MARITIME INSECURITY IN SUB-SAHARAN AFRICA AND ITS EFFECTS IN THE ECONOMY OF STATES

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Introduction

The problems of insecurity in the African continent are older than its constitution as a “Political Unity”, formed by sovereign states. Since an early age, it was faced by several obstacles to its territorial integrity, due to a set of factors, many times, external to African interests, such as other peoples and great nations conquers and occupations in the 19th century and, in recent decades, the greed of various actors of International Politics for African spaces (Ginga 2014).

Thus, the increase in the geopolitical importance of African regions, namely the Western and Eastern regions, had been gaining greater political and economic interest from the main world powers, mainly because of their position on the axis of the main routes of world trade and their potential in natural resources, which reinforces the continent’s geostrategic value (Beny 2007). In fact, although the relevance of the oceans in the context of international dynamics is unquestionable, the threats that arise there often seem to be less precise, so for several decades, the continental security approach had a predominantly territorial focus, since the main objective of African States was the assurance of issues considered “priority” (land borders), to the detriment of other issues considered “auxiliaries”, such as maritime security.

As a result, insecurity in these spaces continues to weaken local
sovereignty and stability, preventing the harmonious and continuous development of nations, in a scenario marked by continuous changes that generate uncertainty, which sometimes evolve into multiple crises, associated with problems of various kinds\(^3\) (Keohane 2002). This context, with positive and negative quadrants, has weighed on the political evolution and development of African States, in a scenario in which the most frequent and main threats to maritime security on the continent, have materialized through actions of maritime terrorism; piracy; illegal unreported and unregulated (IUU) fishing; the smuggling of arms, people and goods; illegal immigration; spills of dangerous substances; the depredation of marine resources; among other manifestations of organized crime\(^4\).

Indeed, maritime security in Africa also has direct implications for the rest of the world, as in 2007, around 60% of cocaine on the European market (valued at USD 1.8 billion) had transited through West Africa. A large part of the cargoes of drug trafficking arrives in Africa on cargo ships, after which they are transferred in small boats for their expedition to other continents. In this regard, of the 775 million USD in contraband cigarettes and the approximately 438 million USD in counterfeit medicine for malaria, which pass through West Africa, are transported by Sea. Associated with all this, it is also estimated that IUU fishing, preferably carried by European and Asian commercial vessels, costs Sub-Saharan Africa more than USD 1 billion annually (Vogel 2009).

Therefore, the approach presented here aims to deepen the debate on maritime issues among the main stakeholders in themes that deal both with African matters in general and these maritime crossroads. Therefore, these questions will act as another element of analysis on the condition of almost abandonment of the borders and maritime spaces of African countries, given the evident lethargic stance of the African authorities, with regard to issues related to the oceans. Addressing African maritime insecurity is not only a socio-political reflection on the facts, but also an economic and Human Development vision. In this scientific essay we make a transversal approach to issues of maritime insecurity in the continent, with a greater focus on the Western region (Gulf of Guinea), listing the main challenges and pointing

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\(^3\) Namely: of economic, social and political nature; extremisms and fundamentalisms; inappropriate reforms in state structures; the continuous violation of human and collective rights; the proliferation of organized crime; among other phenomena that generate new systemic and erosive threats, which mark the “New World Order”.

\(^4\) These tend to spread, both due to the permeability of the borders of these states, with special reference to the states of the sub-Saharan region, as well as the lack of capacity to exercise state authority in their maritime spaces (Ginga 2014).
out some measures to be adopted, with a view to improving the paradigm. It is therefore important to understand, what is the role of African states, as guarantors of maritime security and defense, and promoters of sustainable development on the continent. Also, we can argue: which are the other transversal approaches apart from the continent that can help to create a maritime cooperation regime for the whole of Africa?

The Maritime Insecurity Dilemma

The African continent geopolitical’s situation is deeply characterized by the “geographic wall”, that is represented by the fact that 1/3 of its territory has no access to the oceans, hindered by the remaining 2/3. This leads to the image of one continent within the other. As stated by Políbio Almeida (1994, 119), Africa is a world that due to its geopolitical particularities is closely linked to the maritime world, in which its potential in mineral resources, the oceanic component of all sub-Saharan Africa, among other relevant factors in global geopolitics and the geostrategic framework, give their States a place of prestige. From the beginning, when it comes to issues related to the development of the African continent or the security of the borders of its countries, one should not ignore the maritime aspect, since most African states are coastal nations.

The African continent is currently going through the third phase of the so-called “Scramble for Africa”, motivated by geopolitical, geoeconomic and geostrategic reasons, making the largest international powers increasingly aware of the dynamics in this continent; in the sense that mineral and energy resources occupy a central place in this new position (Abegunrin 2009). These continental features associated with structural and socio-political weaknesses, intensify the rise of external players interests in African regions, making them “desirable” for the main international powers, namely for those interested in the exploitation of their natural resources, and for the main agents of organized crime.

In the context of the weaknesses, we highlight the feeble capacity to maintain maritime borders and the few resources available for the permanent exercise of State authority at sea, including the great lakes, rivers and inland waterways. Therefore, maritime space and maritime borders are included in this increasingly permeable and diffuse system, since the extensive coastline of States in the sub-Saharan region of about 30,725 km, further weakens their condition (Otto 2020).

This is the face of a continent that has been weakened by maritime
insecurity, with consequences for the level of economic development, where countries with faint structures weaken the continental condition much more. These weaknesses, associated with the low levels of integration and cooperation at regional level, have resulted in obstacles with regard to the control of maritime borders, both in the territorial sea and the Exclusive Economic Zone (EEZ), as well as in international waters where the maritime routes that pass through there, which has delayed the development of their States. In this understanding, the President of Cameroon, Paul Biya, during the Summit of Heads of State and Government on Maritime Security in Yaoundé (24-25 June, 2013), argued that maritime insecurity “poses a serious threat to the peace and stability of African States (as) it undermines the people’s development and well-being” (AU 2013, 2).

In fact, in recent years, the continent that had avoided terrorism and religious extremism for many decades has become the new focus of maritime radicalization, as “[…] the competitive advantage generated by the region’s weak state capacity and rule of law, the existence of well-developed smuggling networks, and its geographic location all heighten its appeal to drug trafficking cartels and criminal gangs” (Marc, Verjee and Mogaka 2015, 33). In this context, the waters of the continent, namely the regions of the Gulf of Guinea (GoG) and the Gulf of Adem (GoA), have been the target of a multiplicity of illegal activities, which undermine maritime security and retract economic development.

As a result, in recent years, the fight against maritime insecurity has occupied a central place in the main development agendas of African states, although this awareness is little materialized by the political dynamics developed there. Undoubtedly, questions about maritime insecurity in the African continent, which are transversal to all its regions, are multidimensional in nature, so for reasons of space rationality it would not be possible to analyze them within the scope of this article, in the sense that the approach focuses in more detail on the context of maritime insecurity on the western coast of the Sub-Saharan Africa (GoG region).

Indeed, and recalling the negative side of globalization, the transatlantic connections that pass through the Western coast of the continent, associated with facilities in terms of natural resources, make the GoG region a highway for crime at sea, commonly known as “Highway 10”, attracting all kinds of interests and including illicit and illegal activities such as piracy, drug trafficking, arms and diamond smuggling, IUU fishing, illegal immigration, terrorism, the deposition of substances harmful to the marine environment, among other activities originated by greed of many countries, organizations and groups (Mugridge 2010).
With twelve coastal states, the oceans have immeasurable economic value for the GoG region, representing, from the outset, one of the greatest assets for their economies. However, in most cases, this economic potential remains to be exploited, mainly due to the numerous internal vulnerabilities, such as weak state authority, the scarce existing resources and, consequently, the deficient patrolling of maritime spaces (Abegunrin 2009). This region, marked by war, socio-political instability and extreme poverty, faced with the porosity of its borders and the extensive coastline, poorly monitored, has faced several illegal activities, in which it stands out: piracy; maritime terrorism; IUU fishing; drug trafficking; the smuggling of people, armaments, medicines and diamonds; theft of oil and cargo; spills of substances; among other manifestations of crime at sea.

“Maritime piracy” has represented one of the main “virus” for the African Maritime Domain (AMD) and a big deal for the world of organized crime, focusing on regions of considerable geostrategic importance. Whereas in the past piracy was fundamentally used as a tool for nations to expand their dominance at sea, today, modern piracy has an opposite effect on the power of States, contributing to the weakening of their structures and of the control of their spaces (Coudenhove-Kalergi 1959). The 20th century was marked by the low incidence of piracy attacks in the region, however, in recent years, there has been a resurgence of the phenomenon. So far, until the end of the 1st decade of the 21st century, East Africa represented the epicenter the phenomenon at the global level; according to the annual report of the “American One Earth Future Foundation”, by the end of June 2012, piracy had yielded around USD 160 million in favor of pirates, having cost the world economy around 700 million USD.

The business has been fundamentally fueled by cargo theft and the rescue of people and goods, with a direct economic impact on regional stability and development (Onuoha 2012, 2, Miah 2012). Currently and according to the annual reports of the International Maritime Bureau (IMB), 2016, 2017, 2018 and 2019, in recent years this phenomenon has taken on a worrying dimension, especially on the western coast of the continent, being already considered the “New Pirate Hot Spot”, as pirates have developed their mode of action and the respective instruments, which has allowed them to reach greater distances (IMB 2020).

However, the data presented by the 2017 Oceans Beyond Piracy/American One Earth Future Foundation report, describes that “the number of seafarers affected by piracy and armed robbery in 2017 decreased slightly from 2016 […] in total, 1,726 seafarers were affected by piracy and armed robbery in 2017 in West African waters, compared to 1,921 in 2016” (AOEFF
2018, 12), although for the first time in two consecutive years, incidents of abduction at sea have been observed in the region\textsuperscript{5}. Thus, as a general rule, while piracy in the Horn of Africa has been decreasing since 2012, there has been a considerable increase in piracy, with armed robbery, and other maritime crimes in the GoG region, where there is one of the largest oil fields. offshore, making it urgent for African states to intervene to combat this phenomenon (UNODC 2016).

In the GoG region, pirates are part of the group of stakeholders in oil and natural gas exploration, taking advantage of the increased maritime activity in this region, in the sense that in the period between January 2014 to December 2018, more than 200 attempts attacks on ships were perpetrated by pirates on the west coast of the African continent (IMB 2020). As a result, it is clear that in these regions, the cause of piracy is always associated with the void of authority of States in maritime spaces, specifically due to political instability, civil war, ineffective public policies and lack of resources on land.

As a result, in recent years, oil carriers have been the preferred target, which according to Assis Malaquias (2012), “Their main targets are oil tankers. They’re after the oil. They rob the tankers then transfer the oil to smaller ships, which transfer it again to other ships, until it gets track of it. They’re not really after cargo, ships, or anything other than oil”. This activity commonly known as “illegal oil bunkering” has also been the driving force behind the phenomenon of piracy in the GoG region, especially as the oil assault has been very profitable for criminal groups, who use the black market to dispose of this cargo, favored by a powerful transnational mafia, which finances and facilitates pirate operations; which often makes piracy confused with the phenomenon of terrorism (Baldauf 2012).

Likewise, “maritime terrorism”\textsuperscript{6}, which is not easily dissociated from piracy due to its complex nature and at the same time transversal to all other manifestations of organized crime at sea, has worried African states.

\textsuperscript{5} Although an exception, on the contrary, on the east bank there was a slight increase in incidents with pirates, including the hijackings of the ships Aris 13, Asayr 2 and Al Kausar. For more see. <http://oceansbeyondpiracy.org/reports/sop/east-africa>. Accessed on: February 15, 2020.

\textsuperscript{6} The concept of maritime terrorism differs from the notion of maritime piracy, due to its nature, and the differential factor is found in the motivations and objectives that characterize both phenomena: piracy is generally motivated by private private, without underlying political-ideological objectives, while maritime terrorism is perceived as one of the several forms of armed rebellion, generally of an ideological political character, aimed at provocation-repression destabilization. Maritime piracy thus appears as an instrument of maritime terrorism, and terrorism covers all illegal activities in the maritime space, which are politically and ideologically motivated (Cottim 2008).
Especially, due to the greater dimension and expression that some movements have acquired in recent years, such as the Movement for the Emancipation of the Niger Delta (MEND) and Boko Haram, undermining stability in these countries and contaminating the regional socio-political environment; as there have been several acts of maritime terrorism, particularly in the oil industry, resulting in damage to oil infrastructure and economic and environmental damage.

In fact, maritime terrorism is a real threat that has jeopardized the security and stability of the international system, and the motivations of terrorist organizations have been varied, with the main targets being precious cargo or maritime infrastructure, with use or not of Weapons of Mass Destruction (WMD) (Ridley 2014). In the western region of the African continent, cargo theft and spillage of crude oil at sea have been the main manifestations of this aspect of crime at sea, expressing the negative potential that terrorism has in relation to the economy and the marine environment, being harmful to the environment, economy and territorial sovereignty, as this phenomenon is particularly condemned by the “SUA Convention 1988” and its “Protocol of 2005”.

Thus, the cases of the Bonga oil platform, attacked 60 nautical miles from the Niger Delta in June 2008 by MEDN, forcing the stop in production operations; the disappearance of the Liberian-flagged oil tanker Kerala, at the service of the National Fuel Society of Angola, in January 2014, with losses of several tons of diesel; or the Norwegian flag carrier MV Bonita, approached by pirates in November 2019; reflect the insurgency of terrorist movements in this region (Ginga 2014, IMB 2019).

In addition, and in the last decade, there has been an increase in “drug trafficking” in the sub-Saharan region, which has contributed even more to its maritime insecurity. In this context, the geographical situation of West Africa, between Latin America and Europe, associated with the permeability of its maritime borders, makes these States attractive for this activity, in the sense that the last decade “[…] has seen West Africa catapulted to global notoriety for its role as a key transit point in the trafficking of narcotics between Latin America and Europe […]” (Marc, Verjee & Mogaka 2015, 33).

Since 2006, West African countries have been part of the main routes used to transport cocaine from South America to Europe, as large quantities of

7 The first major global event of maritime terrorism in recent international history took place in October 1985, when the Italian cruise ship Achille Lauro was hijacked, in the Mediterranean, by a group of Palestinian terrorists, who created terror and murdered Leon Klinghoffer, an American passenger. This event led to the creation of the “Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation” - SUA 1988.
cocaine have been confiscated, representing only a portion of a large volume of business, generally transported by small ships and private jets, intended for traffickers from West African countries, as the epicenter of cocaine on the continent (UNODC 2018). In this context, the Western coast, namely the GoG region, appears as a preferential zone for the passage of criminal organizations sea routes, in a context in which most of the cocaine (60%) transported by sea, destined for Europe, passes by GoG. The region today represents a hub for the command and control of illicit cargo, originating in most countries in Latin America, making this activity support the other variants of organized crime in the region (Mugridge 2010).

Consequently, there has been an increase in the overflow of drug trafficking in the waters of the states of this region, with these loads later being transferred to neighboring countries, from which most of them are sent to Europe and North Africa (UNODC 2018). As former United Nations Secretary-General Ban Ki Moon argued, “drug trafficking does not respect borders [...] the transnational nature of the threat means that no country can face it alone” (UNODC 2009), so poor cooperation between states at the regional level has largely favored organized crime networks, as annual cocaine transhipments in West Africa are estimated to vary widely between 60 and 250 tonnes, with a revenue of between 3-14 billions USD annually.

Thus, just as piracy, terrorism and drug trafficking damage trade and make investment in Africa more risky and costly, “IUU fishing” weakens economic development, aggravating food security challenges on the continent. According to estimates, currently one in four fish in Africa is caught illegally. IUU fishing has jeopardized the sustainability of fish stocks, damaging the ecosystem, depriving governments of income and African peoples of their means of subsistence8, and according to Peter Thomson, United Nations Special Envoy for the Ocean, the scourge is affecting most African nations, mainly because 38 of the 54 African states have coastal borders and many inland countries have vast lakes, which have also been affected by IUU fishing and poor fishing practices (Holmyard 2018).

In West Africa, their practices cost the region around USD 1.3 billion annually, which has increasingly attracted the attention of African leaders to the dimension of crime, forcing them to take more proactive attitudes, in order to fight against this crime. The issue of IUU fishing in Africa has been well studied and numerous solutions have been proposed, including the 2016 report by the “Overseas Development Institute” and the Spanish research and

8 It is estimated that IUU fishing represents 40% of the annual catches in the West African region, and is therefore considered to be the region with the highest level of IUU fishing (Osinowo 2015, 2).
journalism group, which used satellite tracking to monitor methods and scale of the problem, highlighting that overflows, lack of inspection of cargo in containers, inadequate legal qualifications, deficient technology and lack of political will, have been the main causes of this phenomenon. The report estimated that, by developing and protecting fisheries on the continent, around USD 3 billion would be saved and more than 300,000 jobs created (Holmyard 2018), in a scenario where according to the data presented by the Economic Commission of the Nations United for Africa (United Nations Economic Commission for Africa - UNECA), “[…] around USD 42 billion per year leaves the continent through illegal fishing and illegal logging, among other causes” (UNECA 2016, 3).

China is the largest fishing power in West Africa, with more than 500 industrial fishing vessels operating in the waters of the region, so it should play a greater role in eradicating illegal practices in its fleet, excluding the widespread use of illegal mesh nets and a ban on shark hunting, as described by Greenpeace reports. Since 2016, China has canceled subsidies amounting to USD 111.6 million for 264 vessels that practiced illegal fishing, as well as revoking the fishing licenses in foreign waters of several companies, publicizing a blacklist of vessels and professionals of the area.

At the same time, there are still other manifestations of organized crime on the continent, such as illegal immigration, smuggling of people and minerals, arms trafficking, the deposit of dangerous materials, among other activities that weaken maritime security, hampering transport and maritime trade, and motivating a growing disturbance in the international political system. In the meantime and with regard to “arms trafficking”, it is observed that the issue of the proliferation of small arms and light weapons in the GoG, in recent years, has become a major threat to maritime security, which must be resolved urgently, under penalty of perpetuating socio-political instability in the region.

For its turn, and regarding “illegal immigration and human trafficking”, by or through the sea, there has been a growth of this phenomenon in continental waters, currently constituting a serious threat to sovereignty, specifically because it calls into question human rights. This phenomenon cannot be combated in isolation, especially in a local context where the security

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9 China may have the largest fleet operating in Africa, however it is not the only one that benefits from IUU fishing. In 2017, the ocean conservation group, OCEANA, revealed that some European countries, including Greece, Italy and Portugal, had encouraged IUU fishing along the African coast, as in April 2018 it identified and tracked a vessel Spanish commercial that turned off its automatic identification system (AIS) while fishing in African waters (Holmyard 2018).
forces at sea are ineffective, making it necessary for African States to evolve their naval doctrines towards a broader and more shared maritime vision in order to together to identify the challenges faced and outline strategies for maritime safety (Baker 2011, 40).

According to some observers in assessment and information missions at the GoG region, from the United Nations Office on Drugs and Crime (UNODC), currently any state in the region has a combination of sufficiently capable criminal law and formal legal instruments to penalize some variants of crime at sea, namely piracy and maritime terrorism; what has promoted the cyclical backwardness in these States, in matters related to the construction of local capacities, within the scope of maritime security\(^\text{10}\), necessary to counter the increasing crime in this region (UNODC 2016, 26). In short, maritime insecurity in Africa has thus posed a permanent transnational threat to global security, as the “security at sea” factor is essential in consolidating onshore development and that both are strategic elements for the continent’s sustainable development and for preservation of global stability. As a result, in recent years, African states have been committed to promoting and preserving good order at sea, in order to improve maritime safety in their waters, thus promoting local development.

**Maritime Security Challenges and Tools**

According to the Brenthurst Foundation (2010, 10), Maritime Security from an African perspective must result from the set of actions “[...] that creates, sustains or improves the secure use of Africa’s waterways and the infrastructure that supports these waterways”, particularly since most maritime threats, be they structural or circumstantial, if not properly opposed, can become the focus of interstate conflict, jeopardizing human security and territorial integrity. Everything has been enlarged, because maritime borders are difficult to guard, as maritime threats are not isolated, on the contrary they reinforce each other.

Therefore, whatever the form of manifestation of the threats, due to their magnitude, due to the fact that they are intimately interconnected and have a variety of impacts, they demand from the African States a combined

\(^{10}\) The concept of Security currently includes matters related to “security”, associated with protection against conscious threats to ships, people, infrastructure and equipment related to maritime activities, involving instruments of strength and measures to protect navigation and sea resources and fight crime in maritime spaces; and matters related to “safety”, corresponding to safety at sea in the context of preventing accidents at sea and subsequent actions in the event of an accident, to the rules for the safe conduct of navigation (Ginga 2014, 54).
and continuous response from the forces involved in defense and security issues. This applies at the global, continental, regional and even local level, where responsibilities on maritime security issues should not remain the exclusive concern of government authorities, but dealt with by a whole range of state and non-state actors, with intervention directly or indirectly in these issues.

Thus, after a slow rise in the continental security agenda in recent years, maritime security has occupied a central position in the regional context, as there is now a growing awareness of maritime security issues. For all these reasons and considering that AMD has a high potential for creating wealth and preserving regional stability, African States have been paying greater attention to matters relating to the maritime environment, namely in terms of maritime defense and security, to address the insecurity indices in their waters.

A new notion of maritime frontier emerges in the continent, regarding security and defense issues. Also, the role of African States in the main decision forum of political consultation on maritime affairs has grown, especially because, today, maritime security is being regarded as a central pillar in economic development policies (Adejumobi & Olukoshi 2008). In a more articulated way, in 2009, the debate on maritime security reaches the AU agenda, influenced by a series of Resolutions adopted by the United Nations Security Council (UNSC), and during the 15th Ordinary Session of the AU Assembly in July 2009, African leaders expressed concern about the growing insecurity in African maritime spaces in general, and Somalia in particular (AU 2009a).

As a follow-up, the AU Department of Infrastructure and Energy organized the 2nd Conference of Transport Ministers of the African Union, between 12-16 October of the same year, having adopted the “Durban Resolution on Maritime Safety, Maritime Security and Protection of the marine environment in Africa”, which reaffirms the Member States’ commitment to UNCLOS; with the initiatives conducted by the IMO and the UNSC; with its responsibilities in the field of maritime safety; with the intensification of coordination dynamics in search of joint responses to face the scourge of

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11 This debate around maritime security in Africa was sponsored by the United Nations and the International Maritime Organization (IMO), and on January 14, 2009 the “Contact Group on Piracy off the Coast of Somalia” was established, in compliance with Resolution 1851 (2008) of the UNSC. The IMO organized the meeting between 16 Arab and African states in Djibouti on January 26, 2009, which adopted a Code of Conduct on the crackdown on piracy and armed robbery against ships in the Western Indian Ocean and GA - “Code of conduct of Djibouti - DCC”(IMO 2009).
maritime piracy and insecurity; with the creation of a regional network to support the fight against maritime crime, among others (AU 2009b).

Aware that maritime piracy, armed robbery and other illegal activities constitute a serious threat to the maritime domain of Central and West Africa, the UNSC, through the “Resolutions” 2018 (2011) and 2039 (2012), urged the States of the regional economic communities (ECCAS - Economic Community of Central African States; and ECOWAS - Economic Community of West African States) and the GoG region to take immediate action at local and regional level, leading to the implementation of a legal and doctrine framework to tackle maritime insecurity.

As a result, between 24-25 June 2013, in Yaoundé, there was the “Summit of Heads of State and Government on maritime protection and security in the Gulf of Guinea”, where three diplomas in the field of maritime security were approved, namely: the “Code of conduct on the suppression of piracy, armed robbery against ships, and illegal maritime activity in West and Central Africa” (Yaoundé Code of Conduct - YCC); the “Declaration by the Heads of State and Government of the States of Central and West Africa” for maritime safety and security in their common maritime domain; and the “Memorandum of Understanding” (MoU) between ECCAS, ECOWAS and GGC, on maritime security in Central and West Africa - linked to maritime protection and security in Central and West Africa, and the GoG region12.

In this context, the 2013 Declaration of Heads of State and Government of the States of Central and West Africa on Maritime Security in their Common Maritime Domain, represents the main instrument of this meeting and a pioneering document on cooperation and information sharing at the level of maritime safety, as it expresses the recognition that States have been giving to issues related to safety at sea. At the national level, the focus will be on inter-ministerial coordination, mechanisms for cooperation between state institutions and private sector partners, and the preparation of responses to counter insecurity at sea. At the regional level, this meeting determined the creation of the well-known YCC.

Later, on June 5, 2014, the three bodies signed the Additional Protocol to the MoU between CEEAC, ECOWAS and GGC, which establishes the creation of the Interregional Coordination Center (ICC), having been opened in September of the same year in Yaoundé (ICC, 2014). The ICC is an instrument

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12 With regard to building an architecture for regional maritime safety, ECCAS was the first to adopt an instrument leading to this vision, through the Protocol that created the Integrated Strategy for Maritime Safety (ISMS), in 2009; followed by GGC which adopted an Integrated Maritime Strategy for the region on 10 August 2013, and finally by ECOWAS which approved the Integrated Maritime Strategy for the region in March 2014 (ICC 2017).
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at the strategic level of cooperation, coordination and communication between the member states of the three organizations, including information sharing, the development of good practices and training in preventing and combating piracy, armed robbery and others illicit activities at sea. The 24 YCC signatory states are grouped into 5 maritime zones, each supported by regional coordination centers, that is, one for ECOWAS (Maritime Security Regional Coordination Centre for Western Africa - CRESMAO) and another for ECCAS (Regional Center For Maritime Security in Central Africa - CRESMAC), being coordinated by an Interregional Coordination Center (ICC), which is supervised by the three regional organizations (ICC 2017).

The YCC and the ICC, in the framework of the IMO Strategy to strengthen maritime protection in Africa, appear as a continuation of the DCC and a complement to the 2017 “Jeddah Amendment”\(^\text{13}\), which introduces to the code other modalities of maritime crime in the Indian Ocean and Gulf of Adem to fight, according to Admiral Adejimi Osinowo “the main value of this initiative lies in the sharing of information and in the establishment of the necessary authorization protocols to pursue suspect ships across maritime borders” (2015, 4). In fact, no region on the continent has seen a faster and more extensive growth in maritime security architecture over the past few years than the GoG region, with a set of instruments and institutions, making the Yaoundé Architecture for Security and Maritime Protection (YASMP) constitutes a success story, at continental level.

At the same time, with respect to Resolution A.1069 (28) (2014), the IMO developed and implemented a “tabletop exercises” program for the GoG, aimed at promoting an inter-state approach to maritime protection and application of the law of the sea in West and Central Africa. This program aims to demonstrate the need for cooperation between government departments and local agencies, through probable and simulated scenarios, in order to determine the best methods, processes and procedures, for the operationalization of a joint maritime strategy in the region (Araujo 2015).

This framework appears in convergence with the need for African

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\(^{13}\) In contrast to the DCC, which focuses primarily on piracy, the YCC contains a comprehensive approach to regional maritime security, aimed at combating not only piracy and armed robbery against ships, but all other manifestations of crime at sea, making it much broader in scope. The “DCC Amendment” constitutes a non-binding agreement between 21 East African countries, emerging as a revised Code of Conduct, regarding the crackdown on piracy, armed assault on ships and other manifestations of maritime crime in the western Indian Ocean and in GA region. The agreement is based on 4 main pillars (regional training; review of the local and regional legal framework; information sharing and local capacity building), with the aim of strengthening regional cooperation and coordination and developing the training and capacity necessary for local authorities assume their role in combating crime at sea (Araújo 2015).
States to implement a true African maritime security architecture, as advocated by the “Integrated African Strategy for Seas and Oceans 2050”\textsuperscript{14} (AIM 2050 Strategy). AIM 2050 was developed as a tool to address Africa’s maritime challenges, in order to create wealth from Africa’s oceans, seas and inland waterways, by developing a thriving maritime economy and exploiting the full potential of maritime activities in an environmentally sustainable way (AU 2012).

Furthermore, the “African Union Charter on Maritime Protection and Security and Development in Africa” (Lomé Charter), adopted at the African Union Extraordinary Summit on October 15, 2016 in Lomé, also emerges as an important instrument, in the range of local initiatives aimed at countering the dilemma of maritime insecurity on the continent. The Lomé Charter aims to make maritime space the main catalyst for Africa’s socio-economic development, reinforcing the need to implement the MoU\textsuperscript{15}, signed in July 2008, between IMO and MOWCA (Maritime Organization for West and Central African), within the framework the IMO’s Integrated Technical Cooperation Programme (ITCP); to establish an integrated subregional coast guard network in West and Central Africa, and the respective framework for cooperation and guidance for the implementation of this integrated network (MOWCA 2008, Chatham House 2012, 16).

With regard to IUU fishing and according to the organization “Stop Illegal Fishing”, an independent, non-profit organization based in Africa, dedicated to eradicate illegal fishing in the waters of the continent, African states have made efforts to curb with the phenomenon of IUU fishing, however, the phenomenon needs a new approach on their part. In the meantime, “Africa’s Blue Economy: a policy handbook” presents a set of lines of action to mitigate IUU fishing, in addition to fighting against marine pollution and piracy, envisioning a fast and diversified economic growth in the continent\textsuperscript{16} (UNECA 2016).

\textsuperscript{14} Born at the 13th Ordinary Session of the AU Conference, held in Sirte, in July 2009, formalized in 2012, and adopted on January 31, 2014 in Addis Ababa. The IMO actively participated in collaboration with the AU in the development of the AIM 2050 Strategy, which is based on the continent, through three regional offices, located in Abidjan (Côte d’Ivoire), Accra (Ghana) and Nairobi (Kenya), based in MoU signed between the IMO and the host States. For more see. <http://www.imo.org/en/OurWork/TechnicalCooperation/GeographicalCoverage/Africa/Pages/Default.aspx>. Accessed on January 14, 2020.

\textsuperscript{15} Signed by 16 of its 20 coastal Member States, the MoU aimed to undertake cyclical efforts in the maritime domain, with a view to protecting human life, enforcing the law at sea, countering criminal activities at sea, improving maritime safety and protecting sea resources.

\textsuperscript{16} In recent years, UNECA has started to provide more local, national and regional support to support the development of the African “Blue Economy”, working with other international
At the same time, the “Gulf of Guinea Maritime Trade Information Sharing Center”17 (MTISC GoG), established by the International Maritime Forum of Petroleum Companies as a pilot project, went into operation in October 2014, having been hosted at the Accra Regional Maritime University in Ghana. The main goal of MTISC GoG was to establish a regional center for sharing maritime information in the region. On June 15, 2016, MTISC-GoG closed after the pilot project was successful. In response, the French and British authorities, drawing on the experience gained with MTISC-GoG, launched a new contribution to the maritime information sharing network at GoG, through a virtual information center.

The new France-United Kingdom center, called Marine Domain Awareness for Trade - Golf of Guinea (MDAT-GoG), started operations in June 2016, strengthening the capacity of the states in the region at the level of “Maritime Domain Awareness”18 (MDA), serving as platform par excellence for sharing data, information and knowledge among the states of the region, as it is intended to provide a detailed overview of the maritime domain of waters in the West African region19. This initiative was associated with the program created by the European Union, “the European Union supports the Critical Maritime Routes Program”, and implemented in 40 States, including partners, including the AU, the United Nations Environment Program (UNEP) and the African Development Bank (AfDB), which have the Blue Economy at the forefront of their economic priorities for the continent.

17 In addition to providing operational advice and situational awareness to merchant ships in the region, reducing the risk of being attacked by organized crime groups, the MTISC-GoG multinational surveillance team also provided support to ship captains and shipowners who had been victims of acts criminals. MDAT-GoG is currently operated remotely by the French and UK navies, from centers located in Brest (France) and Portsmouth (United Kingdom). For more see. <http://www.imo.org/en/OurWork/Security/WestAfrica/Pages/Code-of-Conduct-against-illicit-maritime-activity.aspx>. Accessed on February 13, 2020.

18 The concept of “Maritime Domain Awareness” originates from the North American doctrine of the “US Homeland Security Department”, which in a better translation means “Situational Awareness of Maritime Domain”, which translates as a continuous and regular knowledge about the maritime environment of the region in question. Its main objective is to gather as much information about any ship or vessel in a given region; and analyze them with the support of a set of means and resources of “intelligence” (maritime intelligence), in order to allow “the effective understanding of any issue associated with the maritime domain that may impact security, protection, economy or environment” (US HSD 2005, ii).

19 MDAT-GoG manages a traffic scheme with a Voluntary Reporting Area (VRA), with routes and points of voluntary reporting, so merchant ships are encouraged to follow this scheme while traveling in this region. In November 2019, the Portuguese Navy vessel “NRP Zaire” fulfilled a mission to accompany the merchant ship “Maersk Tema”, which transited off the waters of the Republic of São Tomé and Principe, following a piracy attack alert, done through MDAT-GoG. For more see. <https://www.noticiasdecoimbra.pt/marinha-portuguesa-procura-piratas-no-golfo-da-guine/>. Accessed on February 19, 2020.
in the countries of the GoG region through CRIMGO (Critical Maritime Routes Gulf of Guinea), during the 2013-2016 period\textsuperscript{20}.

Locally, recognizing that the history of maritime safety and the protection of the marine environment in the West African sub-region is full of incidents that expose the lack of capacity and local response, maritime terrorism and piracy appear as the main evaluation criteria the context of insecurity, in the sense that States continue to improve their capacities for inspection and surveillance, either through the acquisition of new naval means, or through the implementation of more exercises combined between the different forces in the field of maritime security and defense.

Understanding the maritime weaknesses of African states allows combating crime in maritime spaces, especially since the quantification of economic, human and environmental costs is essential to understand the true impact of crime at sea. Thus, according to the report presented by the platform “Oceans Beyond Piracy”, in 2017, the total economic cost to counter acts of terrorism and piracy, in the West African region, amounted to 818 million USD\textsuperscript{21}. In view of this, in recent years, there has been an increase of around 27\% in the response rate to attack incidents by maritime security forces (Steffen 2016).

In short, in recent years, even if in a less orderly manner, African States have deepened ties of sharing and cooperation, with a view to improving maritime security in their waters and ensuring sustainability in the exploitation of marine resources in these spaces; to the extent that it is inferred that the creation of capacity in terms of maritime protection and safety, in order to face the challenges, must be a continuous and comprehensive priority.

Therefore, there are several manifestations of this greater interest by the states in the region for issues involving maritime security, and it is important to highlight: the “operational MoU” between the coast guards of Nigeria and Benin, which aims to patrol the waters to combat the organized crime in the region’s waters; Maritime interdiction military exercise “Obangame Express”, with the participation of several naval forces; cooperation between the navies of South Africa, Namibia and Mozambique; the “Benguela Current Convention”, a tripartite agreement between the Republics of Angola, Namibia and South Africa, to promote a coordinated regional approach for the protection of the large Benguela Current marine ecosystem; among other

\textsuperscript{20} For more see. <https://criticalmaritimeroutes.eu/projects/crimgo/>. Accessed on March 16, 2020.

\textsuperscript{21} For more see. <http://oceansbeyondpiracy.org/reports/sop/west-africa>. Accessed on March 23, 2020.
local, regional and international initiatives.

A Prospective Vision for the African Continent

The changing global geopolitical framework is forcing African states to pay greater attention to issues related to maritime insecurity, for the defense of national interests and the promotion of economic development. In fact, there is an awareness that peace and political stability in Africa will essentially result from the increase in human security, which is not guaranteed only by the “sum of the security of each State”, but by the set of synergies driven between States and African Regional Organizations (ARO), since the latter constitutes a privileged linkage between International Organizations and non-African cooperating States, broadening the bimultilateral perspective of cooperation for security and defense issues in the region.

Therefore, today, cross-border cooperation relations are the highest exponent of political action within regions, so ARO should continue to serve as a platform for the implementation of the dynamics of multilateral cooperation and existing bimultilateral cooperation agreements. In this domain, just as on land, in the oceans, AROs must form the basis for maintaining the “New African Order”, and must share with the States the responsibility for the continent’s destinations, namely in terms of maritime security; regardless of the maritime security architecture on the continent (Vines 2013, 93).

Within this framework, it is understood that at the “domestic” level there should be a greater sharing of responsibilities between the various actors who, directly or indirectly, operate in maritime affairs, especially because the oceans are, by nature and dimension, spaces for multidimensional cooperation, sharing and collective use. Thus, the implementation of management and the use of instruments suitable for the multiplicity of activities related to maritime spaces is required, not only due to the diversity of actors operating there, but because the reinforcement of safety at sea depends more on a strategic management of this space, than the constant commitment of naval forces (Osinowo 2015).

At the regional level, this strategic management should be conducted from two perspectives. The first is linked to the “system software”, that is, the

22 African states, in general, should define and identify safe shipping corridors, with anchorages, mooring buoy zones for ships, among other essential points, to protect maritime trade circulating within their territorial waters and EEZ, as a reproduction and extension of the model implemented by the French and UK navies, the MDAT-GoG, which defined an “Internationally Recommended Traffic Corridor” in the West African region.
implementation and viability of a set of instruments of the legal and doctrinal framework, which highlights the harmonization of local legislation in the various States of the region, the adaptation to international conventions and protocols, bimultilateral agreements and protocols in the scope of maritime protection, inspection, security and defense, among other instruments. The second related to the “system hardware”, corresponding to the physical and infrastructural resources, necessary for the consolidation of any model of integrated governance of maritime spaces, which includes the necessary means for the permanent control and monitoring of the region’s maritime space, that is, the naval means, marking systems, radar systems on land (Vessell Traffic Service - VTS), centers for coordinating information and maritime operations, among other resources that strengthen regional capacity at the level of the Maritime Domain Awareness.

Furthermore, in order to guarantee maritime safety and the desired interoperability of Forces at sea, it is essential that African States continue to operate in a network, in order to guarantee complementarity between the means available in the region, with trained crews and a support system in land, which guarantee the permanent exercise of State authority at sea (Mcnicholas 2011). It is, therefore, about promoting regional and continental initiatives to strengthen local maritime capacities, as well as harmonizing local regulations and legislation\(^23\), with a perspective of sharing experiences and information, within the framework of maritime protection, defense and security.

Much remains to be done, so the political will and the desire to cooperate on the part of African States will emerge as decisive factors, essentially because the actions taken by States alone are insufficient, in the medium and long term, to fight networks organized crime, in a context in which crime at sea results from concerted action between local criminal communities, associated with local entities, and financed by transnational organized crime networks.

**Final Remarks**

In order to highlight the main lines of thought presented throughout this scientific article on the African maritime environment, we had stressed that maritime insecurity on the continent has strong economic impacts for its States, as its economic structure is strongly dependent on exploitation of

\(^{23}\) A central issue has been the lack of judgment and condemnation of pirates and others involved in maritime crime, as a consequence of the lack of internal legislation necessary to criminalize illegal activities at sea (Osinowo 2015).
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ABSTRACT
It seems clear that African leaders are not aware of the maritime dimension of their states, which has led to a subordination of maritime affairs compared to land issues, as it is essential that African states begin to take concrete steps in order to establish, on the continent, a true maritime security and defense architecture, with the aim of making the best use of the opportunities offered by the oceans, in the name of the interests of these States. The approach was possible, using a bibliographic and documentary review, through a qualitative methodology, following a deductive reasoning.

KEYWORDS
Africa; Oceans; Maritime Insecurity.

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