

## Pirates, smugglers and corrupt officials – maritime security in East and West Africa

Dirk Siebels  
Senior Analyst  
Risk Intelligence A/S, Denmark

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### Abstract

*This paper provides an analysis of efforts to improve maritime security in East and West Africa. While maritime issues in general have been largely ignored in both regions over the past decades, they are increasingly recognized due to the potential of the 'blue economy'. This is highlighted by a look at three specific aspects related to maritime security: offshore oil and gas production, maritime trade, and problems with IUU fishing. While those are not the only three sectors that are relevant in this context, they are useful to illustrate the complex relationships between different actors at sea and to show that maritime developments can have very direct implications on land. Furthermore, most challenges in the maritime environment are transnational by nature, such as oil and gas fields straddling maritime boundaries, migratory fish stocks that are exploited in different jurisdictions or attacks against merchant ships which may impact ports across an entire region. In the final section, the paper underlines similarities and differences in the responses to maritime security challenges in East and West Africa over the past decade. Both regions share some traits that create opportunities to draw on lessons learned, both on the national and the regional level. Several recommendations for different stakeholders are also included in the final section of the paper.*

Corresponding author: Dirk Siebels

Email address for corresponding author: [dsi@riskintelligence.eu](mailto:dsi@riskintelligence.eu)

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### Introduction

This paper looks at specific aspects linked to maritime security in East and West Africa. Governments in both regions have more or less ignore the maritime environment for many years (see Hassan 2018). More recently, however, there has been an increased interest in maritime issues due to factors like piracy off Somalia, significant growth in maritime trade or concerns about fish stocks, to name just a few.

Unfortunately, practitioners and academics alike tend to concentrate on few subjects when it comes to maritime security. While a narrow focus may be justified in some cases, it fails to show links between the variety of actors and developments in the maritime environment, let alone highlight connections with land-based issues. For example, the same area of the sea can be used for different purposes. Some of these, such as coastal tourism and small-scale fishing, may be complementary, yet other activities are mutually exclusive, such as offshore oil production and fishing.

In this paper, three types of economic activities are explored in detail, allowing for a comprehensive discussion what the term 'maritime security' means in different contexts. All three areas are important for at least some coastal states in sub-Saharan Africa. Offshore oil and gas production are an important asset for many governments in West and Central Africa while maritime trade is increasingly important across sub-Saharan Africa, particularly in the context of the African Continental Free Trade Area that was ratified in April 2019 (African Union 2019). Finally, the sustainable exploitation of fish stocks is vital for coastal communities throughout sub-Saharan Africa where fishing and related activities are one of the few sources of income for most families.

The first section of this paper includes brief definitions of key terms, particularly 'maritime security' which does not have a good definition in the existing academic literature. The next three sections then provide a comprehensive description of the economic activities described above. Finally, the last section includes a look at potential solutions to improve maritime security on the national and regional level, as well as some recommendations for different actors. At the same time, this section underlines that maritime security in sub-Saharan Africa is different than in other world regions, creating potential for unique partnerships between the private sector, domestic security agencies and government organisations.

### Defining key terms

Exact definitions for the key terms covered here are not easy to find. Geographic regions such as 'East' and 'West' Africa nevertheless have to be defined exactly in the context of the research presented in this paper. Moreover, the term 'maritime security' has different meanings for different people. There is no standard definition in the academic literature, this paper therefore uses the term as defined below.

### Regional definitions

In this paper, East Africa and West Africa are terms that are used to analyse developments related to maritime security in specific regions. Neither region, however, has distinct natural boundaries, complicating a definition. For example, the United Nations Statistics Division (2019) includes 16 African countries – including coastal states between Mauritania and Nigeria, the landlocked states Burkina Faso, Mali and Niger, and the island nation of Cape Verde – as well as the British Overseas Territory Saint Helena in its definition of 'West Africa'. The *Encyclopedia Britannica* leaves out Saint Helena, but adds Cameroon, Chad and Equatorial Guinea (McCaskie and Fage 2019).

For East Africa, the United Nations Statistics Division's (2019) definition comprises 20 countries and territories: coastal states from Eritrea to Mozambique, landlocked Burundi, Ethiopia, Malawi, Rwanda, South Sudan, Uganda, Zambia and Zimbabwe, as well as the island nations Comoros, Madagascar, Mauritius and the Seychelles, and the French *départements* Réunion and Mayotte. The *Encyclopedia Britannica*, on the other hand, defines the region as 'part of sub-Saharan Africa comprising two traditionally recognized regions: East Africa, made up of Kenya, Tanzania and Uganda; and the Horn of Africa, made up of Somalia, Djibouti, Eritrea, and Ethiopia' (Low and Marcus 2019).

For the purposes of this paper, political documents are more useful than mere geography. The definition of West Africa is therefore based on the signatories of the *Yaoundé Code of Conduct*, adopted in 2013. The document is specifically concerned with maritime security issues, highlighted by the official title (*Code of Conduct concerning the repression of piracy, armed robbery against ships, and illicit maritime activity in West and Central Africa*) and includes all coastal and island states between Senegal and Angola.

For East Africa, the definition is based on the *Djibouti Code of Conduct*, adopted in 2009 under an equally long official title (*Code of Conduct concerning the repression of piracy and armed robbery against ships in the Western Indian Ocean and the Gulf of Aden*). To allow for a meaningful comparison with West Africa, this paper focuses on developments in the African signatories to the document, except for Egypt and South Africa. That includes coastal states from Sudan to Mozambique as well as four island nations (Comoros, Madagascar, Mauritius and the Seychelles).

### What is 'maritime security'?

The term 'maritime security' is not used systematically in the academic literature. Geoffrey till underlined that more than two decades ago when he acknowledged that 'the phrase "maritime security" comprehends so much' (1994: 5). In a more recent publication, he suggested a distinction between 'hard security' – which regards the ocean as a 'source of power and dominion' – and 'soft security' which is concerned with natural resources, maritime trade and transportation. (2013: 310-311).

The fact that no widely accepted definition of maritime security is available has been pointed out by other authors (see Klein 2011: 2-1; Kraska and Pedrozo 2013: 12-15). It may be merely one dimension of security, but various dimensions of security could also be applied in the maritime environment, enabling an analysis of maritime economic security or maritime environmental security, to name just two examples. In short, 'there appears to be no commonly accepted definition of what constitutes maritime security' (Rumley 2013: 58).

After the September 2001 terrorist attacks in the United States, maritime security was recognized as a vital aspect of national security, highlighted by the introduction of the ISPS Code that was supposed to protect ports and merchant vessels from terrorist attacks (Mensah 2004). By and large, however, terrorist attacks against merchant vessels or port facilities have been an extremely limited threat (Murphy 2009: 185-189), while pirate attacks off Somalia underlined a completely different maritime security challenge from 2007 onwards.

As a threat for the shipping industry, Somalia-based piracy has been exaggerated (Scheffler 2010: 9-10), yet it led to discussions about challenges to 'good order at sea'. This is another phrase without a generally accepted definition, but among other things, it broadly includes the aspects discussed here: secure transport of goods by sea and the protection of ocean-based resources.

In short, maritime security can be defined in two ways. In a negative definition, the mere absence of threats such as piracy, terrorism, smuggling, IUU fishing or maritime boundary conflicts leads to maritime security. This approach, however, is insufficient. Neighbouring countries often prioritize different issues, complicating cooperation in the maritime environment. Furthermore, a simple absence of threats fails to show links between certain issues and how to address these in a sustainable manner.

A positive definition of maritime security provides much more opportunities for regional and international cooperation between governments and other stakeholders. This approach defines the territorial waters and the Exclusive Economic Zone, i.e. the maritime domain of a country, as an area where the rule of law has to be imposed to ensure that it does not become ungoverned space. In this definition, maritime security is a desirable end state that has direct benefits, for example environmental protection or economic development, particularly relevant for many African countries where sustainable economic growth and development is a priority for quickly growing populations.

### Summary

Maritime security is a key aspect of the 'blue economy', i.e. the economic potential of any country's maritime domain. Therefore, it should be analyzed in an economic rather than a purely security or even military context. Economic growth increases government revenues which can then be partly spent to build and maintain the capacities required to ensure maritime security.

Moreover, maritime security in East and West Africa has received little political and academic attention in the past. Governments in both regions are facing a broad set of challenges, underlining the need for a comprehensive analysis. This paper looks at some of the gaps in the literature, providing a useful contribution to ongoing debates on the political and academic level.

### The offshore oil and gas sector

The maritime domain has enormous economic potential for many countries in sub-Saharan Africa. This potential, however, has not been exploited to the full extent. Maritime issues in general are rarely a political priority (Dewar 2016), scarce resources are more likely to be spent on land-based rather than maritime security.

This section highlights the significance of offshore oil and gas reserves, a prime example for the blue economy's potential in many countries. Domestic production provides direct revenues for national governments and can have an important impact on economic development, for example through an increased availability of refined petroleum products or energy production based on natural gas supplies. While the security situation at sea is hardly the only factor considered ahead of large-scale investments in the offshore sector, it is an important aspect for governments trying to attract or increase foreign investments (Deloitte 2018: 38).

### Overview

Even though the overall amount of oil and gas production in sub-Saharan Africa is relatively low in comparison to some other world regions, hydrocarbons are essential for national GDPs and government revenues in many countries. Unfortunately, that has often led to a lack of economic diversification. Governments rely on oil rents instead, defined as 'revenues above the cost of extracting the resources' (World Bank 2019). Unless these are invested into things like infrastructure or sovereign wealth funds, the state's capital stock is liquidated over time, meaning that the government is effectively borrowing against the future.

Moreover, the relation between taxes and oil revenues is often problematic. Most recent figures available are from 2014, yet these are unlikely to have changed significantly since. At the time, a country like Equatorial Guinea collected 11.04 dollars from the oil and gas industry for every dollar that was collected in customs duties, social security contributions and taxes. In other countries, notably in Angola, Gabon or the Republic of Congo, oil and gas-related revenues also exceeded tax revenues by far (Organisation for Economic Co-Operation and Development 2019), highlighting the reliance of governments on this particular industry.

For the oil and gas industry, maritime security is a particular concern when exploration and production activities are conducted offshore. In some countries, for example in Ghana, Equatorial Guinea or Angola, oil and gas production take place almost exclusively offshore. In countries like Nigeria or Gabon, onshore production includes a significant proportion of the overall output, yet oil fields on land are often mature and production is steady or declining. Almost all new deposits are discovered and developed offshore. Throughout East and West Africa, countries are currently looking to increase or start exports of oil and gas produced offshore (see, for example, Walzel 2019 for West Africa; Amanam 2017 for East Africa).

### **Situation in West Africa**

When the price for crude oil dropped significantly in the second half of 2014, many investment decisions in the offshore sector were postponed. However, the situation has changed again in the more recent past. Several West African governments are currently trying to increase or establish offshore oil and gas production (Walzel 2019). However, national oil companies have to rely on partnerships with international oil companies because of a lack of expertise and resources for the development of offshore deposits (PricewaterhouseCoopers 2018).

Some analysts forecast 'double-digit increases in annual spending on new oil and gas projects in Africa' (Fraser 2018) over the next decade. Most investments will flow towards few countries in West Africa, notably Angola, Nigeria and Senegal. These forecasts provide interesting background for a deeper analysis as the industry's structure is very different in all three countries.

Angola boasts a long-established offshore oil industry. After the end of the civil war in 2002, the sector grew significantly. Today, virtually all crude oil in Angola is produced offshore (Deloitte 2018: 12-14). Protection of offshore assets and related infrastructure on land is largely a military task, attacks against offshore facilities have not been reported in the past. Even merchant ships have rarely been attacked off Angola in recent years, with the most notable incident being the hijacking of the product tanker KERALA off Luanda in January 2014 (Slavina 2014).

In Nigeria, the first commercially viable oil discovery was made as early as 1956. For decades, oil was mainly produced on land and in shallow water across the Niger Delta region. More recently, however, offshore production has gained importance. In 2017, 44% of natural gas and 68% of crude oil was produced offshore (Deloitte 2018: 29). The focus of international oil companies on the sector was partly due to security concerns on land. At the same time, maritime security is also a concern since attacks against merchant vessels or offshore supply ships are frequent, particularly off the southern and western Niger Delta.

Senegal's government wants the country to benefit from extensive offshore discoveries (Ward 2018). Natural gas exports are scheduled to start by 2022 (Oirere 2018), further exploration is also being conducted. However, the fishing industry in Senegal is a vital source of income for large parts of the population and is already in an existential crisis (Beatley and Edwards 2018). Large-scale construction of offshore facilities could therefore lead to confrontations with artisanal fishermen, leading to unexpected issues with maritime security.

Across West Africa, terrorist attacks are sometimes mentioned as a potential threat for the offshore industry (for example Onuoha 2012: 4; Kyrou and Wallace 2014). However, such attacks have not taken place in the maritime environment. Militant groups in Nigeria have conducted attacks against facilities used by the oil and gas industry off the Niger Delta, but such attacks must be analysed in the context of the lingering insurgency threat in the region. Moreover, no such attacks have been recorded since 2009 when the widespread insurgency campaign by the Movement for the Emancipation of the Niger Delta (MEND) ended.

Governments across the region nevertheless regard facilities used by the oil and gas industry as strategic assets. These are often protected by military forces. Attacks against these facilities have the potential to put economic pressure on governments. Any offshore asset therefore 'can attract the attention of criminal and political elements not because of *what* it represents, but rather because of *whom* it represents' (Hawkes 2012: 143). The underlying threat level has led to unique types of cooperation between private security companies, international oil majors and security forces across the region, highlighting that additional investments into maritime security are required.

### **Situation in East Africa**

East Africa has long been a frontier region for the oil and gas industry. Overall production in the region has been negligible in the past. The situation started to change in 2010 when extensive natural gas deposits off Tanzania and Mozambique were discovered. These have not only led to optimistic forecasts (Crooks 2018), but also increased interest in exploration activities which have long been hampered by the threat of Somali piracy (Stoddard 2016).

Revenues from the production of natural gas offshore could have a transformative effect on national economies, namely in Mozambique where the lion's share of regional production is currently planned. However, potential problems can easily be identified. Fishing activities are 'vulnerable to damages from oil and gas exploration' (Nazerali 2014: 5), increasing the need to coordinate and protect a diverse range of activities. Fishermen in Mozambique already had to face some negative effects on the local level, caused by economic development that may be positive for the national economy: '[W]hile the influx of workers has been good for fish prices, (...) gas drilling is pushing fish farther out to sea' (Maylie and Gilbert 2014). In some traditional fishing areas, fishing has even been completely banned.

At the same time, the navy in Mozambique is not able to protect the entire EEZ along more than 2000 kilometres of coastline. The government was therefore forced into an agreement with neighbouring South Africa in 2011. South Africa's navy has conducted patrols in the Mozambique Channel since, even though the initial purpose of providing protection against Somalia-based pirate groups (Martin 2014) has become almost entirely redundant.

Governments in both Tanzania and Mozambique have begun to increase naval capacities and funding for other agencies with a maritime remit, boosted by the economic potential of natural gas production in their respective EEZs. In Tanzania, the government even entered a cooperation with a private security company to provide military personnel as armed guards on ships related to the offshore industry. Operators had requested such protection as a short-term response to the immediate threat of Somali piracy (Husband 2013). In Mozambique, attempts to increase the capacities of the navy were also announced, yet these have been marred by a corruption scandal that has led to a number of ongoing investigations (Cotterill 2019).

While offshore activities on a relatively large scale in East Africa have so far been limited to Tanzania and Mozambique, it is possible that additional hydrocarbon deposits will be discovered in the near future. Geography in the region is favourable, yet exploration has been rare in the past. At the same time, governments have started to realise that maritime security issues have to be addressed to attract additional interest from the private sector.

In recent years, additional naval capacities have been largely created on the national level. Some initiatives – which have been almost exclusively funded by external actors – were aimed at improving maritime security-related cooperation across East Africa or the western Indian Ocean region, yet these remain hampered by various factors. Even further offshore discoveries, however, are unlikely to change the situation significantly since positive economic impacts will be felt almost exclusively on the national level.

### **Maritime trade and the role of ports**

An analysis of maritime trade provides interesting indicators for economic development on the national or regional level. Throughout sub-Saharan Africa, it 'is shaped by the continent's trade concentration and limited diversification' (UNCTAD 2018). Exports largely comprise of crude oil and other raw materials, main imports in many African countries include petroleum products and natural gas.

Better integration into the worldwide network of shipping routes could lead to lower transport costs, removing at least some barriers for international and regional trade. Improvements of infrastructure

and relevant procedures in ports are therefore 'critical if Africa's linkages to the global economy are to be improved and economic integration within the continent is to be encouraged' (Jones and Viros 2014).

Some aspects cannot be decided by national governments, yet others are almost exclusively based on political decisions. 'Unlike distance [between ports], port efficiency can be influenced by policymakers' (UNCTAD 2015: 54), helping to create a favourable environment for the private sector. Maritime transport will also be crucial for the success of the African Continental Free Trade Area, established in March 2018 (Signé 2018).

Overall, governments across sub-Saharan Africa have to expand ports, 'streamline maritime bureaucratic procedures and improve maritime security' (Ncube and Baker 2011: 64) to increase economic growth and development. Limited maritime security puts a strain on maritime trade, '[p]orts reputedly vulnerable and located in high risk areas will likely suffer from profit margin erosion resulting from a loss in traffic, overcapacity and high operating costs' (UNCTAD 2014: 22). In short, maritime security is a marketing factor for port administrations and should therefore be part of any strategic development plan for ports across East and West Africa.

### **Situation in West Africa**

Many ports in West Africa were built during the colonial period to collect raw materials for shipments to the respective colonial power. This led to the development of many relatively small ports which were considered as vital national infrastructure by most governments after independence (Debrie 2012: 3), limiting cooperation and economies of scale.

Insecurity at sea has also been an issue in West Africa for decades. The first piracy-related resolution issued by the International Maritime Organization in the early 1980s was specifically concerned with the region. 'The high incidence of piracy and armed robbery in certain notorious areas of the world, particularly around West Africa has caused great embarrassment to governments in these areas, and has increased the reluctance of some shipping lines to operate along their coasts' (IMB 1985: 6), unions even called for seafarers to boycott vessels calling West African ports.

Benin's main port Cotonou provides a good example for the impact that a lack of maritime security can have. In 2011, ten product tankers were hijacked in the vicinity of the port, leading to fewer vessels calling at Cotonou. Most of these ships were redirected to nearby ports in Lomé (Togo) or Tema (Ghana), yet there are no reliable figures showing the actual decline in maritime traffic. A speaker at a conference in 2011 mentioned a decrease of 70 percent in shipping activities (Hayduk 2011). While this figure has been widely quoted, a comprehensive study showed that 1073 ships called at the port in 2012, compared with 1245 ships in 2010, representing merely a 14 percent decrease (Blédé 2015: 6-7). For Benin's government, however, any decline in maritime traffic is a cause of concern due to the impact on customs revenues – which make up a large proportion of the government's budget – and on Benin's economy as a whole which is heavily reliant on maritime trade. Joint patrols with the Nigerian Navy were therefore started in September 2011 to improve the security situation.

In general, large-scale investments into port and hinterland infrastructure are likely to lead to a steady increase in maritime traffic across West Africa. Privatisation of specific terminals has added further pressure on governments. Private operators seek to attract as many ships as possible to secure a return on their investments. Security around ports is therefore an important asset.

Examples for recent port expansions include a new container terminal in Togo's capital Lomé, the largest infrastructure investment in the country's history (Rogers 2017), a US\$1.4 billion expansion of the port of Abidjan in Côte d'Ivoire (Kobri and Dosso 2019) as well as investments on a similar scale in the ports of Tema in Ghana (Afenu 2019) and Kribi in Cameroon (Bax 2018). Ambitious plans have also been announced in other countries, including some completely new ports, for example in Nigeria and Senegal (Rogers 2017).

Overall, these examples highlight that governments want to address a lack of investments that has led to many challenges for maritime trade and to comparatively high transport costs. Maritime security is one aspect that must be considered to make such projects viable. Shipping companies will be much easier to attract when they can operate merchant vessels without security concerns. On the other hand, frequent attacks against merchant ships, particularly off Nigeria, are a problem that 'negatively impacts the economic potential' (Larsen 2019) of countries in the region.

### **Situation in East Africa**

Even though the roots of some ports in East Africa go back to ancient trading routes across the Indian Ocean (Phillips and Sharman 2015: 67-101), today's port and hinterland infrastructure was largely shaped by colonial powers and continues to be an impediment to intra-regional trade (Kavashe 2015). Similar to West Africa, maritime issues in general and maritime security in particular had not been political priorities in East Africa before the rapid increase of attacks by Somali pirates from 2007 onwards.

While maritime security-related discussions started to gain importance, these had a very narrow focus on counter-piracy operations. Moreover, countries from the region only played a minor role in such operations which were led by international naval forces. Overall, negative impacts of Somali piracy close to one of the world's most important shipping lanes were much more of a problem for governments in Europe, Asia and North America than for those in East Africa.

More recently, maritime security has become an increasingly important topic in relation to large infrastructure projects, similar to West Africa. Examples include a project to double the capacity of Tanzania's main port of Dar es Salaam (Oirere 2017), a US\$630 million construction programme at Mombasa's container terminal and a completely new port in Lamu in the north of Kenya, part of a vast infrastructure network that will connect several neighbouring countries (Kazungu 2019). Some other projects have also been announced or started, for example in Sudan (Dudley 2018), Eritrea (Manek 2018) or Madagascar (JICA 2018). In combination, these are perfect examples for an increasing awareness of maritime issues - including maritime security - and the blue economy's potential to benefit national economies.

### **Fish stocks as valuable resources**

In most countries covered in this paper, the fishing industry includes very different actors, ranging from artisanal fishermen in coastal communities to industrial fishing vessels, often owned by companies registered in Asia or Europe. For the former group, fishing is often the only opportunity to make a living while crews on industrial vessels frequently try to exploit fish stocks beyond legal limits to maximise profits.

Protecting fish stocks in the EEZ has been a low priority for most governments in the past. More recently, however, academics and practitioners alike have increasingly pointed out that uncontrolled exploitation of fish stocks may be a security concern, rather than merely an environmental issue (Examples include de Coning and Witbooi 2015, Haenlein 2017). Moreover, conflicts of interest between fishermen, seafarers and workers in the offshore oil and gas industry are common, leading to further security threats.

In contrast to offshore hydrocarbons or maritime trade, fish stocks provide only very limited direct revenues for governments. However, well-managed fish stocks increase food security and provide a vital source of income and employment for coastal communities. Moreover, links between fishing and maritime security are multifaceted, explained in more detail below.

### **Impacts of IUU fishing**

Uncontrolled fishing activities are often simply described as 'illegal fishing', yet that is much too broad. The technical definition provided by the United Nations' Food and Agriculture Organisation (FAO) includes illegal, unreported and unregulated (IUU) fishing as separate parts (FAO 2001: 2-3). In short, unreported or unregulated fishing is technically not illegal, but catch data are very unlikely to be reported correctly. It is therefore impossible to determine adequate catch levels and to manage fish stocks in a sustainable manner.

Precise figures for the extent of IUU fishing are impossible to find. Research is hampered by a broad range of factors, underlined by very different estimates which have been published in recent years. Arguably the most widely quoted article assesses the amount of worldwide losses caused by IUU fishing at 11 to 26 million tonnes of fish or between US\$10 and 23.5 billion per year. However, these estimates are based on data gathered between 1980 and 2003 and catches by artisanal fishermen are not included at all (Agnew, Pearce, Pramod et. al 2009).

Another journal article provides much more alarming estimates for Mauritania, Senegal, The Gambia, Guinea, Guinea-Bissau and Sierra Leone. The six countries lose an estimated US\$2.3 billion per year due to IUU fishing (Doubouya, Camara, Mamie et. al. 2017). Similar figures have also been

published for Senegal (Belhabib, Koutub, Sall et. al. 2014), Ghana (Nunoo, Asiedu, Amador et. al. 2014) and some other countries.

This paper does not provide a detailed discussion about problems related to research about IUU fishing. The examples nevertheless highlight the general lack of data. At the same time, there is no doubt that IUU fishing has a massive economic impact, particularly in countries with a relatively small GDP in sub-Saharan Africa. Overall, IUU fishing offers perpetrators high rewards, associated with much lower risks than for other types of criminal activities at sea.

Figures quoted above already seem high, yet they 'understate the real social, economic and environmental costs of overfishing. Fisheries are crucial [...] in terms of livelihood and food security' (Spooner 2015). In Ghana, for example, the fisheries sector contributes more than four percent of GDP and 'provides livelihood to an estimated 2.4 million people or 10% of the population' (Republic of Ghana 2014: 3). In other countries throughout sub-Saharan Africa, fishing is sometimes even more critical. In general, the sector is recognised as 'a critical source of employment, trade and food and nutrition security. In West Africa, up to a quarter of jobs are linked to fisheries' (Africa Progress Panel 2014: 89), estimates for East Africa are similar.

Environmental issues caused by IUU fishing are another concern. Destructive fishing techniques are often highly effective, yet these practices devastate marine habitats. Crews on industrial vessels involved in IUU fishing can simply move to other fishing grounds, artisanal fishermen do not have that option.

Overall, it is obvious that IUU fishing has 'wider impacts on food security, social welfare, fish stocks, marine environmental health, endangered species or the potential for political unrest in coastal communities' (Copeland 2014: 20). Moreover, even economic diversification programmes are not a perfect solution because 'discussions of diversifying coastal communities away from fishing seem to view fishing as just a livelihood and not a culture or a way of life' (Akyeampong 2007: 173). The fight against IUU fishing should rather be combined with capacity-building efforts in the artisanal fishing sector to generate long-term gains for domestic populations, which are very likely to outweigh the costs for improved provision of maritime security.

### **Addressing the problem**

The previous two sections provided merely a glimpse into the problems caused by IUU fishing in East and West Africa. While a deeper analysis is beyond the scope of this paper, direct links between IUU fishing and a lack of maritime security are obvious. Solutions are unlikely to be sustainable unless IUU fishing is addressed on the international, regional and national level.

Three aspects deserve particular attention. First and foremost, reliable data about fish stocks or the extent of IUU fishing is almost non-existent throughout sub-Saharan Africa. Such data, however, is required for the sustainable management of fish stocks. Subsidies add to the complexity, underlined by a former US ambassador to the World Trade Organization: 'In areas such as agriculture or manufacturing, one country's subsidised production (...) gives the subsidising country's producers a competitive advantage. In the fishing sector, (...) such practices rob the other countries of production resources by depleting the fisheries that are everyone's resource base' (Allgeier 2014: 8-9).

Another issue is that IUU fishing is an almost victimless crime. The 'tragedy of the commons' means that crews on foreign vessels in particular have no incentive to limit the catch in a certain area. Owners of industrial vessels profit from IUU fishing, domestic populations – and future generations – have to bear the costs. Throughout East and West Africa, many operators are even emboldened 'by the inaction of states that are unwilling or unable to carry out their regulatory responsibilities' (Kende-Robb 2014). That is unlikely to change until governments and law enforcement agencies address IUU fishing as a transnational organised crime rather than merely a statutory offence. At the moment, IUU fishing generally carries low risks 'because it is not seen as a major priority and it is difficult to investigate' (UNODC 2017: 28).

Finally, regional cooperation has to be improved to combat IUU fishing effectively. Enforcing domestic fisheries regulations is already a challenge for artisanal fishermen. In Ghana, for example, about 13,000 canoes are currently in use (Gibbah 2019). In Mozambique, around 600 landing sites can be found along more than 2700 kilometres of coastline (Benkenstein 2013: 8). Responsible government agencies therefore need a lot of equipment and resources to gather data related to fish stocks, regulate fishing

activities and act against illegal practices, but research and enforcement activities at sea are also the most expensive aspects in the management of fish stocks.

Investments that help to combat IUU fishing, however, are likely to pay quick dividends. 'Restructuring fisheries management can increase economic output and efficiencies and improve livelihoods and food security by aligning the socioeconomic incentives of fishermen and fishing communities with the biological health of fish stocks' (Global Environment Facility 2014: 131), safeguarding a natural resource that replenishes itself and provides both employment and food.

### **Improving maritime security**

Some important issues related to maritime security in East and West Africa outlined above underline that both regions have to cope with similar problems. Responses developed over the past decade, however, have been extremely different, highlighted by the respective codes of conduct that were supposed to combat maritime security issues.

Governments in West Africa needed four more years to agree on a comprehensive approach after the Djibouti Code of Conduct had been adopted in 2009. However, additional time for negotiations enabled them to create a comprehensive document that was not merely concerned with piracy and armed robbery at sea. The Djibouti Code of Conduct, on the other hand, was only amended in 2017 to create a similarly broad framework for regional maritime security.

Considering limited budgets and limited interest in maritime issues, both codes of conduct are remarkable achievements. Security problems on land continue to be the main focus, yet West Africa in particular has started to use the established regional framework within two regional economic communities to improve maritime security. In East Africa, related efforts have made much less progress, 'divergent country attitudes towards regional integration' (African Development Bank 2011: ii) have been a problem for many years, particularly when it comes to security-related topics.

In both regions, sustainable solutions are unlikely to be implemented within a few years. Involvement of international actors, mainly related to the fight against piracy and armed robbery at sea, is generally based on political agendas rather than regional priorities and, by extension, unlikely to provide much assistance. This section therefore aims to identify successful efforts to improve regional maritime security in East and West Africa, including recommendations for different actors.

### **Regional differences and similarities**

The blue economy's potential has been a topic in an increasing number of speeches, media articles and policy papers in recent years. The African Union adopted the *2050 AIM Strategy* in 2014, advocating the concept and highlighting that African leaders have started to realise that insecurity at sea has negative impacts for economic development on land. At the same time, most related measures will have to be implemented by national governments or, perhaps more importantly, regional economic communities on the continent, even though their financial and human resources are extremely limited.

Potential problems were once again underlined by a lack of action on the Lomé Charter, adopted during a summit in Togo's capital in 2016 and intended as a major step towards fulfilling the *2050 AIM Strategy's* ambitions (Blédé and Walker 2016). So far, most signatories have even failed to adopt national maritime strategies, despite the need for such frameworks 'to improve synergy between these strategies and those set up at regional and continental level' (Blédé 2017).

As regions, East and West Africa share some similarities, but there are also important differences related to the 'blue economy' in general and maritime security in particular. Offshore oil and gas production, for example, has long been established throughout West Africa, yet it is only a fledgling industry in East Africa, mainly limited to Mozambique and Tanzania. Negative impacts of IUU fishing, on the other hand, are increasingly important in both regions.

Analyzing similarities and differences is important for the development or adjustment of maritime strategies, both on the regional and the national level. Resources related to the provision of maritime security are generally scarce, a good cost-benefit ratio is therefore essential. When additional resources are used to create immediate benefits for governments and the domestic population, any opposition is relatively easy to be overcome. Lessons can often be learned from other countries or regions, yet their respective strategies should only be a rough template. Specific issues and requirements are important, and there is no 'one-size-fits-all' maritime strategy.

When it comes to differences between East and West Africa, established structures within regional economic communities are arguably the most important aspect. In West Africa, ECOWAS and – on a more limited scale – ECCAS are already involved in security cooperation, including joint military missions. Moreover, Nigeria as the regional hegemon can stimulate other governments into action, even though these are generally wary of too much Nigerian influence.

In East Africa, there is no similarly dominant country. Ethiopia has the largest military (IISS 2019: 438-502) and the largest population, yet Kenya's GDP is almost exactly the same size, despite a much smaller population (World Bank 2019b). Moreover, the regional economic communities are much less developed in terms of security cooperation. While the Djibouti Code of Conduct in its amended version could develop into a framework for regional maritime security initiatives, governments in East Africa have so far been unwilling to become more active in this particular area. Cooperation between international partners and regional governments has also been complicated since Somalia-based piracy has long been considered as the primary – if not the only – maritime security concern in East Africa from an international point of view, contrary to regional requirements (Siebels 2019: 104-109).

Another key difference are maritime traffic patterns in East and West Africa. These are important on the operational level as maritime situational awareness requires different technical means. Coastal radar stations with a range of up to 30 nautical miles are often sufficient in West Africa. They can provide security agencies with information about a large proportion of maritime traffic that is concentrated around ports or – offshore facilities. In East Africa, a limited amount of maritime traffic is moving close to the coastline, requiring expensive aerial or satellite surveillance systems to analyze relevant patterns and to identify suspicious movements.

Some aspects related to maritime security, however, are remarkably similar in both East and West Africa. Most importantly, attacks against merchant ships have been the most headline-grabbing topic in this area over the past decade. Other aspects – notably IUU fishing – have received much less attention, even though the impact may be even greater. The economic burden of IUU fishing has to be largely shouldered by artisanal fishermen in relatively poor countries. Any calculation of the absolute costs is therefore misleading, even small sums often have devastating impacts on coastal communities. Moreover, IUU fishing could impact security on land in the medium term, for example through economic migration away from coastal communities. Piracy attacks, on the other hand, are merely a symptom of existing instability or a lack of law enforcement on land.

The focus on piracy on armed robbery at sea, largely caused by lobbying efforts from the shipping industry and amplified by international organisations and foreign governments, is widely criticised in East and West Africa. In Somalia, where the hijacking of merchant ships developed into a lucrative business model, the origins of piracy are generally perceived as self-defence against IUU fishing (Tharoor 2009) or toxic waste dumping at sea (Walker 2011). While such issues may not justify attacks against merchant vessels, it is ironic that European and Asian governments provided warships to counter-piracy missions after failing to prevent fishing vessels plundering fish stocks off the Somali coastline (Glaser, Roberts, Mazurek et. al. 2015: 29-30).

In West Africa, a general feeling about an exaggerated threat of piracy is also obvious. The former Director General of the Nigerian Maritime Administration and Safety Agency (NIMASA) even pointed out that 'most of the reported piracy attacks [in sub-Saharan Africa] are untrue and a deliberate sabotage from foreign insurance companies' (Airahuobhor 2015). His successor has made similar, albeit slightly more understated claims (Anaeto and Oritse 2018). Such statements can be partly understood as government representatives trying to protect their country's reputation, yet they also highlight that organisations like NIMASA may have other priorities than the fight against piracy.

Corruption is another challenge for maritime security in East and West Africa. Corrupt practices 'dog the development of the [maritime] industry' (Mooney 2016) and undermine trust in government agencies. Moreover, the international character of most activities related to the blue economy leads to a unique situation. Foreigners even stand to gain from corrupt practices. Captains on merchant vessels, for example, are suspected to inflate unofficial payments in their reports to simply keep some of the money. At the same time, cooperation between African agencies and external partners is often complicated by corrupt practices, making the day-to-day work even harder for security agencies.

## Summary

Attention for maritime security in East and West Africa has increased in recent years, yet much work remains to be done. Cooperation is improving, albeit from a very low level. West Africa in particular can rely on existing organisational structures to improve ocean governance and law enforcement at sea. In East Africa, governments have not started to employ existing organisations but amendments to the Djibouti Code of Conduct, adopted in 2017, highlight a general interest for maritime security issues.

Improving maritime security in a sustainable manner will require efforts from different actors, including government agencies, international partners, NGOs and the private sector. Short-term results may be limited but maritime security-related challenges have rarely received political attention in recent decades (Potgieter and Walker 2015: 97-99). It is therefore impossible to eradicate problems such as piracy and armed robbery at sea, IUU fishing or smuggling of various cargoes within the space of a few years.

Improving maritime security will require commitment from governments in East and West Africa. Policymakers have to compile demands and capabilities from various stakeholders and draft or update comprehensive maritime strategies. Shortcomings which may be rectified later on have to be identified, either domestically or with assistance from neighbouring countries and international partners. Maritime strategies are also important to avoid assistance from donors that is based on their priorities rather than actual requirements. While it may be attractive to receive financial or technical assistance, tangible results are unlikely, creating a frustrating situation for both sides.

Priorities that are not aligned often lead to unwanted results. Security agencies in West Africa, for example, receive extensive assistance from European and US agencies to disrupt drug trafficking, yet there is no assistance to combat cigarette smuggling (Doward 2013) or imports of fake pharmaceuticals (UNODC 2013: 39-44). There are even concerns that 'questionable data and selective narratives are being used to bolster support for a new campaign in the "war on drugs", which is likely to be as harmful and ineffective as previous ones have been' (Csete and Sánchez 2013: 13). In relation to the quality of imported pharmaceuticals, experts have underlined that 'it would be difficult to imagine an issue of greater importance' (UNODC 2013: 39) for West Africans.

In East Africa, an international focus on the fight against piracy could have political consequences. Somaliland is a region in Somalia that strives for independence, yet the federal government disputes such claims. Counter-piracy initiatives have therefore been 'tied to the project of state recognition' (Dua 2011). Somaliland's coastguard, for example, began to receive EU assistance in 2013, even though the agency's legal status was only settled in 2019 (EUCAP Somalia 2019). At the same time, Somaliland's immigration police are considered to be significantly more effective despite facing the same challenges of limited resources, largely because of prioritisation on the political level (Hills 2016: 1072-1076).

These examples highlight that maritime security challenges should not be tackled without addressing the broader context. For governments in East and West Africa, maritime security is merely one feature of security. Addressing maritime issues in isolation could therefore lead to shortcomings in other security agencies, institutional rivalries or completely different, yet equally unwanted results.

Finally, maritime security in sub-Saharan Africa is different from other regions. Government agencies often suffer from limited capacities, but the private sector could help to address some shortcomings. Public-private partnerships in the security sector may be controversial yet could help to address various issues on short notice. Any partnership must be thoroughly considered but should not be dismissed entirely by insisting on the state's security monopoly. Relevant frameworks can lead to improvements in maritime security and to direct benefits for different stakeholders as well as national economies.

## Conclusions

The previous sections have provided a short look into some aspects related to maritime security in East and West Africa which do not regularly feature in the academic literature or in media articles. Providing a more in-depth analysis or a look at other aspects that may be relevant on the national or the regional level is beyond the scope of this paper. Nevertheless, it highlights that maritime security is a complex topic which should not be addressed with solutions related to specific aspects like piracy or drug trafficking.

Links between maritime security and the long-term development of the blue economy have not been analyzed in much detail so far. Other topics that deserve more attention include the potential for cooperation between security agencies and the private sector or the input needed to draft all-encompassing maritime strategies on the national and regional level. In short, discussions about maritime security should not focus on traditional topics such as naval strategies or seapower since most navies, not only those in East and West Africa, mainly operate as a constabulary rather than a fighting force.

Discussions about maritime security in sub-Saharan Africa – and indeed in other regions – should be based on reliable statistics and comprehensive information. In reality, however, data is generally scarce or not available at all, leading to a lack of transparency which often distorts political priorities and creates the potential for corruption. While the same can be said about other areas, the maritime environment has specific characteristics and a lot of untapped potential to foster economic growth and development. Moreover, it is an international environment and could be an important case study on how to address problems with corruption which ‘does not take place in a vacuum and is linked in complex ways to global actors’ (Hoffmann and Hendricks 2018: 425) in countries across Africa.

This is just one area to illustrate that very different challenges have to be addressed to improve maritime security, some of which may not be obvious at first glance. Concentrating on merely some aspects may be less complicated, but these efforts are likely to be wasted in the longer term. Active involvement of very different stakeholders, on the other hand, takes a long time but has enormous potential, underlined by an increasing number of examples in recent years. Overall, there is no question that maritime security will remain low on the list of political priorities in most countries, yet even small efforts can provide important benefits for national governments and – more importantly – domestic populations.

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## Dirk Siebels

*Dirk Siebels is a Senior Analyst at Risk Intelligence, a Denmark-based security intelligence company where he is responsible for analysis on countries in sub-Saharan Africa. He holds a PhD from the University of Greenwich in London. His research largely concentrates on maritime security issues in sub-Saharan Africa, including the role of ports and maritime trade, IUU fishing, offshore energy production and the evolution of private maritime security providers. Dirk has contributed to a number of research projects, including the annual State of Piracy report published by Oceans Beyond Piracy (now renamed as Stable Seas). He is an academic advisor for the Turkish Navy's Maritime Security Centre of Excellence in Istanbul and part of the expert network for CEMLAWS Africa, a thinktank based in Accra, Ghana.*

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