assets.

While there has been great progress in international cooperation amongst Gulf of Guinea nations over the past 15 years, there is still a long way to go.

The Yaoundé Code provides a mechanism for states to cooperate without the associated loss of sovereignty that a binding agreement would entail,⁶⁴¹ precisely because it is not binding but was agreed to by heads of state. In other words, the Yaoundé Code does not require governments to take additional steps in order for personnel at the working level to make things happen. Under the Yaoundé Code, an MOC director in one nation can arrange a communication exercise with another MOC or request information from a neighbor about a suspect ship without going through lengthy political channels. On the other hand, the aspects of the Yaoundé Code which require some relinquishment of sovereignty, such as provision of multinational staff or conducting joint patrols under a multinational chain of command, have not been adopted as quickly.

The international regime for maritime security is and will remain based on state sovereignty; that is, flag and coastal state rights and responsibilities. As such, all enforcement will take place at the national level and states will be reluctant to release sovereign authority to other states, whether over enforcement assets or for enforcing their own laws. Given this, the success of any international cooperation on maritime security is founded on the maritime enforcement capacity and a national legal/rule of law framework that implements and upholds the international frameworks agreed upon by each state.

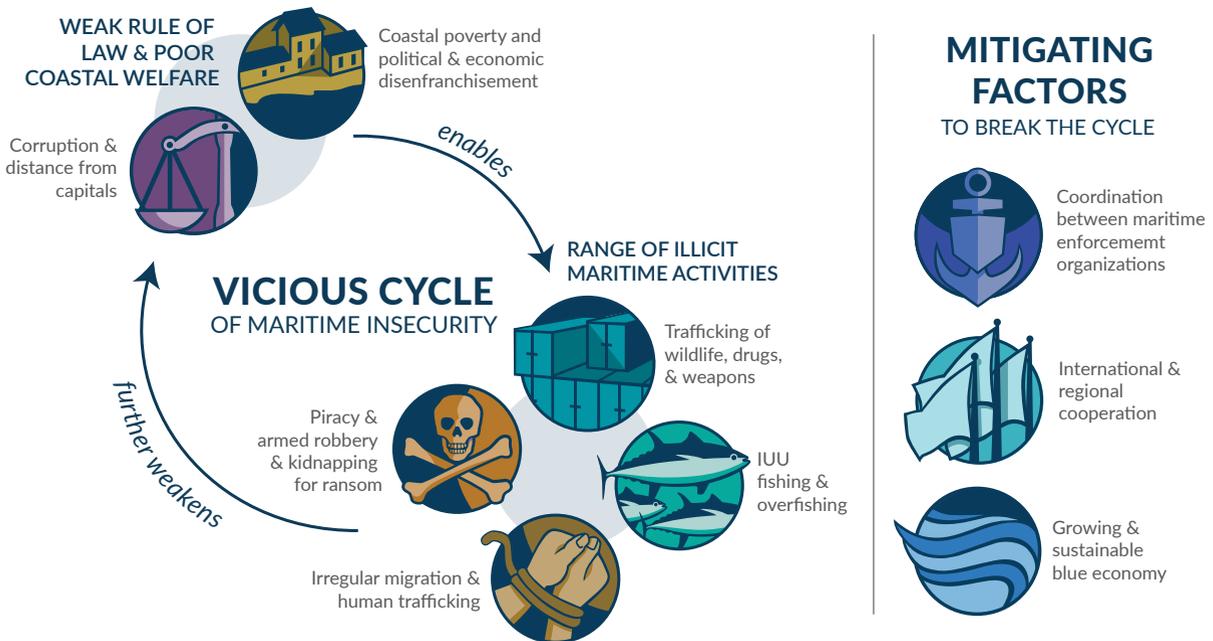
CONCLUSION



CONCLUSION: TIME TO ACT!

Stable Seas: Gulf of Guinea analyzes several multifaceted maritime security and governance themes. It highlights opportunities to sustainably develop the region’s ocean economy and describes how socioeconomic exclusion gives rise to insecurity when feelings of disenfranchisement result in illicit activity, such as piracy, armed robbery at sea, and illicit trade. Together with the limited maritime enforcement capability of countries in the region, these activities stress the system by diminishing the rule of law, in turn facilitating criminal activity and the overexploitation of marine resources like fisheries.

Crucially, this report also highlights ongoing changes which offer hope for the future of maritime security and governance in the region. Investments in the offshore oil and gas sector, infrastructure expansion in the maritime transport and shipping industry, improvements in the fisheries sector, and investments in ecotourism emphasize the commitment of regional governments to developing the blue economy, which will simultaneously create sustainable economic opportunities in coastal areas. In Cameroon, the government’s growth and employment strategy, designed to upgrade the labor market, helped tackle unemployment and underemployment in coastal areas. In Guinea-Bissau, with investment in aquaculture through floating cage technologies, unemployed youths have gained employment, helping to counter the threat of rural–urban migration.



This research also emphasizes the responsiveness of Gulf of Guinea governments to threats to their collective maritime security. Beginning with the signing of the Yaoundé Code of Conduct in 2013, where the commitment for a holistic response to maritime security was made, there was an end product in the establishment of the Yaoundé Architecture with the Interregional Coordination Centre at the apex. Though full implementation of the provisions of the Code of Conduct is ongoing, considerable progress has been made in sharing information in aid of coordinated responses to security threats in the region. The record interception of more than 14 tons of cocaine by authorities in Guinea-Bissau, Cabo Verde, and Senegal in 2019 evinces some of the importance of cooperation and information-sharing. In addition, while challenges

remain, coordinated response to maritime security threats has so far yielded positive results. In February 2016, following pursuits by the navies of Côte d'Ivoire, Ghana, and Togo, the hijackers of MT *Maximus* were successfully intercepted by the Nigerian navy in São Tomé and Príncipe.

The pervasiveness of maritime security threats despite the proactive efforts of governments across the region presents an opportunity to reflect on the need for a holistic approach to maritime security response in the region. The development of the blue economy offers an opportunity for socioeconomic emancipation, thus breaking the cycle of inadequate coastal welfare and regional security threats at sea. However, the ability of this initiative, together with improved maritime enforcement, to successfully combat insecurity in the region depends on an approach to the development of the ocean economy that prioritizes inclusive economic and sustainable development by taking the needs of coastal communities into account. Without this, regional governments run the risk of perpetuating the cycle of insecurity, as their actions (and inactions) today create the aggrieved communities of tomorrow.

The cyclical nature of some of the threats faced in the region highlights the link between lack of coastal welfare and maritime insecurity. Improving the socioeconomic well-being of coastal communities is critical to enhancing maritime safety and security in the region. If states were to ensure the sustainable exploitation of their fisheries (to include enforceable environmental policies), coastal livelihoods would improve, and those who depend on marine resources would no longer rely on illicit activities to supplement dwindling incomes. Also, the provision of amenities such as petroleum dispensing stations in oil-producing communities would reduce fuel smuggling and oil theft there. Introduction of anti-corruption laws will be a useful tool for catching corrupt law enforcement agents and, if implemented, would boost the legal economy at the expense of the informal shadow economy.

The pervasiveness of maritime security threats across the region illustrates the need for a holistic approach to maritime security response in the region, including sustainable development of the blue economy, improvement of the well-being of coastal communities, and commitment and collaboration across agencies and governments.

Achieving a lasting solution to maritime security and governance in the Gulf of Guinea requires commitment and collaboration across agencies and governments. The existence of the ICC, CRESMAC, and CRESMAO, including the MMCCs, suggests that this collaboration has become a priority for regional governments. Together with international support, the success of these collaborative initiatives hinges on the commitment of Gulf of Guinea countries to implement the provisions of the Yaoundé Code of Conduct. Adoption of a harmonized national and regional legal framework on maritime security would synchronize the activities of enforcement agencies at national and regional levels. Ultimately, Gulf of Guinea countries must act now to break the cycle of inequality and insecurity. Together with improved maritime enforcement, through cooperation and collaboration the region will be closer to becoming a global example of what maritime security and governance should enshrine.

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- 632 The author remembers, as just one example, arriving in Ghana to begin preparations for a monthlong US Navy–Ghana at-sea fisheries enforcement operation only to find a team of US Marine Corps trainers working with the same

individuals we had planned to work with.

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- 641 This perhaps explains why the Lomé Charter, based so closely on the Yaoundé Code of Conduct, has not yet been ratified by a single state other than the host nation Togo.

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