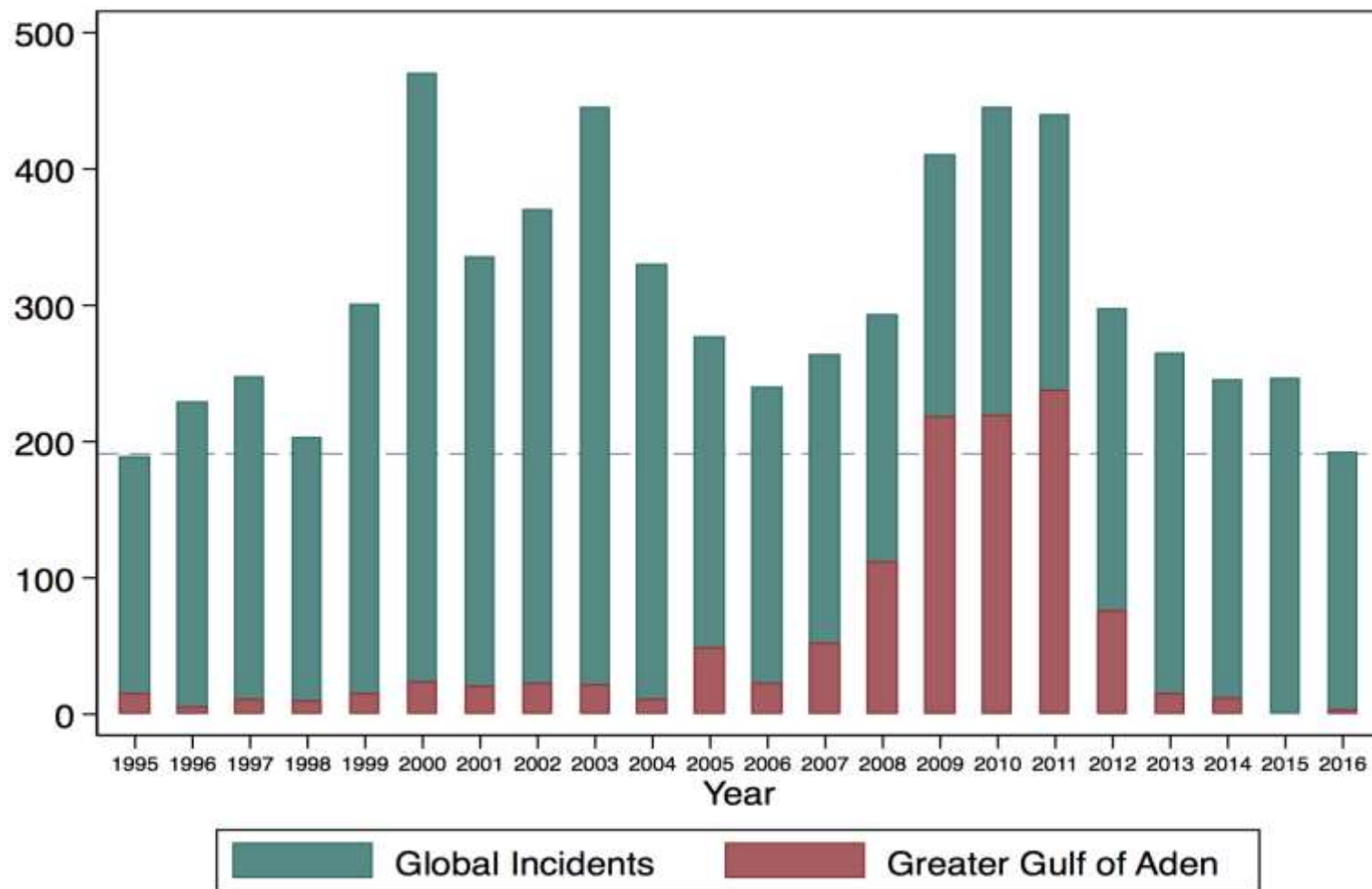


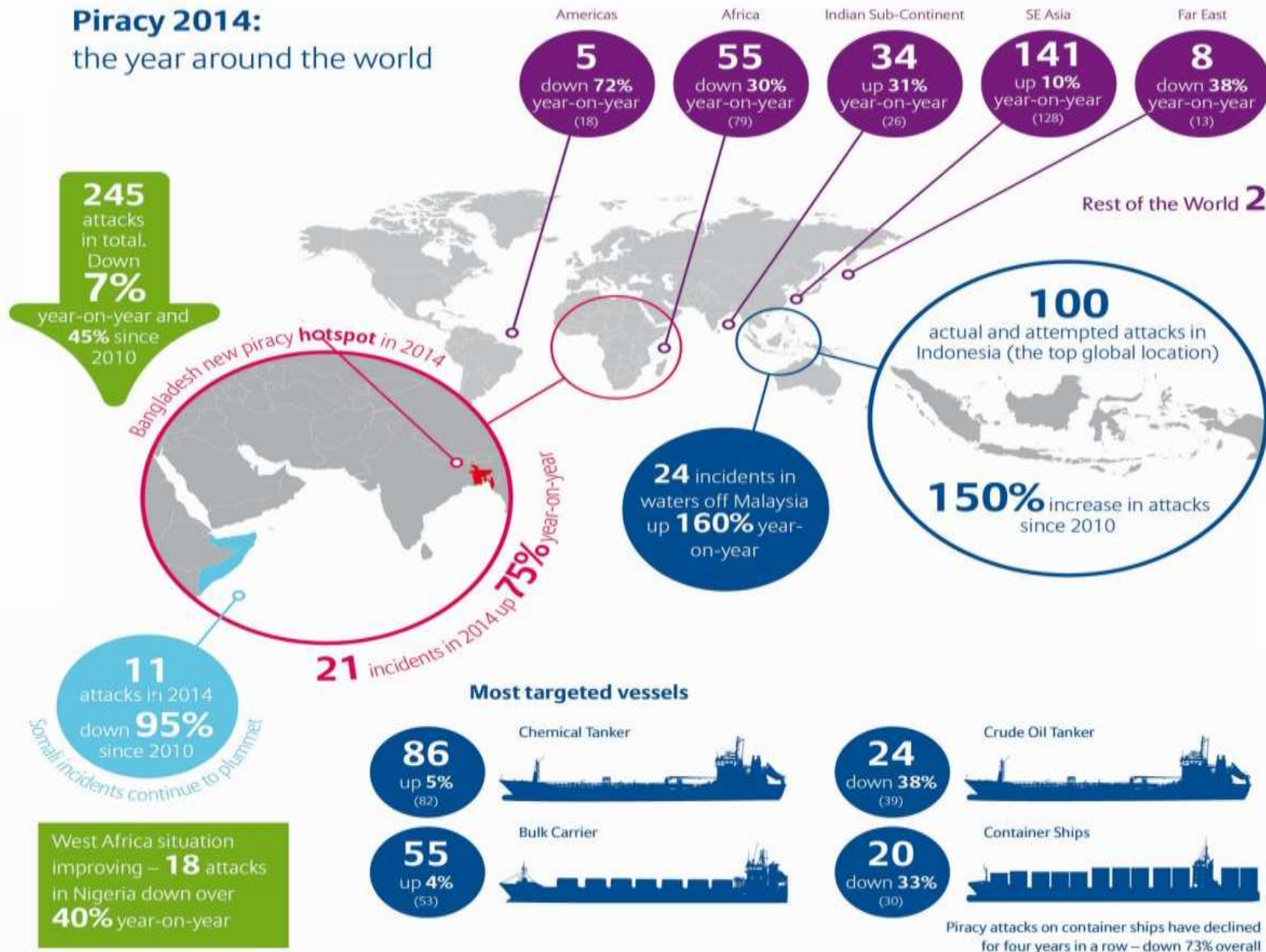
Trust and Maritime Crime in Africa

Dr Alex Vines OBE, Head Africa Programme, Chatham House

Atlafco, Tangiers, September 2017



Piracy 2014: the year around the world



AU and UN Action in 2016

- African Union held an Extraordinary Summit on Maritime Security and Development for Africa on 15 and 16 October 2016 in Lomé, Togo
- ‘Maritime Security, Safety and Development Charter – builds on Djibouti Code of Conduct and Yaounde Code of Conduct

Piracy and armed robbery in the Gulf of Guinea are increasing at an alarming rate, with some industry experts recording at least 32 attacks off the coast of Nigeria alone in 2016, affecting many Member States, including the United States.

Nigeria is losing about \$1.5 billion a month due to piracy, armed robbery at sea, smuggling, and fuel supply fraud. Illegal, unreported, and unregulated fishing also generates a sizeable income loss – in the hundreds of millions of dollars a year – for many countries and communities that depend on this sector to survive.

We have spoken many times in this chamber about the root causes of piracy – ineffective governance structures, weak rule of law, precarious legal frameworks and inadequate naval, coast guard, and maritime law enforcement. The absence of an effective maritime governance system, in particular, hampers freedom of movement in the region, disrupts trade and economic growth, and facilitates environmental crimes.

US Remarks at a UN Security Council Open Debate on Peace Consolidation in West Africa: Piracy and Armed Robbery at Sea in the Gulf of Guinea, April 25, 2016

Offshore African Piracy Incidents in 2015



Source: Oceans Beyond Piracy, The State of Maritime Piracy 2015

THE WASHINGTON POST

Maritime Insecurity in the Gulf of Guinea



- Theft of oil and other cargo
- Illegal, Unreported and Unregulated (IUU) fishing
- Trafficking of counterfeit goods, people, narcotics and arms

Efforts toward maritime security in West Africa: Texts signed at the Yaoundé Summit

POLITICAL DECLARATION (*signed by Heads of State*)

Includes commitment to:

- Collect and exchange information;
- Develop & implement national legislation relevant to maritime insecurity;

CODE OF CONDUCT (*signed by Ministers*)

Includes commitment to:

- Arrest & prosecute offenders
- Allow law enforcement agencies to deploy

MEMORANDUM OF UNDERSTANDING

(*signed by ECOWAS, ECCAS, GGC*)

- Creation of Inter-Regional Coordination Centre



Impact on Insurance Costs



Income from the Port of Cotonou accounts for:

50% of Benin's state income

80% of national tax revenue

85% of customs revenue



Impact on Tourism

- West Africa's tourism receipts = 5.6% GDP
- 30% of Cabo Verde's GDP from tourism
- 1 in 7 jobs in Gambia in tourism
- São Tomé and Príncipe, cruise ship visits down by 50% from 2013 to 2014



Continued maritime insecurity in West Africa: Low GDP growth in 2016



UN Security Council – 19 November 2012

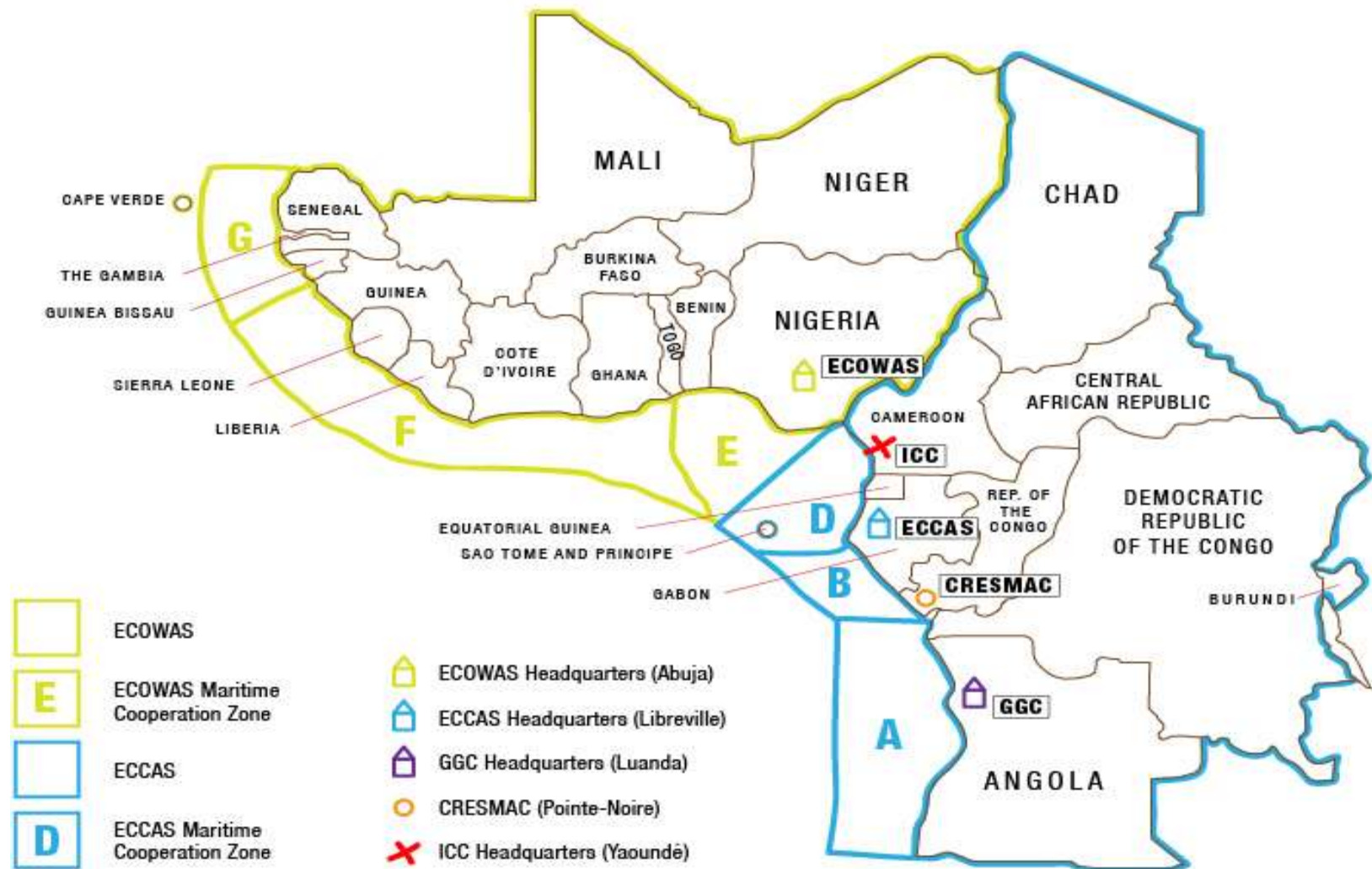
- Kojo Menan (Togo) stated that piracy was a true threat to international peace and security. In the Gulf of Guinea the scourge remained a very worrying reality, especially given the methods used by pirates to carry out their plans. The Gulf was becoming increasingly dangerous and attacks were often violent and well-planned. Additionally, there was evidence of links between piracy and other crimes in the area. It had been reported that funds gained were used to finance networks aiming to undermine States. The economic threat was significant, as port revenues were important for all the States concerned.
- Togo, he said, was therefore engaged in a national capacity-building programme with international assistance, allowing it to repulse an attack on a Panamanian vessel. There had also been progress in creating a regional plan and in organizing a regional summit in Cameroon in 2013. That effort must be supported, as it would result in a truly coordinated regional strategy. He endorsed further development of strategies to gain the speedy release of hostages and to assist their families. An improved judicial framework must also be established, and further international action should include knowledge sharing. The United Nations must play a central role in counter-piracy efforts and projects to protect the maritime environment in that context.

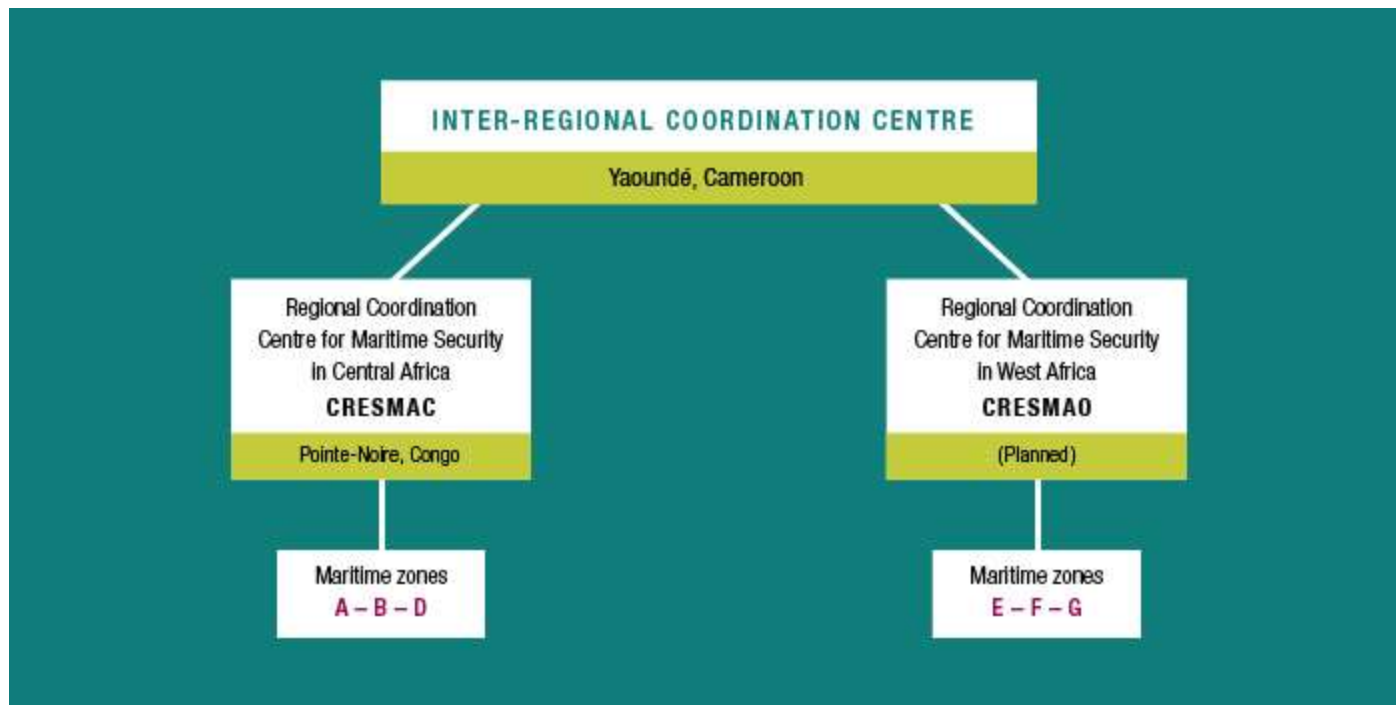


Regional and UN Efforts

- Luanda Declaration on Peace and Security in the Gulf of Guinea of 29 November 2012.
- UN Security Council passed its resolution 2039 on the Gulf of Guinea in February 2012 following a UN assessment mission to this region.
- In particular the Security Council also emphasized the importance of international support to the states of the Gulf of Guinea, and the resolution "encourages international partners to provide support to regional states and organizations for the enhancement of their capabilities to counter piracy and armed robbery at sea in the Gulf of Guinea, including their capacity to conduct regional patrols, to establish and maintain joint coordination centres and joint information-sharing centres, and for the effective implementation of the regional strategy, once adopted."

The Maritime Regional Architecture in the Gulf of Guinea





- The Maritime Trade and Information Sharing Centre for the Gulf of Guinea (MTISC-GoG) was a shipping industry initiative supported by a number of countries from within the G7 ++ "Friends of the Gulf of Guinea" ("FOGG") group, together with IMO and INTERPOL. MTISC-GoG has an operations centre near Tema, Ghana. It did not charge for its services.
- Due to political differences and lack of information – the MTISC closed down in June 2016
- Replaced by Maritime Domain Awareness for Trade (MDAT-GoG) from centres in Brest, France, and in Portsmouth, England.

Costs

- According to one estimate maritime crime costs the West African sub-region some \$2 billion annually.
- Benin saw a 70-percent decrease in the number of ships entering the port of Cotonou following its designation as “high risk” by a maritime insurance company in August 2011. Since then, Benin has been very active on this issue, including at the UN.
- According to the International Maritime Bureau, 53 cases were reported in 2011 and 62 were reported in 2012. This trend has continued into 2013 with attacks off Côte d’Ivoire, Nigeria and the Republic of Congo.

2015 Gulf of Guinea Piracy

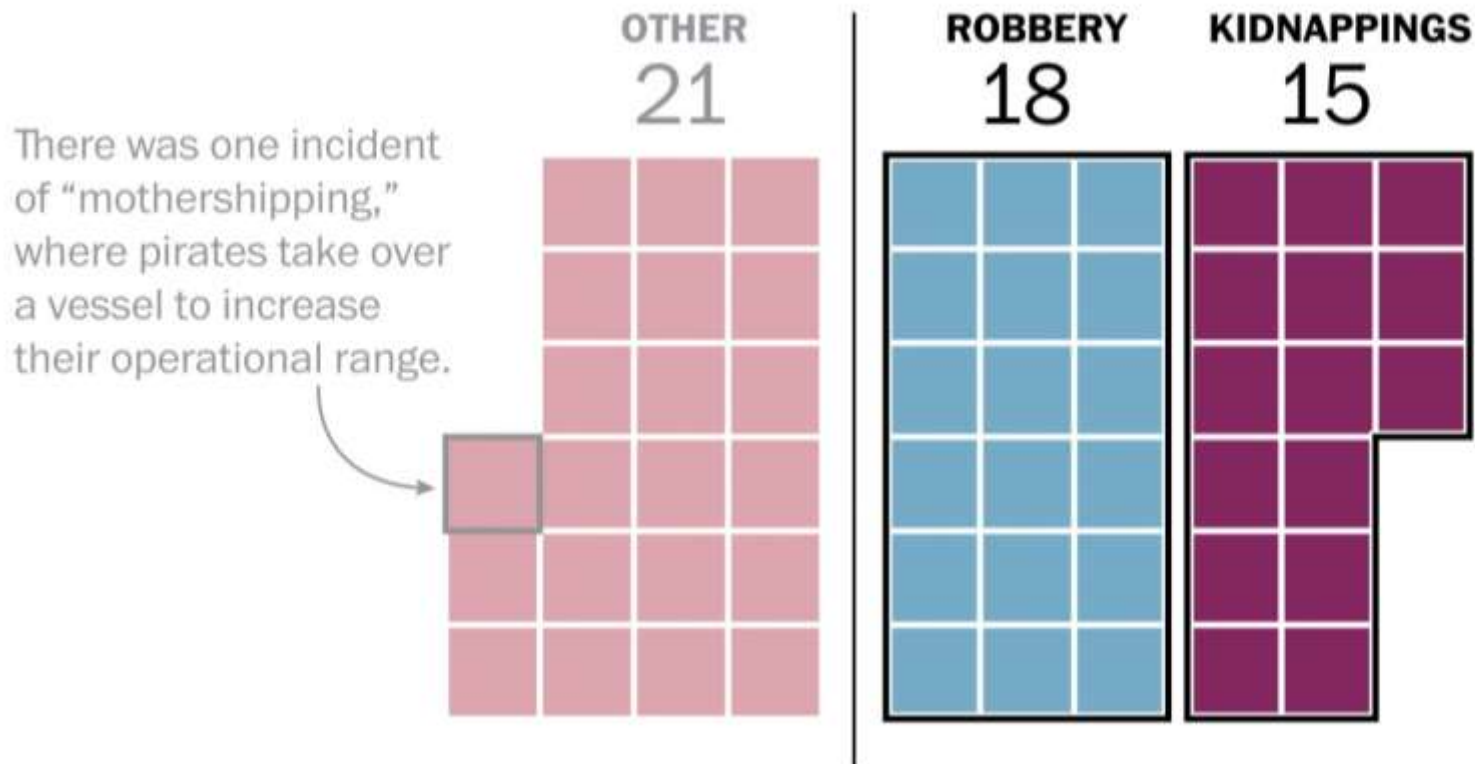


Source: Oceans Beyond Piracy, The State of Maritime Piracy 2015

THE WASHINGTON POST

Piracy in the Gulf of Guinea

More than half of all piracy-related incidents in this area are either kidnappings or robberies.



Source: Oceans Beyond Piracy, The State of Maritime Piracy 2015 THE WASHINGTON POST

Men are detained in May 2015 for allegedly hijacking vessels in the oil-rich Bayelsa waterways of Nigeria



Impact on Fisheries

- At least 37 % of W Africa's annual catch taken illegally – in some countries up to 50%
- Illegal catches valued at approx. US\$1 billion annually
- A quarter of jobs in W Africa related to fisheries
- Only Ghana has dedicated Ministry of Fisheries & Aquaculture



IUU – Illegal, Unreported, Unregulated Fishing

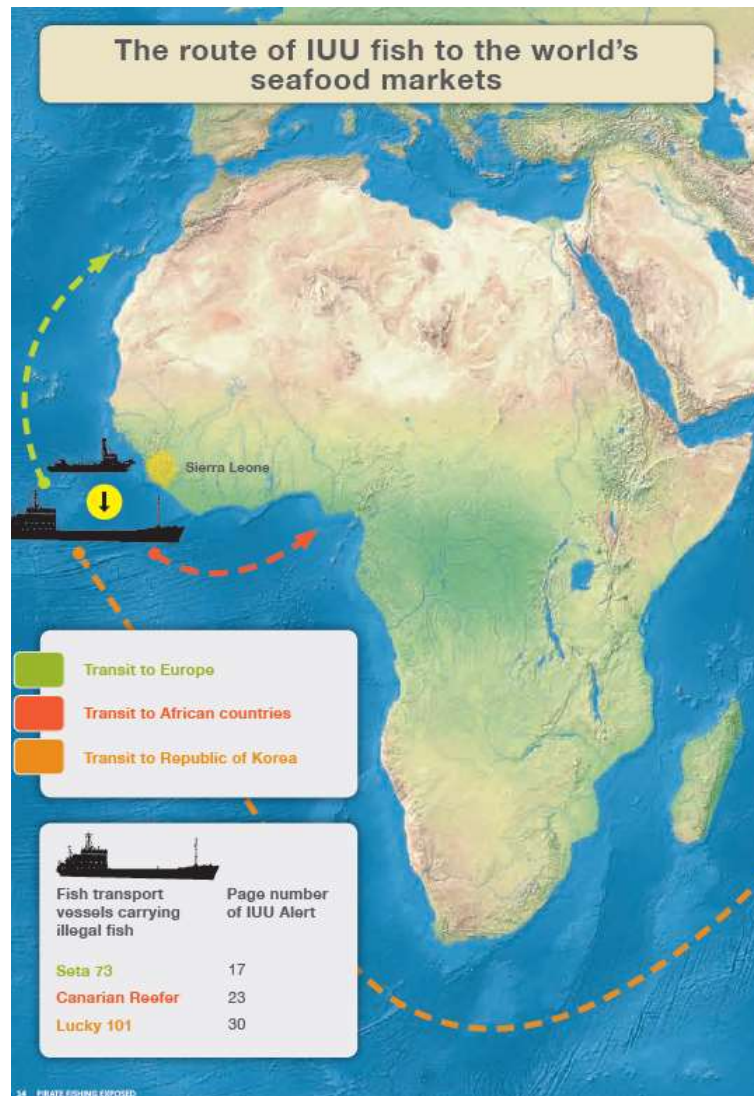
- Nigeria loses over \$60 million yearly to illegal fishing



Nigeria 2010: a fishing vessel in the sea near Lagos. © ILO



IUU Fish to Markets





What's the name??



Where is it from??



That's not what fishing nets are for...



Time to change name – the Coastguard don't believe us...

- Arrested in Tanzania
- 3 different names – hull/registration certificate/authorisation to fish
- Kenyan agent
- Oman flag
- Owned by Taiwanese company
- Taiwanese company owned by Chinese company

UNCLASSIFIED//FOR OFFICIAL USE ONLY

[illegible]

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Major success F/V Premier

- South Korean F/V Premier fishing illegally in Liberian EEZ
 - Liberia launched investigation
 - Vessel relocated to the Indian Ocean, expecting to get away
 - Vessel inspected by Mauritius and information shared with Liberia.
- Findings included document identified as forged license
- Liberia charged the vessel with illegal fishing
 - Vessel denied license and denied permission to offload by East Africa
 - Ongoing dialogue between Liberia and East African States through Fish-i, a regional information sharing and MCS cooperation project in East Africa
 - NGO / Market State / Media action
 - Cannery refusal to accept fish
 - Identification of forged communications supposedly from Liberia to South Korea
 - Owners of vessel Dongwon Ltd. forced to come to Liberia and negotiate settlement agreement
 - Record settlement of US\$ 1,000,000

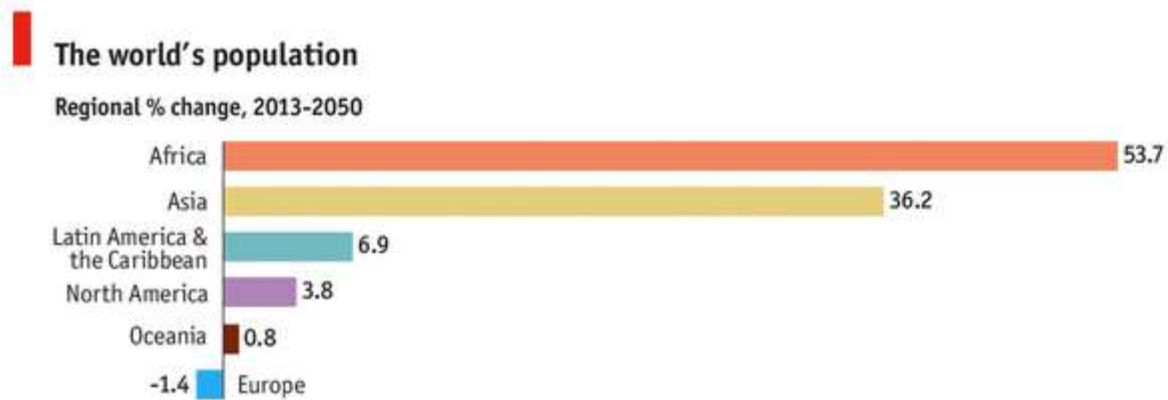


New Initiatives and Opportunities in the Region

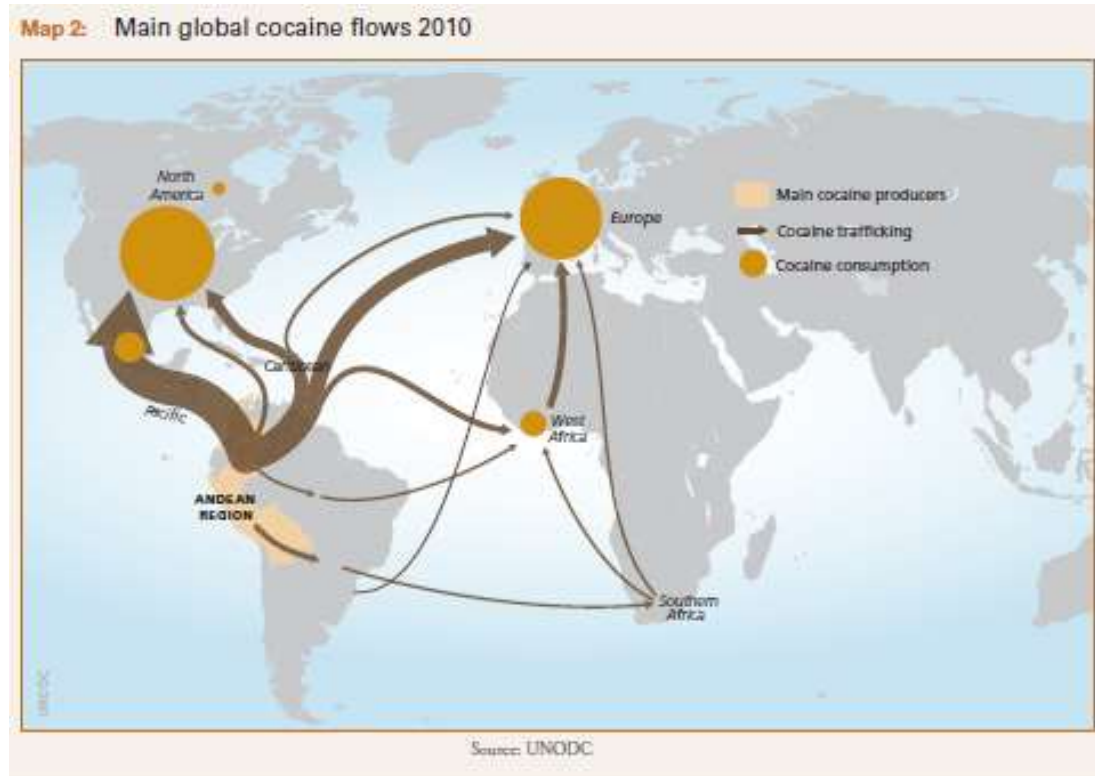
- Exploration of bringing Fish-i to West Africa: “To enable targeted enforcement actions against illegal fishing operators by African Coastal States through coordinated analysis and use of intelligence and information” – provision of technical support of vessels tracking is a key component of this (can be applied / linked with other vessels and crimes as well)
- Interpol Project Scale – target beneficial owners and investigate wider criminal activity
- Fisheries Committee of the West Central Gulf of Guinea (FCWC) developing Conventions on Information and Data Sharing, as well as on Minimum Conditions for Access. First step towards a regional MCS agreement
- Sub-regional Fisheries Commission (SRFC) joint patrol coordination
- Establishment of Ministry of Fisheries and Aquaculture Development in Ghana – major fishing country and port in the region

Summary - Moving Forward

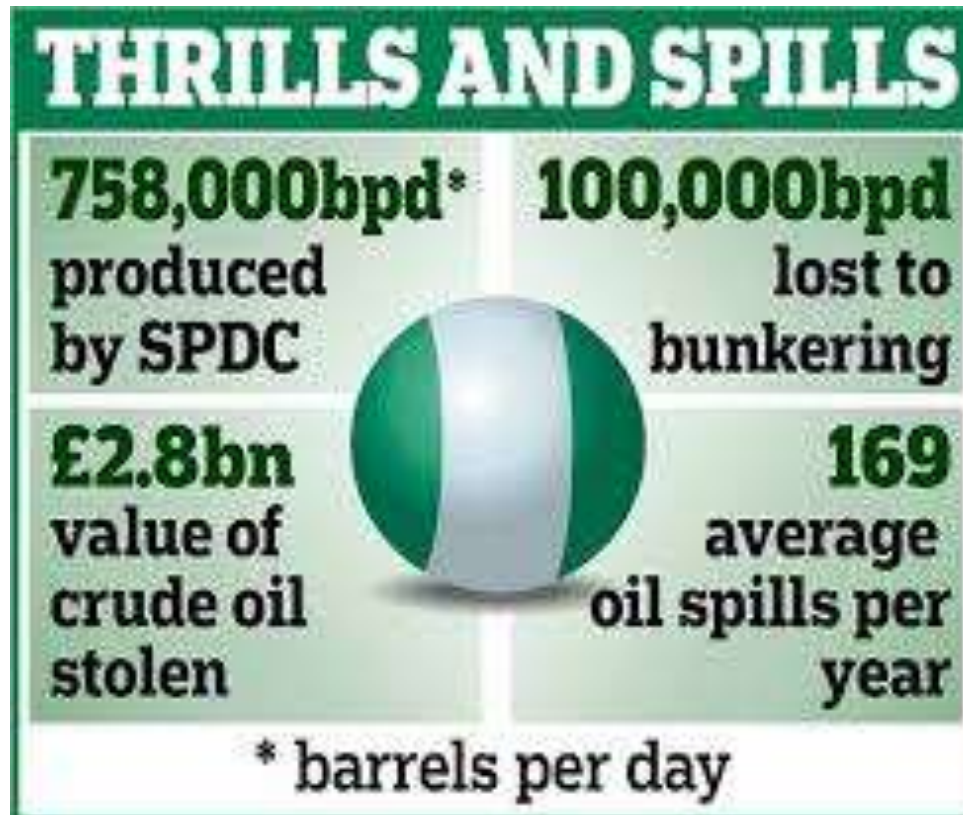
- **Regional Cooperation** - It is **all** about **information, analysis, cooperation, coordination, and governance**
- Trusted **regional and international information networks facilitating analysis and advice** can offer an **alternative to expensive surveillance and enforcement operations** – which is crucial in developing countries
- **Dedicated MCS MoU for West Africa** required
- There is a need for **a gradual shift from time limited development aid projects to real partnerships** where the aim is a **fair trade concept**, securing legal fish from hook to plate – this partnership must exist as long as a foreign fishery exist
- Closer and formalised **international cooperation** to **close markets for illegal fish**



Main Cocaine Flows 2010



Chatham House – 400,000 bpd





Oil Theft

- Once the oil is stolen, it must be moved to the markets and sold. Three markets can be identified:
 - Domestic
 - Regional
 - Intercontinental
- A sizeable proportion of the stolen oil is sold within Nigeria. This is possible because Delta crude is of exceptionally high quality, with low sulphur content, and requires minimal refining. There is evidence that a large amount of the stolen oil is processed in rudimentary local refineries, a technology that may have been developed during the blockade of Biafra during the Nigerian Civil War (1967-1970).

Oil Theft Matters

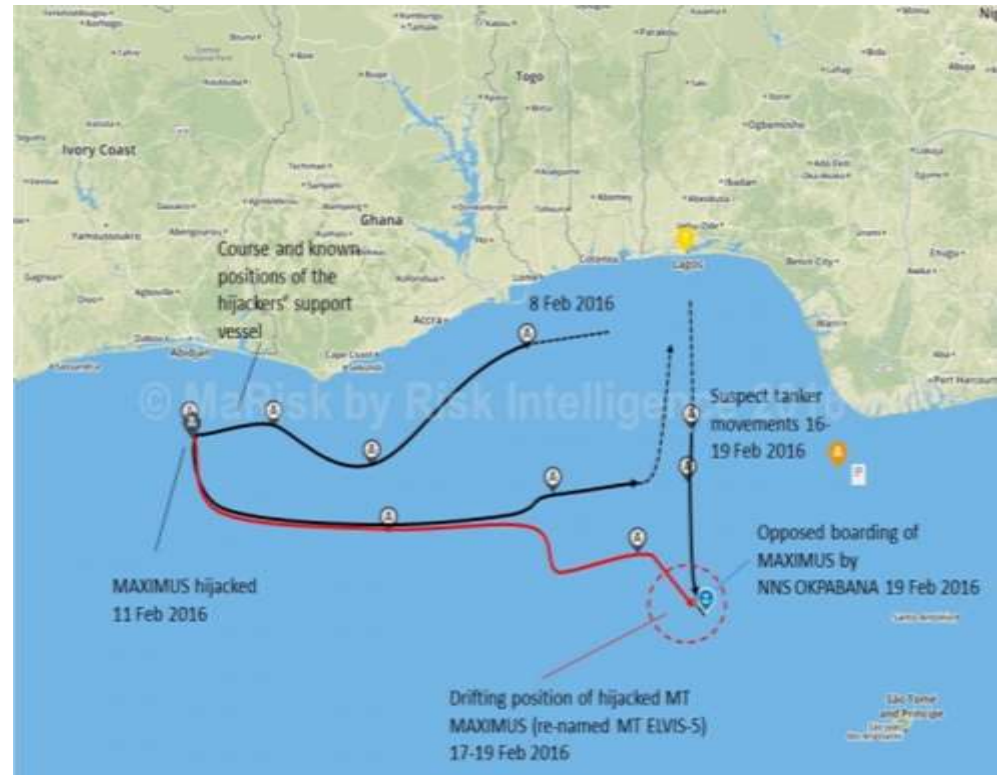
- Oil is also stolen through corruption: vessels are filled or over-filled through payments to officials controlling export. Some officials from the military, private companies and local government have also been reported to be involved.
- Oil bunkering is a crime that enriches a few criminals, insurgents and corrupt officials, while impoverishing many. It undermines the rule of law, deepens corruption, pollutes the environment, violates human rights and depletes natural resources. It has become a transnational criminal enterprise in its own right, and the violent political struggle provides a convenient smokescreen for those intent on personal enrichment.

MV Kerala – 18 January 2014

- Was she the innocent victim of Nigerian maritime criminals operating at a range previously unseen, or was she part of an elaborate plot to fake a crime and illegally sell over \$10 million of refined fuel product? How did a 75,000 ton ship manage to leave its anchorage without any communication and what role did the suspicious vessel that tracked south from the Niger Delta to the vicinity of Kerala play in the reported hijack?
- On 26 January, Dynacom Tanker Management announced that MT Kerala had been released, having been subjected to hijack and cargo theft to the west of Warri (Niger Delta). They further reported that almost 13,000 metric tonnes of gasoil had been stolen and that a crew member had been injured during the hijack.

Transnational Scope of Piracy

- ***MT MAXIMUS* INCIDENT – 11/2/16 to 20/2/16**
- Vessel hijacked south of Ivory Coast
- Surveillance and pursuit by regional navies & USS Spearhead, with foreign intel assistance
- Opposed boarding of the vessel in the waters of Sao Tome by Nigerian Navy
- **Legal basis for boarding and rescue?**



Source: OBP

Somalia's Internal Political Dynamics



SOMALILAND - 1991:

Self-declared as an independent state, unrecognised internationally

PUNTLAND - 1998:

Self-declared as an autonomous state within Somalia

GALMUDUG – 2006:

Self-declared as an autonomous state within Somalia

XIMAN & XEEB – 2008:

Self-declared as an autonomous state within Somalia

JUBALAND - 2010:

Self-declared as an autonomous state within Somalia

Map Source: The Economist, Feb 25 2012

Regional Impacts of Somali Piracy



Former Defence Minister
Sisulu of South Africa
signs MoU with
Tanzanian armed forces

Dramatic fall in pirate attacks from coast of Somalia

INCIDENCES OF ATTEMPTED
AND SUCCESSFUL PIRATE
ATTACKS IN INDIAN OCEAN:

2011: 237

2012: 75

2013: 15

EU Maritime Capacity Building Mission

- EUCAP NESTOR: aims to develop maritime counter-piracy and maritime governance capabilities in the Horn of Africa
- Mandate ended in 2017
- Budget of €23 million
- HQ in Djibouti with offices in Nairobi and Seychelles
- Has capacity for 137 international staff and 39 local staff
- 16 EU member states + Norway contribute



EU staff training Djiboutian coastguards in criminal investigation

Options for Regional Maritime Security Strategy

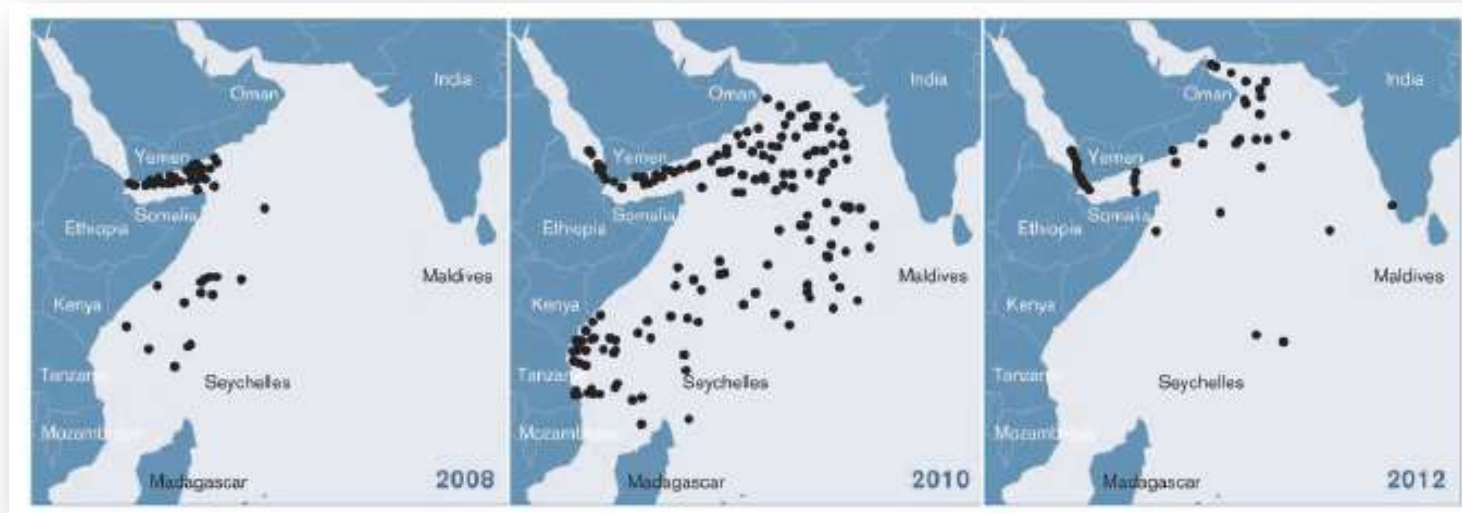


Involvement of the Inter-Governmental Authority on Development

Learn lessons from the successes of the Malacca Straits Patrol



Falling Rates of Piracy in Somalia – what lessons can be learned?



INCIDENCES OF ATTEMPTED AND SUCCESSFUL PIRATE ATTACKS IN INDIAN OCEAN:

2011: 237

2012: 75

2013: 15

Key Factors in the Reduction of Somali Piracy

- International naval patrols
- Best Management Practices
- The presence of armed guards aboard vessels
- Prosecution and imprisonment of pirates



NATO staff engaging with Puntland community representatives, 2012

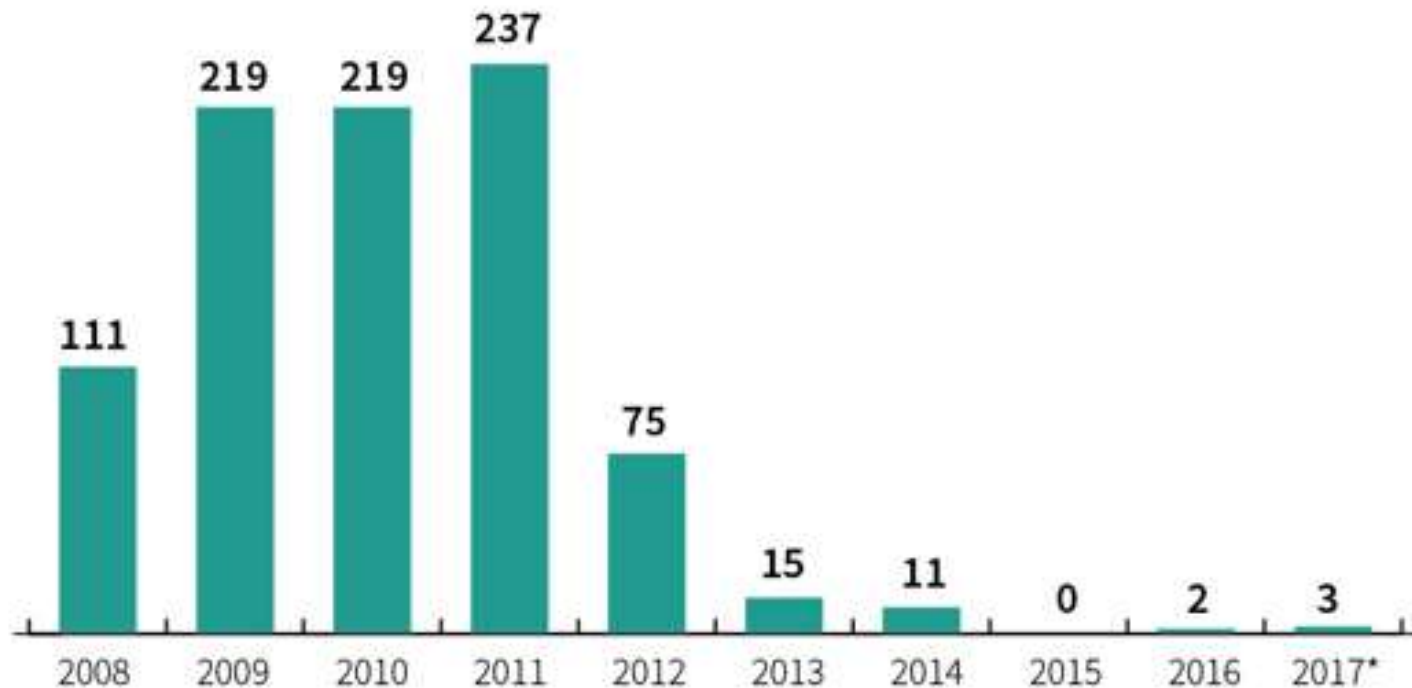


Chemical tanker, CPO Korea, was reported as being attacked by six armed men 330 nautical miles off the east coast of Somalia on 22 October 2016.

The attack was confirmed after a thorough investigation into the incident.

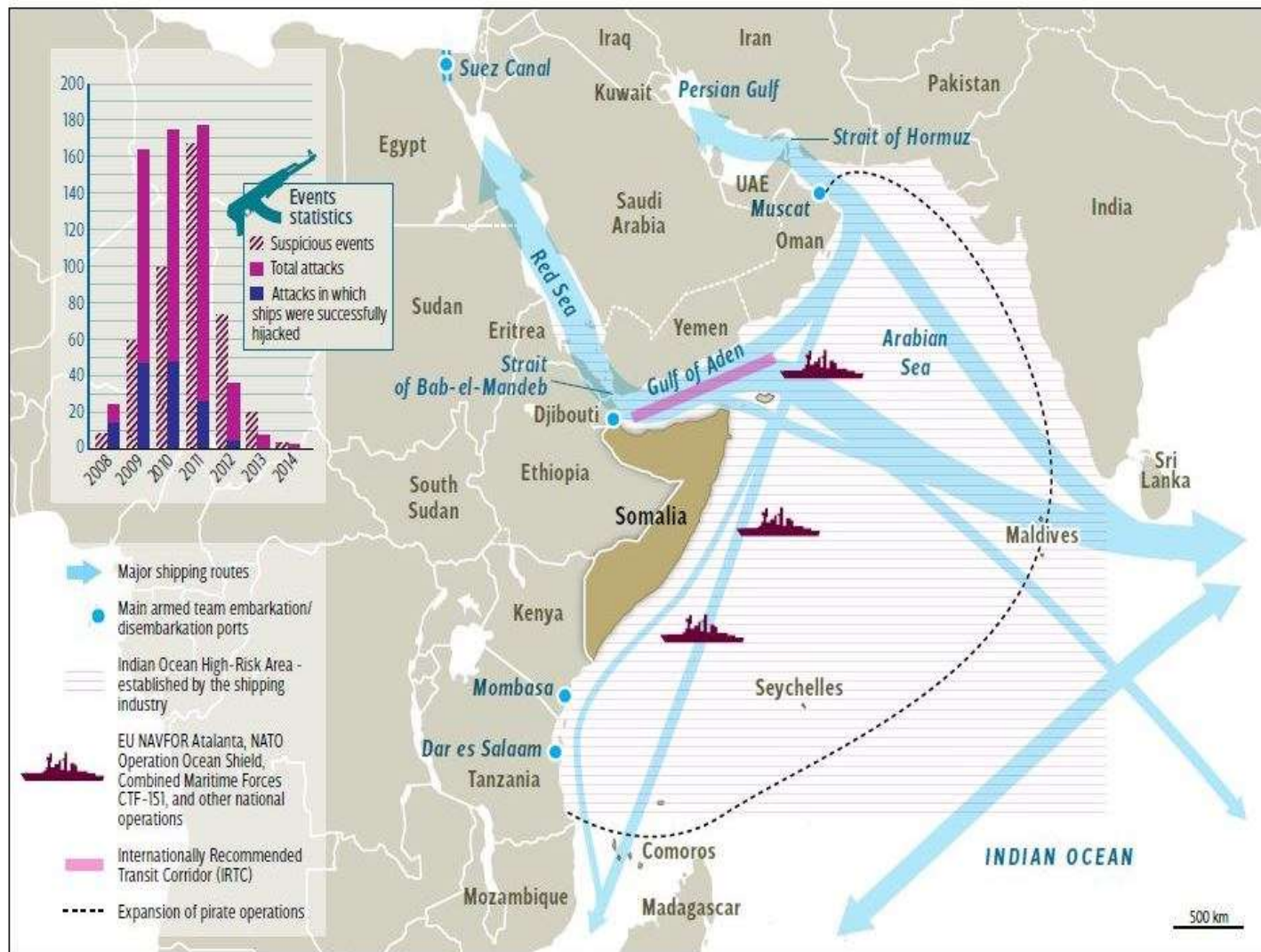
- During the attack a number of shots were exchanged between the six armed men, who were in a fast-moving skiff, and the armed security team on board CPO Korea.
- The suspected pirates eventually broke away after CPO Korea's crew successfully implemented self-protection measures by increasing speed, altering course and rigging fire hoses to thwart the attack.
- CPO Korea was able to continue her transit in the Indian Ocean, with no casualties reported.

Pirate Attacks - Somalia



Regional Context





The South Asian Association for Regional Cooperation (SAARC), the only formal regional organisation, is paralysed by the longstanding tensions between India and Pakistan, and in maritime terms only discusses elementary legislation on trade and fisheries.

The Indian Ocean Rim Association (IORA), the largest regional organisation bringing together 21 countries, increasingly discusses the need for maritime cooperation and building a 'blue economy', but geopolitical competition and a lack of resources are hampering any practical implementation.

The Indian Ocean Naval Symposium (IONS), launched in 2008, is the latest example of India's effort to promote maritime cooperation in the region, inspired by the Western Pacific Naval Symposium. The voluntary organisation brings together the navy chiefs of 35 littoral countries, to discuss basic issues such as information-sharing, transnational crime, and interoperability in case of search and rescue operations – albeit informally

The EU MASE Programme, launched in 2013 with a budget of €37.5 million, ensures coordination and continuity between its various capacity-building projects in the Indian Ocean – including its CSDP missions, law enforcement (CRIMLEA) and inland economic development and governance projects. The EU also provides 80% of the budget (over €80 million) of the Indian Ocean Commission (IOC), a body which builds capacity in regional fisheries management, small island state development and marine biodiversity protection.

Conclusions

- National Action and regional and transnational coordination
- Private Maritime Security Companies – wanting to fill the action gap
- Ransom payments
- Underreporting & Trust
- Interpol Red Notices
- Land-based solutions
- Fisheries protection essential
- Sea Blindness – Development Opportunity
- Hiked Insurance premiums – raise costs of imports – regional human security impact



CHATHAM HOUSE

briefing paper



Piracy in Somalia

Threatening global trade, feeding local wars

Roger Middleton

Africa Programme | October 2008 | AFP BP 06/02

Summary points

- Piracy off the coast of Somalia has more than doubled in 2008; so far over 80 ships have been attacked. Pirates are regularly demanding and receiving million-dollar ransom payments and are becoming more aggressive and assertive.
- The international community must be aware of the danger that Somali pirates could become agents of international terrorist networks. Already money from ransoms is helping to pay for the war in Somalia, including funds to the US terror-listed Al-Shabab.



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Africa Programme and International Law
Conference Report

Piracy and Legal Issues: Reconciling Public and Private Interests

1 October 2009



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Africa Programme Paper: AFP PP 12/01

Treasure Mapped: Using Satellite Imagery to Track the Developmental Effects of Somali Piracy

Dr Anja Shortland

Brunel University



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Transcript

The Role of Seychelles in Counter-Piracy

The Hon Jean Paul Adam

Minister for Foreign Affairs, Republic of Seychelles

Chair: Alex Vines

Head of Africa Programme, Chatham House



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Africa Programme Discussion Document

Coordinating an International Approach to the Payment of Ransoms:

Avoidance of and Alternatives to Ransom Payments

Adjoo Anyimadu

August 2012

Thank you
