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LA CONFERENCE MINISTERIELLE POUR LA COOPERATION
HALIEUTIQUE ENTRE LES ETATS AFRICAINS RIVERAINS DE
L'OCEAN ATLANTIQUE



MINISTERIAL CONFERENCE ON FISHERIES COOPERATION
AMONG AFRICAN STATES BORDERING
THE ATLANTIC OCEAN

**La piraterie maritime au large du littoral atlantique
africain : Ampleur et perspectives pour une lutte plus efficace**

**Maritime piracy off the African Atlantic coastline: Extent
and prospects for a more effective fight**

18-19 Septembre 2017, Tanger, Maroc

Tangier (Morocco), 18-19 September 2017

INTRODUCTION

1. A Think Tank meeting on “**Maritime piracy off the African Atlantic coast: Extent and prospects for a more effective fight**”, was held from 18 to 19 September 2017 in Tangier (Morocco).
2. The following have participated in this meeting :
 - The delegates of Member States: Cameroun, Congo, Cote d’Ivoire, Gabon, Gambia, Ghana, Guinea Bissau, Guinea, Equatorial Guinea, Morocco, Nigeria, Democratic Republic of Congo, Sao Tome and Principe, Senegal, Sierra Leone.
 - The following regional, sub-regional organizations and institutions:
 - The African Union, Inter-African Bureau Animal Resources (AU / IBAR);
 - The Indian Ocean Commission (IOC);
 - The Committee of Fisheries for the Western Center of Gulf of Guinea (FCWC);
 - The Regional Fisheries Commission of the Gulf of Guinea (COREP)
 - The Organization for Economic Co-operation and Development (OECD);
 - The International Commission for the Conservation of Atlantic Tunas (ICCAT) ;
 - The Regional Academy of Sea Sciences and Techniques (ARSTM) of Abidjan;
 - The Institute for Policy and International Affairs London Chatham House .
 - Independent experts in international maritime law and the fight against maritime piracy operations.

The list of participants appears in **Appendix I**.

OPENING CEREMONY

3. Opening the session **Mr Mohamed Drissi**, on behalf of the Minister for Agriculture, Maritime Fisheries, Rural Development and Water and Forests, welcomed the representatives of the ATLAFCO member States and all participants in this Think Tank meeting.
4. He then highlighted that in the field of maritime safety, Morocco is coordinating rescue operations within the national zone and the North and West Africa region. The Department of Maritime Fisheries is entrusted with the conduct of this mission in accordance with the responsibilities of Morocco at the national, regional and international level.
5. **Mrs. Cathérine HEMA** on behalf of **Mr.Kobenan Kouassi ADJOU MANI**, Minister for Animal and Fish Resources of the Republic

of Côte d'Ivoire and current president of ATLAFCO welcomed all participants.

6. She then, emphasized the special attention given to maritime piracy while reiterating the importance of the Gulf of Guinea with its vast oil, fisheries and living resources, that deserved every effort to secure browsing these waters routes.
7. To conclude, she congratulated ATLAFCO for this initiative and declared open the proceedings of the workshop.
8. **Mr. Abdelouahed BENABBOU**, Executive Secretary of ATLAFCO, thanked the Moroccan authorities through **Mr. Aziz AKHANNOUCH**, Minister of Agriculture and Fisheries of Morocco, for his constant support to ATLAFCO and his continued commitment to fisheries cooperation in Africa.
9. He thanked Côte d'Ivoire for its ATLAFCO distinguished presidency, OFCF for its support and assistance, as well as sub-regional organizations for their cooperation.
10. He also recalled that these days of reflection are part of ATLAFCO's plan of action for 2017. They are intended to contribute to the efforts of the international community to make seas and oceans safe spaces, suitable for development of the coastal countries and beyond.
11. To introduce the theme of the meeting, he mentioned that despite the enormous potential of a coastline of over 14,000km, ATLAFCO region still faces many threats, the most visible of which is piracy, which seriously affects the socio-economic contribution of maritime activities.
12. The aim of these days of reflection is to promote an exchange of information on maritime piracy and on the solutions to be developed in order to make the existing fighting mechanisms more efficient.
13. The conduct of the workshop was entrusted to **Dr. Amadou TALL**.

AGENDA

14. The agenda as adopted appears in **Appendix II**.

WORK PROGRAM

15. The work took place in plenary and various presentations were made successively in order to better understand legal, economic and social aspects of maritime piracy and to inquire into different initiatives to combat this scourge in Africa and to their implementation.

16. These are the following presentations:

- **Maritime piracy in International Law: Pr. Miloud LOUKILI**

In his presentation Prof. Loukili described the issue of maritime piracy in international maritime law. He recalled that it was on the basis of the Geneva Convention of 29 April 1958 on the high seas that has been codified customary law of piracy, the relevant provisions have been reproduced in Montego Bay Convention (Jamaica), signed in December 10, 1982.

Given the resurgence of piracy in the Gulf of Guinea, the Security Council adopted, on the joint initiative of six States (Germany, France, Gabon, India, Nigeria and the United Kingdom), the resolution 2018 of 31 October 2011. The latter encourages the States of the Region to engage diligently in their international organizations of a regional character in the fight against acts of piracy and armed robbery at sea, through concerted actions, including the establishment of joint maritime patrols.

- **Specific origin, nature and extent of maritime piracy in West Africa: Mr. Naji LAAMRICH (ATLAFCO))**

The presenter showed that the waters of the Gulf of Guinea and West Africa are experiencing significant acts of piracy that constitute a serious statistical threat both to the States of the Region and to the wider international community.

He also pointed out that individual States and regional, sub-regional, specialized organizations were aware that maritime security, including the fight against maritime piracy, was an imperative.

Finally, he confirmed that these efforts have not yet achieved convincing results, as evidenced by the still high number of attacks in the region.

- **Economic and fiscal Impacts of maritime piracy : Ms. Antonia LEROY (OECD)**

The presentation focused on the issue of offenses of a fiscal nature in the fisheries sector and the consequences of these offenses on the ability of governments to generate revenues to finance public expenditure and development. The consequences of this shortfall on developing countries can be particularly severe and undermine efforts to promote food security, reduce poverty and finance long-term development.

- **Learning Lessons and Building Up Trust: Combating maritime crime in the Gulf of Guinea: Dr Alex VINES (Chatham House)**

After listing the impacts and costs of maritime piracy in West Africa, the speaker outlined some proposals for:

- Regional cooperation is about information, analysis, coordination and governance;

- Reliable regional and international information networks, facilitating analysis and advice that can provide an alternative to expensive surveillance and enforcement operations, which is crucial in developing countries.

Finally, he advocated the need for a gradual transition from limited development aid projects to real partnerships.

International cooperation and the dynamics of maritime security: a focus on African Union, Dr Nelly ISYAGI (AU/IBAR)

After recalling the growing interest in the sea and its "blue economy" and pointing out that nearly 90 per cent of the continent's imports and exports are transiting through the sea, she indicated that a large number of the most strategic maritime trade corridors are in the African maritime space, the presenter spoke about the various initiatives adopted on the African continent to ensure maritime safety and security and its welfare in its seas and oceans.

- Piracy and Initiatives taken in COREP sub region: Mr. Georges MBA ASSEKO (ANPA)

The presenter reminded initiatives and actions taken by Central Africa to create and establish a collaborative framework against maritime insecurity.

These include the recent Extraordinary Summit of the African Union (Lomé 2016), the Yaoundé Conference of Heads of State (2013), the establishment in 2001 of the Gulf of Guinea Commission and the resolutions of the summits of the Heads of State of the Community of Central African States (ECCAS), which resulted in COREP as the specialized agency of the Community. It is also the establishment in 2010 of the premises of Yaoundé architecture relating to the fight against piracy and maritime insecurity.

- Regional mechanisms to combat acts of piracy in West Africa Mr. Dédi Nadje Seraphin (FCWC)

After giving a brief overview of the FCWC's missions, the presenter introduced the West African Task Force which was established in 2015 as a subsidiary body of the FCWC by the Conference of Ministers of the six Member States. This Task Force aims to increase cooperation in the implementation of the FCWC Regional Action Plan to combat illegal fishing adopted in 2009.

The Task Force aims to overcome the obstacles hampering the strengthening of inter-ministerial, inter-agency and inter-country cooperation through:

- The establishment of a shared communication platform
- The creation of new working groups, involving all relevant bodies;
- Regular meetings of the Working Group and regional bodies; and
- Support to all routine activities through the FCWC and a broader technical team.

- **ICCAT Actions in the Gulf of Guinea. Mr Driss MESKI (ICCAT)**

The representative of ICCAT congratulated ATLAFCO for organizing this meeting and highlighted the priorities of his organization in the fight against IUU activities across the Atlantic and the Gulf of Guinea in particular. He also reiterated the readiness of his organization to work with ATLAFCO members for the eradication of illegal activities in the area of ICCAT. He then referred to the MCS development assistance provided by ICCAT to certain countries in the area to combat illegal acts committed in waters under national jurisdiction.

- **General Overview of international cooperation initiatives in the region: Dr. Amadou TALL**

The United Nations 1982 Convention on the Law of the Sea (UNCLOS) is at first sight the applicable legal framework governing the removal of crews and the diversion of ships, in the sense that such acts may, in certain circumstances, fall within the UNCLOS definition of piracy.

The presentation is intended to demonstrate that the 3 Conventions (the SUA Convention, the Hostage-taking Convention and the Organized Transnational Crime Convention) are used in conjunction with UNCLOS to establish an effective legal framework for the apprehension, prosecution and the punishment of perpetrators of acts of kidnapping and the diversion of ships.

In addition, it reviews the provisions of UNCLOS, the SUA Convention, the Convention on Hostages and UNTOC, the applicability to acts of kidnapping and hijacking, and discusses the extent to which these conventions establish an effective legal framework

- **Indian Ocean combating piracy cooperation : Mr. Hassani AHAMADA SOILIHI (IOC)**

The presentation focused on the Indian Ocean region and on efforts to combat maritime piracy.

The presenter then reviewed the MASE (Maritime Safety) program, with two objectives:

- Overall objective - to enhance maritime security in the ESA-IO region, thereby contributing to global security and creating an enabling environment for economic development in the ESA-IO region and beyond.
- Specific objective - to strengthen the capacity of the ESA-IO region in the implementation of the Regional Strategy and the Action Plan against piracy and maritime safety, adopted in October 2010 in Mauritius.

- **Proposals for improving the institutional and operational framework: Mr. Jan Van HEERTUM**

The expert presented two case studies: One on the Department of Special Interventions and the other on the "Atlas" Organization.

The content of the presentation is inspired by the experience of the presenter in the Dutch police forces.

- **The process of defining operational and logistical needs and training Mr. Hamish McDonald OBE**

The presenter has developed the appropriate process for defining operational, logistical and training needs and even effectively tackling crimes at sea. He also presented the training methodology and the ongoing assessment of skills and competencies and capacity building.

- **Training and capacity building as an effective means of combating piracy: Mr. Karim COULIBALY (DG/ARSTM)**

Following a presentation by the Regional Academy of Marine Sciences and Techniques (ARSTM), as an indispensable tool for maritime training and maritime security and safety, serving the entire region, the Director General reminded geostrategic context of maritime activities is confronted with three major issues, the economic, the social and the security.

To address these challenges, the presenter places the ARSTM at the center of the solutions, by providing training for young people in the maritime professions and by strengthening the capacities of the personnel in the fight against maritime crime.

- **For a coherent regional co-operation on maritime safety: Mr. Med SEMLALI (ATLAFCO)**

Emphasis was placed on the importance of regional cooperation as a phenomenon that affects all regions of the world and on security, stability and good governance, which are essential for any process of economic and social development.

Regional co-operation, which is necessarily economic, must also involve the rapprochement between men and border (land and maritime) security in order to prevent and / or combat threats to maritime safety.

Since it was impossible to cope with the scourge at the level of a State, proposals were put forward in order to establish enhanced regional cooperation.

All presentations are available in the original language on the ATLAFCO website at the following address:

<http://comhafat.org>

RESULTS

17. Presentations and debates enabled the meeting to :

- Discuss the phenomenon of piracy in terms of International law;

- Analyze the origins, nature and extent and the economic and social impacts of maritime piracy in the countries of the area ;
- Review the initiatives and mechanisms in the region to fight against piracy, referring to the experience in other regions (Indian Ocean) ;
- Formulate recommendations aimed at strengthening and improving existing systems to combat maritime piracy, in particular in terms of improved information exchange, coordination and collaboration, pooling of efforts, financing, operationalization of national and regional strategies;

DISCUSSIONS

18. Lively discussions followed the presentations throughout the sessions.

They highlighted the following prominent points:

- The maritime insecurity is confirmed as one of the major threats to the security and economic stability of the region, both for the littoral states as those in landlocked hinterland ;
- The negative character of the impacts of maritime insecurity is confirmed in the process of socio-economic development of countries, particularly in terms of loss of investment opportunities and migration of populations ;
- Maritime piracy, recognized as a problem of maritime insecurity and will be fought downstream of any questionable activities using maritime areas such as fishing, trade and pleasure;
- The need to carry out a preventive policy focusing on the root causes of the emergence of the phenomenon;
- The existence of international, continental and regional initiatives to combat acts of piracy and armed robbery committed particularly off the Atlantic coast of Africa;
- The persistence of these offenses despite the will of the States, illustrated by the adoption of the Code of Conduct on the Prevention and Suppression of Unlawful Acts perpetrated in the maritime area of the Gulf of Guinea and later the African Charter of Lomé;
- The complexity of a fight against piracy and the various forms of maritime insecurity, regional cooperation based on coordination, information and pooling resources is recommended to eradicate this scourge ;
- The elaboration of this regional cooperation is linked to the willingness and capacity of the bordering States to co-operate with each other and to request technical and operational support from foreign partners;
- Difficulties in the implementation and operationalization of institutional and legal frameworks and anti-piracy programs at regional level;
- Maritime piracy should be considered in its globality as an event related to the safety and security of the seas, governance and the economic and social development of the countries of the zone;
- The approach is preventive and should address the root causes of maritime insecurity in a comprehensive manner, integrating poverty, unemployment,

corruption, food security and good governance issues, as well as the lack of control and surveillance of national maritime areas;

- The need for the involvement of continental, regional and sub - regional organizations and economic integration institutions at each level in the implementation of regional cooperation for the prevention and fight against maritime insecurity;

RECOMMENDATIONS

- 19.** At the end of the meeting, the participants made recommendations which they agreed to keep under the title "Tangier Appeal for Safety and Security in Marine Spaces in Africa" **Appendix III**

CONCLUSION

- 20.** As part of efforts to develop the capacity of states in the Region, participants have asked ATLAFCO, to initiate in respect of the year 2018, two activities related to this theme.

CLOSING

- 21.** The meeting was declared closed at 17.00.

Appendix I

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Appendix II

Agenda

Think Tank meeting “Maritime piracy off the African Atlantic coast: Extent and prospects for a more effective fight”

Tangier, 18-19 September 2017

18 September 2017	
08 :00-09 :00	Registration
09 :00-09 :45	<ul style="list-style-type: none">- Opening of the meeting- Address by the Representative of Morocco, host country- Address by the Representative of Cote d’Ivoire, President of ATLAFCO- Address by the Executive Secretary of ATLAFCO
09 :45-10 :00	Introduction of the meeting
10 :00-10 :15	Coffee break
1st Session: Maritime piracy in Africa	
10:15-12:30	<ul style="list-style-type: none">- Maritime piracy in international law: Mr. Miloud LOUKILI- Specific origin, nature and extent of maritime piracy in West Africa: Mr. LAAMRICH (ATLAFCO)- Fiscal and economic impacts of maritime piracy: Mme. Antonia LEROY (OECD)
12 :30-13 :30	Lunch
2nd Session: The fight and means of solving piracy issues: from isolated actions to institutional pooling of efforts	
14 :00 -16 :00	<ul style="list-style-type: none">- International cooperation and the dynamics of maritime security: a focus on African Union Dr. Nelly Isyagi (AU/IBAR)- Learning Lessons and Building Up Trust: Combating maritime crime in the Gulf of Guinea: Dr. Alex VINES (Chatham House)- Piracy and Initiatives taken in COREP sub region: Mr. Georges MBA ASSEKO (Gabon)- Regional mechanisms to combat acts of piracy in West Africa: Mr. Dédi Nadje Seraphin (FCWC)- ICCAT Actions in the Gulf of Guinea Mr. Driss MESKI (ICCAT)- Discussion
16 :00 -16 :15	Coffee break
16 :15-18 :00	International cooperation and the dynamics of maritime security <ul style="list-style-type: none">- General Overview of international cooperation initiatives in the region Dr. Amadou TALL- Indian Ocean combating piracy cooperation Mr. Hassani AHAMADA SOILHI (IOC)- Training and capacity building as a an effective means of combating piracy Mr. Coulibaly Karim (DG/ARSTM)- Discussion

18.00	End of the first day
19 September 2017	
<u>3rd Session:</u> For a more effective fight against piracy in West Africa	
09 :00-10 :30	<ul style="list-style-type: none"> - Proposals for improving the institutional and operational framework: Mr. Jan Van Heertum - The process of defining operational and logistical needs and training: Mr. Hamish McDonald OBE
10:30- 10:45	Coffee break
10 :45-12 :30	
10 :45-12 :30	<ul style="list-style-type: none"> - For a coherent regional cooperation for maritime security: Mr. Med SEMLALI (ATLAFCO)
12 :30-13 :30	Lunch
<u>4th session:</u> Conclusion and Recommendations	
14:00-15:30	Formulation of recommendations for better fight against piracy in the ATLAFCO area
15:30-15:45	Coffee break
15:45-17:00	Formulation of recommendations for better fight against piracy in the ATLAFCO area
17 :00	End of the meeting

Appendix III

Tangier's call for safety and security in maritime spaces in Africa

- **Reaffirming the rules of international law, particularly those set out in :**
 - Relevant articles of the United Nations Convention on the Law of the Sea (UNCLOS, 1982);
 - The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA, 1988);
 - International Convention for the Safety of Life at Sea (SOLAS, 1974);
 - The International Code for the Security of Ships and Port Facilities (ISPS Code, 1974/88);
 - United Nations Security Council resolutions 2018 (2011) and 2039 (2012), calling for the development and implementation of regional, subregional and national maritime safety and security strategies;

- **Considering** the Integrated African Strategy for Seas and Oceans by 2050, adopted in January 2014, making the African maritime domain one of the main levers of economic and social development for the continent;

- **Recalling** the initiatives taken at the level of Africa to deal with the problem of maritime piracy, in this case:
 - The African Union Charter on Maritime Safety and Security and the Development of the Maritime Economy (2016);
 - The Djibouti Code of Conduct for the Suppression of Piracy and Armed Robbery of Ships in the Western Indian Ocean and the Gulf of Aden;
 - The Code of Conduct for the Suppression of Piracy, Armed Robbery of Vessels and illegal maritime activities in West and Central Africa;
 - The Memorandum of Understanding between the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS) and the Gulf of Guinea (GGC) Commission on Security in the Central and West African Maritime Space (2008);

- **Welcoming** the adoption of integrated maritime strategies at regional and continental levels, including:
 - The integrated maritime strategy of the Economic Community of West African States (Yamoussoukro, 29 March, 2014);
 - The integrated maritime strategy of the Gulf of Guinea Commission (Malabo, 10 August 2013);
 - The Memorandum of Understanding on the strategy for securing

vital interests at sea, in synergy with the Gulf of Guinea Commission and the Economic Community of West African States; (Kinshasa, October 24, 2009);

- **Worried** about the extent of maritime piracy, which constitutes a serious threat to the peace and stability of States and a brake on the development and well-being of both the peoples of the riparian countries and those of the landlocked countries;
- **Conscious** that the economic development of the States of the Region depends largely on their ability to create wealth through adequate governance of their maritime space;
- **Knowing** also the important and indispensable role of international partners in building the capacity of these States and regional organizations in the fight against maritime piracy and other related crimes;

The participants in the maritime piracy reflection days, gathered in Tangiers (Morocco), recommend:

- 1- To implement strategies for the development of the maritime sector and a "blue economy" capable of ensuring food security, employment, inclusive and sustainable economic growth, prosperity and stability;
- 2- To adopt a global approach by involving all stakeholders (private sector, local communities, NGOs, etc.) and focusing on both security and safety, governance and sustainable development;
- 3- To alter into national legislation the provisions of international legal instruments relating to the fight against maritime piracy, armed robbery and other illegal activities committed at sea;
- 4- To facilitate the harmonization of the legal and institutional framework of the States of the Region;
- 5- To establish mechanisms to facilitate the exchange of relevant, effective information timely;
- 6- To develop common training programs on the keeping of safety, security and order at sea, in relation with concerned training centers of excellence;
- 7- To favor the pooling of means to combat maritime piracy and illegal acts at sea, particularly in the field of maritime surveillance by organizing joint operations;

- 8-** To learn from the experiences and good practices of the regions of the world that have faced this phenomenon;
- 9-** To ensure coordination between the various parties involved in the fight against maritime piracy, including the tax authorities, in order to monitor the financial flows associated with illegal activities at sea and maritime piracy;
- 10-** To ensure sustainable financing for the operationalization of strategies to combat maritime piracy;
- 11-** To involve regional and sub-regional fisheries organizations and economic integration organizations in the fight against maritime insecurity in Africa, by promoting more sustained cooperation, in particular in the development of inter-regional architectures.

The Participants

Tangier, 19 September 2017