ROYAL DANISH DEFENCE COLLEGE

<u>**FINAL COMMUNIQUÉ**</u>
<u>**ISSUED AT THE MARITIME ACTION PLATFORM I ON THE THEMES:**</u>

<u>**'PIRACY IN THE GULF: NEW TRENDS AND THE PATHWAY TO SAFE SEAS' AND**</u>
<u>**'ILLEGAL, UNREPORTED, AND UNREGULATED FISHING,'**</u>
<u>**HELD IN ACCRA, GHANA ON 8TH AND 9TH APRIL 2024**</u>

1. Preamble

The Economic Community of West African States' (ECOWAS) Multinational Maritime Coordination Centre (MMCC) Zone F and the Centre for Stabilisation (CFS) at the Royal Danish Defence College (RDDC), organised the first Maritime Action Platform (MAP I) to enhance multilateral and interagency maritime safety and security collaboration, coordination and information-sharing in Zone F, in general and to develop recommendations for decision-makers on addressing piracy and illegal, unreported, and unregulated (IUU) fishing in this Zone, in particular. The MAP I seminar has evolved from the Maritime Dialogue Platform (MDP) seminars that were convened annually by the MMCC Zone F and the RDDC since 2019. The first edition of the MAP seminar was held on 8th and 9th April 2024 in Accra, Ghana—the headquarters of the MMCC Zone F. It was organised as part of the Maritime Security Programme (MSP) for the Gulf of Guinea (2022-2026), which is funded by the Danish Peace and Stabilisation Fund.

The Guest of Honour for MAP I was His Excellency Tom Nørring, the Danish Ambassador to Ghana. A Special Guest was the Honourable Dr. Zanetor Agyeman-Rawlings, Member of Parliament for the Korle Klottey Constituency of the Greater Accra Region of the Republic of Ghana—the host constituency of the MMCC Zone F. The seminar convened an additional 65 high-level delegates from some states within the maritime Zone F region; namely—Liberia, Ghana, Guinea, and Sierra Leone as well as a representative of the ECOWAS Commission, the present Director and former Director of the West Africa Regional Maritime Security Centre (CRESMAO), Directors of the MMCCs in Zones E and G, and representatives of the organising and funding partners. These distinguished delegates represented the diplomatic corps, government agencies responsible for maritime safety and security and the Blue Economy, national parliament, regional (i.e. the Yaoundé Architecture for Maritime Security and Safety (hereafter, Yaoundé Architecture)) and national civilian and military maritime authorities, national and regional fisheries associations, academia, information-sharing platforms, shipping companies, and civil society.

2. Development of the Communiqué

The final communiqué was elaborated from presentations, exchanges, findings, conclusions and recommendations from the Opening Ceremony, seven plenary presentations, and a working group discussion held over the two days of the seminar.

The first day of the seminar was dedicated to the theme 'Piracy in the Gulf: New Trends and the Pathway to Safe Seas.' This theme was broken down into three sub-themes to facilitate a holistic examination; namely—

- Linking Maritime Domain Awareness to Enhanced Piracy Surveillance Capabilities from Coast to Exclusive Economic Zones (EEZ);
- Current Operational and Coordination Challenges to Anti-Piracy Operations; and
- Legal Responses to Piracy: Limitations and Possibilities.

In the same vein, the second day was devoted to the theme of 'IUU Fishing,' which was expatiated and discussed under the following sub-themes:

- Drawing the Possible Linkage between IUU Fishing and Illegal Activity at Sea;
- Inter-Agency Cooperation for the Detection and Reporting on IUU Fishing;
- Policy Formulation to Protect Fisheries Resources; and
- Geospatial Tools for Monitoring Fishing Vessels to Curb IUU Fishing.

3. The Communiqué

The following background on maritime safety and security in general, piracy and IUU fishing in particular, and on efforts to jointly address these threats in the Gulf of Guinea (GoG) maritime domain, was provided during the seminar:

3.1 The Context
1. Maritime crimes, including but not limited to, piracy, armed robbery at sea, illicit trafficking in persons, goods, drugs, and small arms and light weapons, marine pollution, kidnapping for ransom, money laundering, oil bunkering, and IUU fishing, are transnational and therefore, require bilateral and regional cooperation, collaboration and information-sharing for their prevention, mitigation and eradication. However, most of these threats are handled at national level and even there, efforts are hampered by interagency rivalry. And where there is some international cooperation, this is hindered by

national restrictions, inadequate funding, and non-harmonisation of interventions and efforts, among other challenges.

2. Practitioners and other stakeholders working towards and benefitting from a safe and secure ECOWAS maritime space specifically and the GoG maritime domain as a whole, have critical insights, experiences and recommendations for the successful implementation of the Yaoundé Architecture, the ECOWAS Integrated Maritime Strategy (EIMS) and other international instruments aimed at curbing crime and boosting stability in the maritime domain. Hence, their contributions should be shared with decision-makers for the review and development of legal frameworks, bilateral and multilateral agreements, plans, policies, and national and regional interagency practices.

3. The GoG has seen a consistent reduction in piracy since 2021 due in part to robust maritime domain awareness (MDA) strategies and technologies that predict, prevent and respond to maritime threats generally, and coordinated strategies within the Yaoundé Architecture with the support of international partners including the deployment of their vessels in the GoG maritime domain; nonetheless, piracy remains a significant threat in the GoG. It has evolved and it is witnessed in varying degrees depending on the region. Additionally, certain states in the GoG that have ratified the 1982 United Nations Convention on the Law of the Sea (UNCLOS)—the international legal framework on piracy—are yet to domesticate its provisions either through a review of their national laws or the enactment of new stand-alone maritime governance laws, which would allow for the deterrence and prosecution of perpetrators. Besides, there is still a need for unified maritime surveillance as there are several MDA systems in place in the GoG region.

4. What is more, data on piracy and other maritime crimes in the GoG may not provide an accurate picture of the situation on the ground. Regarding piracy, incidents could be misreported at times due to definitions in national law that prove contrary to the UNCLOS and limited knowledge on the differences between piracy and other maritime crimes. There may also be gaps in data, and data from different sources could prove contradictory. Furthermore, what may seem to be an increase in threats to or successes in securing the GoG maritime space, could be as a result of shipping traffic diverted from other maritime domains under attack, or that the enormity of the threat makes any intervention appear as a great achievement.

5. Although the Yaoundé Code of Conduct was adopted over a decade ago to bolster coordination, cooperation and collaboration in the GoG maritime space, its full realisation has been hindered due to conflicting priorities of decision-makers and other maritime stakeholders. The general regional maritime situation includes threats to safety and security as well as the connection between the security threats on land and at sea such as terrorism and transnational organised crime, limited funding and investment, and weak inter and intra-regional coordination infrastructure. Other challenges include the lack of agreement on maritime borders between some states, and the limited inclusion, sensitisation, and capacity building of coastal communities in combatting, preventing and building resilience against maritime criminality for a sustainable Blue Economy that would increase their livelihoods.

6. IUU fishing—i.e. fishing activities that contravene national and international laws and regulations—threatens food security, local coastal and ancillary livelihoods, marine ecosystems, sustainability of fisheries resources, and trade, economic growth and development. According to the Food and Agriculture Organization (FAO), it has led to the loss of 11-26 million tonnes of fish and a revenue of US$ 10-23 billion world-wide. In the ECOWAS maritime domain, 45 per cent of the fish is taken illegally and an estimated revenue of US$ 3 billion is lost annually. In addition, it facilitates other maritime crimes, including transnational organised crimes such as human and drug trafficking as well as irregular migration due to loss of maritime-related livelihoods. IUU fishing takes various forms; for example, unauthorised fishing or fishing in unauthorised spaces, overfishing in terms of going over prescribed fishing quotas, using prohibited gear or methods, illegal transshipment, misreporting, non-reporting and underreporting of catch, among others. IUU fishing is encouraged by several factors; for instance, harmful fishery agreements that are signed by certain ECOWAS Member States, local communities partnering with foreign actors to cheat the system, unemployment, weak monitoring and surveillance systems, inability to properly manage fisheries stock, and so on.

3.2 The Recommendations

The following are recommendations that were put forward during presentations, plenary discussions and from working group deliberations:

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1. The ECOWAS Commission should lead the integration of MDA systems in the region comprising the following: the fusion of data, information and analyses from various sources (including open-sources intelligence and human reports) and centres to enrich situational awareness, and support maritime security decision-making and threat assessment. ECOWAS should also promote the standardisation of operating protocols and open communication for increased interoperability;

2. The ECOWAS Commission through the EIMS should look at the feasibility of setting-up a Global Maritime Distress Safety System (GMDSS) with stations across the ECOWAS maritime zones and radar systems to enhance the ability for threat detection in addition to existing MDA systems;

3. ECOWAS Member States through the subregional commissions on fisheries should develop necessary technical capacity (human, infrastructure and equipment) to drive the MDA strategy for achieving total coverage from coast to EEZ. This comprises building the capacities of national stakeholders including local coastal communities and fisherfolk through their sensitisation on legal frameworks related to the maritime domain, the threats and potential economic benefits of the maritime space, the impact of criminality at sea on their livelihoods, and the interconnectivity between activities on the land and crimes at sea. Furthermore, it should include the establishment of a system to facilitate the reporting of activities from the sea to the relevant authorities and consist of further investments into MDA technology upgrades, fleets and maritime safety and security procedures;

4. The ECOWAS Commission, ECOWAS Member States and development partners should prioritise funding on interventions to strengthen maritime safety and security in the GoG. This could be achieved by raising the awareness of political leaders and other stakeholders on existential threats posed by maritime insecurity on the economy, people's lives and safety, and the nexus between insecurity at sea and instability on land, including terrorism and transnational organised crime. Additionally, costs of maritime security operations and building effective MDA capacity could be mitigated through strategic investments, partnerships, and deeper collaboration to pull regional assets and resources to curb threats to maritime security;

5. Coastal states should enforce regulations and place sanctions on crimes committed within areas of their jurisdictions;

6. The ECOWAS Commission in consultation with the Economic Community of Central African States (ECCAS) should review, update and translate the Yaoundé Code of Conduct into a multilateral agreement as agreed;

7. The ECOWAS Commission should facilitate the funding of joint operations to secure the maritime domain;

8. The ECOWAS Commission should facilitate the adoption of dedicated maritime security information-sharing platforms;

9. ECOWAS Member States should involve their coastal communities, including fisherfolk, at all stages of processes on sustainable fisheries and aquaculture development;

10. The ECOWAS Commission should facilitate the adoption of the ECOWAS Blue Economy Strategic Framework and support countries to develop national Blue Economy strategies;

11. ECOWAS Member States should domesticate international maritime laws on piracy and other maritime crimes;

12. The ECOWAS Commission should engage the United Nations Office on Drugs and Crime (UNODC) and other relevant partners to assist with the training of state attorneys, and prosecutors and judges from the ECOWAS Court of Justice;

13. The ECOWAS Commission should facilitate the benchmarking of the different Harmonised Standard Operating Procedures (HSOP) to efficiently combat IUU fishing at the regional level; and

14. ECOWAS Member States should promote effective information-sharing and interagency collaboration at national and subregional levels.

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WHEREUPON, We the under listed, Director of MMCC Zone F, and Head of Section of RDDC, append our signatures to this Communiqué on the date below:

Issued in Accra on 9th April 2024.

SIGNED:

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CAPTAIN (N) NOËL OBOUMOU
Director, Multinational Maritime Coordination Centre (MMCC) Zone F

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MR. MIKKEL Ø. ANDERSEN
Head of Section, Royal Danish Defence College (RDDC)