

# Evolution of African Maritime Security

*Imperatives, Governance and Challenges*

**Abhishek Mishra**



MANOHAR PARRIKAR INSTITUTE FOR  
DEFENCE STUDIES AND ANALYSES

मनोहर पर्रिकर रक्षा अध्ययन एवं विश्लेषण संस्थान

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MP-IDSa OCCASIONAL PAPER No. 64

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ISBN: 978-81-965080-3-6

First Published: October 2024

Price: Rs. 175/-

Published by: Manohar Parrikar Institute for Defence Studies and Analyses  
No.1, Development Enclave, Rao Tula Ram Marg,  
Delhi Cantt., New Delhi - 110 010  
Tel. (91-11) 2671-7983  
Fax.(91-11) 2615 4191  
Website: <http://www.idsa.in>

Cover &  
Layout by: Geeta Kumari

Printed at: Pentagon Press LLP  
206, Peacock Lane, Shahpur Jat  
New Delhi-110049  
Tel. (91-11) 26491568, 26490600  
Fax: (91-11) 26490600  
email: [rajanaryaa@gmail.com](mailto:rajanaryaa@gmail.com)  
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website: <http://www.pentagonpress.in>

# EVOLUTION OF AFRICAN MARITIME SECURITY: IMPERATIVES, GOVERNANCE AND CHALLENGES

## INTRODUCTION

Within the domain of African security politics, maritime security has mostly tended to receive insufficient attention from regional African actors and international donors. The task of understanding the threats confronting Africa's maritime domain and how their regional waters and maritime borders can be policed and protected has proven to be difficult. The experiences of colonialism of African countries 'forced them to look inward and generally neglect their coastlines.'<sup>1</sup> Post-colonial African states tended to prioritise local and more pressing issues such as economic development, consolidating political borders in the hinterland, and settling inter-state disputes, civil war, or transnational terrorism.<sup>2</sup> The sea was not viewed from the perspective of security, 'provided that good order at sea prevailed.'<sup>3</sup> Besides fisheries, commerce, and transport, the impact of the sea on other sphere of activities was not clearly seen. 'This was ironical since African coastal cities like Mombasa, Zanzibar, Malindi, Kilwa, Sofala, and others, historically participated in world trade by operating an interface between the sea and the hinterland.'<sup>4,5</sup> These trade networks reached far inland into continental Africa and outward to India, China, and Persia.

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<sup>1</sup> Timothy Walker, 'From missed opportunity to oceans of prosperity,' *Institute for Security Studies*, 13 October 2015, at [https://issafrica.org/iss-today/from-missed-opportunity-to-oceans-of-prosperity#:~:text=Africa's%20colonial%20legacy%20forced%20countries,nautical%20miles%20\(47%20000km\)](https://issafrica.org/iss-today/from-missed-opportunity-to-oceans-of-prosperity#:~:text=Africa's%20colonial%20legacy%20forced%20countries,nautical%20miles%20(47%20000km),), (accessed on 20 July 2024).

<sup>2</sup> Abhishek Mishra, 'African Navies: Historical and Contemporary Perspectives', by Timothy Stapleton (ed.). *Africa Review*, 2023, 15(4), 463-467, at <https://doi.org/10.1163/09744061-0150410125>, (accessed on 20 July 2024).

<sup>3</sup> Mishra, A., 2023.

<sup>4</sup> Mishra, A., 2023.

<sup>5</sup> JPB, Coelho, 'African Approaches to Maritime Security: Southern Africa', *Friedrich-Ebert-Stiftung*, 2013, Mozambique: Maputo, p. 4, at <https://library.fes.de/pdf-files/bueros/mosambik/10671.pdf>, (accessed on 22 July 2024).

However, since the early 2000 onwards, prioritizing maritime security became an imperative for most of the littoral states of Africa when kidnappings at sea were on the rise and later in that decade when piracy off the Somalian coast posed severe challenges to international trade and commerce.<sup>6</sup> This trend was accentuated with the attacks on US and French tankers in 2000 and 2004 respectively, and with attacks oil platforms off the Iraqi coast in 2004. International cargo ships, oil tankers, harbour and port infrastructure became susceptible to the threat of being attacked. Subsequently, coastal African states had to look at the sea, ‘as the direction from where threats could come’<sup>7</sup> instead of only the hinterland. Maritime security now covers diverse fields ‘related to the functioning of societies, their economies and their relationship with seas, including fisheries, the environment and the health, and aimed at safeguarding them against a wide range of threats such as smuggling, illegal fishing, trafficking in narcotics and weapons, terrorism, and piracy.’<sup>8</sup>

The development of maritime trade today has been accompanied by multiple scourges, such as maritime piracy, trafficking in humans and weapons, and terrorism. In turn, these combinations of traditional and non-traditional security threats have exposed African countries to insecurity, corruption, loss in revenues, and degradation of ocean spaces.<sup>9</sup> The fallout from the covid pandemic and its associated challenges have further complicated efforts to address the threats affecting the oceans, such as

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<sup>6</sup> Abbas Daher Djama, ‘The phenomenon of Piracy off the Coast of Somalia: Challenges and Solutions of the International Community’, *United Nations, Nippon Foundation Fellows Paper*, December 2011, New York, at [https://www.un.org/depts/los/nippon/unfff\\_programme\\_home/fellows\\_pages/fellows\\_papers/djama\\_1112\\_djibouti.pdf](https://www.un.org/depts/los/nippon/unfff_programme_home/fellows_pages/fellows_papers/djama_1112_djibouti.pdf), (accessed on 20 July 2024).

<sup>7</sup> JPB, Coelho, ‘African Approaches to Maritime Security: Southern Africa’, *Friedrich Ebert Stiftung*, 2013, Mozambique: Maputo, at <https://library.fes.de/pdf-files/bueros/mosambik/10671.pdf>, (accessed on 22 July 2024).

<sup>8</sup> Djama, D.A., 2011, p. 5.

<sup>9</sup> Charles Ukeje and Wullson Mvomo Ela, ‘African Approaches to Maritime Security – The Gulf of Guinea’, *Friedrich Ebert Stiftung*, December 2013, Nigeria: Abuja, at <https://library.fes.de/pdf-files/bueros/nigeria/10398.pdf>, (accessed on 25 July 2024).

pollution, loss of biodiversity, and rise in sea levels. Therefore, it is important to recognize that security and stability of the African countries relies on a safe, secure, and a healthy ecosystem in the ocean.

The paper attempts to understand the vitality of the 'African Maritime Domain (AMD)' and highlights the broader governance and security imperatives facing African countries, including the various maritime insecurities and challenges that affect the growth of African countries. Before delving into the details, it is important for us to underscore what security in the maritime domain entails and how countries define maritime security.

## **DEFINING MARITIME SECURITY**

'Maritime security is generally a broad, umbrella term with no definite meaning.'<sup>10</sup> The term can be analysed in many ways and is open to differing interpretation by actors. Generally, the task of providing maritime security involves protecting a states' land and maritime territories. However, till date, no consensus has been reached on either what the term maritime security entails or what responses to maritime security comprise of. The term draws attention to new threats affecting the maritime domain and rallies support for tackling these. Such threats range from inter-state disputes in the maritime domain, piracy, terrorism, environmental crimes, human trafficking, illegal fishing, trafficking in small arms, drugs, and narcotics, and maritime accidents or disasters.

The evolution of an agenda concerning maritime security began from the decade of 2000. Due to rising terrorist attacks on shipping and port facilities, nations started taking an interest in ensuring security in the maritime domain. Nations having expansive Exclusive Economic Zones (EEZs) and long coastlines quickly realized the necessity of protecting their maritime domain

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<sup>10</sup> Christian Bueger, 'What is maritime security?' *Marine Policy*, March 2015, Volume 53, pp.159-164, at <https://www.sciencedirect.com/science/article/pii/S0308597X14003327>, (accessed on 26 July 2024).

for facilitating growth and development. Various international organizations and individual nations have come up with their respective maritime security strategies. ‘Piracy and armed robbery at sea’ in different coasts and open sea alarmed the international community about the harmful effects of maritime insecurities. Such attacks took place off the Somalian coast, Southeast Asia, Gulf of Guinea and Niger Delta. Both economic developments as well as human and environmental security are endangered and remedial action becomes a necessity.

Geoffrey Till in his publication *Seapower: A Guide for the Twenty-First Century* ‘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.’<sup>11</sup> However, simply defining security in the maritime domain as mere lack of threats is insufficient. Such definitions ‘neither prioritises issues, nor provides clue of how these issues are inter-linked, nor outlines ways in which these threats can be addressed.’<sup>12</sup>

On the contrary, such a way of understanding maritime security leaves many questions unanswered: whose security is being protected and which threats are to be included. Should we consider disasters at sea and ill effects of climate change to be maritime security issues? Ideally, any discussion what constitutes maritime security should involve a ‘broad and incongruent mix of diverse policy responses, such as information sharing, law enforcement, more coordination, and capacity building.’<sup>13</sup> This again leads to questions such as: ‘what and who should be coordinated or regulated, who should build what kind of capacity?’<sup>14</sup> Therefore, many scholars agree

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<sup>11</sup> Geoffrey Till, *Seapower: A Guide for the Twenty-first Century*, London: Routledge, 2013, pp. 310-311.

<sup>12</sup> Christian Bueger, ‘What is maritime security?’ *Marine Policy*, March 2015, Volume 53, pp. 159-164, at <https://www.sciencedirect.com/science/article/pii/S0308597X14003327>, (accessed on 26 July 2024).

<sup>13</sup> Bueger, C., 2015, p.160.

<sup>14</sup> Bueger, C., 2015, p.160.

‘that there is no international consensus over the definition of maritime security has emerged.’<sup>15</sup>

The following section attempts to understand maritime security by drawing on the work of Christian Bueger’s maritime security matrix. His analytical tool provides a constructivist approach towards understanding maritime security through which he maps the different meanings of maritime security by analysing the interplay between maritime security and other concepts.

## **MARITIME SECURITY MATRIX**

Christian Bueger, in developing a maritime security index to define maritime security prescribes ‘to a “relational” definition of maritime security.’<sup>16</sup> He attempts to understand the term maritime security by recognising its relation with four other concepts, namely, ‘seapower, marine safety, blue economy, and human resilience. Each of these concepts points us to the different dimensions of maritime security.’<sup>17</sup> They are relational in nature and ‘point to different challenges facing maritime governance. This may or may not be integrated into an understanding of maritime security.’<sup>18</sup>

The concept of seapower is traditional in nature and ‘aims at laying out the role of naval forces in the protection of a state’s national interest.’<sup>19</sup> Discussions on seapower address questions on whether or how far states ‘should act outside their territorial waters and have a presence in international waters.’<sup>20</sup> Seapower generally ‘concerns the role of military force and

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<sup>15</sup> Bueger, C., 2015, p.159.

<sup>16</sup> Bueger, C., 2015, p.160.

<sup>17</sup> Abhishek Mishra and Satyajit Sen, ‘Maritime Security and Development in the South-West Indian Ocean Region: Harnessing India’s Engagement with Small Island Developing States’, ORF Occasional Paper No. 353, April 2022, New Delhi: Observer Research Foundation.

<sup>18</sup> Christian Bueger, ‘Defining Maritime Security’, *SafeSeas.net*, 27 January 2017, at <https://www.safeseas.net/defining-maritime-security/>, (accessed on 26 July 2024).

<sup>19</sup> Bueger, C., 2015, p.160.

<sup>20</sup> Bueger, C., 2015, p.160.



involves the maritime dimensions of inter-state war and threats to national survival.<sup>21</sup> As Bueger notes, ‘the concept of marine safety addresses the safety of ships and maritime infrastructure with the primary purpose of protecting seafarers and maritime environment.’<sup>22</sup> Marine safety involves the ‘regulation of shipping, port security, and the safety of seafarers.’<sup>23</sup> It is also about search and rescue provisions and protecting marine ecosystems. Over time, the core concerns of marine safety have gradually shifted from search and rescue (SAR) operations to ecological concerns, oil spills, marine accidents and the prevention of ship collisions. Marine safety is strongly associated to maritime security.

Moreover, maritime security and a nation’s economic development is also interlinked. ‘Throughout history, the oceans have been of vital economic importance since most of the global trade and commerce is conducted via the oceans.’<sup>24</sup> ‘The economic potential of offshore resources, coastal tourism, fossil energy, and seabed mining, adds to the commercial value of oceans.’<sup>25</sup>

Concepts like ‘blue economy’ and ‘blue growth’ ‘is linked to maritime security since sustainable management strategies’<sup>26</sup> require a secure maritime environment, which makes it easier for countries to enforce and monitor laws and regulations. Blue economy affords economic opportunities, whether in the form of extraction of resources from the maritime domain or to promotion of tourism. Bueger emphasizes that ‘some of the core dimensions of blue economy like food security and the resilience of coastal population are directly linked to the concept of human security.’<sup>27</sup> The

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<sup>21</sup> Suk Kyoan Kim, *Global Maritime Safety & Security Issues and East Asia*, Brill | Nijhoff, 20 June 2019, pp. 336.

<sup>22</sup> Bueger, C., 2015, p. 160.

<sup>23</sup> Bueger, C., 2015, p. 160.

<sup>24</sup> Bueger, C., 2015, p. 161.

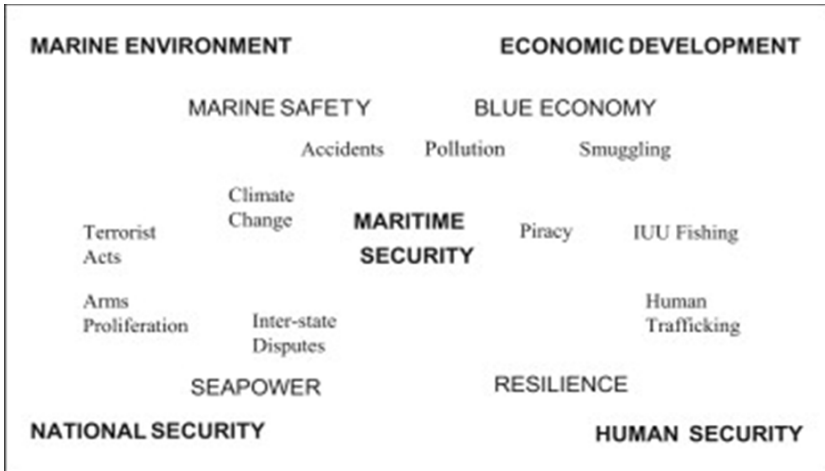
<sup>25</sup> Bueger, C., 2015, p. 161.

<sup>26</sup> Bueger, C., 2015, p. 161.

<sup>27</sup> Bueger, C., 2015, p. 161.

concept of ‘human security’ prioritises the needs of people rather than states.<sup>28</sup> Human security considerations include food security of coastal communities, their living conditions and the issue of the alienation and marginalization in governments and countries that are inward looking and land-focused.

### Model 1. Maritime Security Matrix



Source: Christian Bueger<sup>29</sup>

In order to understand what these varying actors consider to be maritime security, Bueger proposes a maritime security matrix which ‘is an analytical tool designed to grasp the differences and commonalities of understandings of various actors.’<sup>30</sup> The matrix places maritime security at the centre of these issues and attempts to understand their relationship with one another.<sup>31</sup>

<sup>28</sup> Des Gasper, ‘Securing Humanity: Situating “Human Security” as Concept and Discourse,’ *Journal of Human Development and Capabilities*, 17 August 2006, 6 (2), pp. 221-245, at <https://www.tandfonline.com/doi/abs/10.1080/14649880500120558>, (accessed on 30 July 2024).

<sup>29</sup> Bueger, C., 2015, p.161.

<sup>30</sup> Bueger, C., 2015, p.161.

<sup>31</sup> Bueger, C., 2015, p.161.

Whether and how the tasks associated with these four concepts: seapower, marine safety, blue economy, and the human security of coastal populations, are integrated into maritime security is a question of national and regional priorities.<sup>32</sup> Furthermore, they are contingent upon a nation's capabilities and the resources available at its disposal. For most African countries, which have limited capacities and face significant resource constraints, they need to appropriately strategize.<sup>33</sup> African countries need to understand and interpret the various synergies the concept of maritime security entails. They are required to decide how best to integrate all the four related concepts. Due to limited resources and capacity challenges that confront African countries, they need to identify, prioritize and work towards improving their capacities across marine safety, seapower, blue economy, and human resilience.

## **IMPORTANCE OF THE AFRICAN MARITIME DOMAIN (AMD)**

The African continent is the second largest continent in the world. Thirty-eight states in the continent are either coastal or island nations. Most of these countries, especially on Africa's eastern seabed have long coastlines and large EEZs. Africa itself boasts a long coastline of over 26,000 nautical miles including its islands, and is surrounded by sea on all the four sides.<sup>34</sup> While the African maritime transport sector remains relatively underdeveloped, 'more than ninety percent of the continent's import and exports is carried out by the seas.'<sup>35</sup> African trade is facilitated by over a hundred ports spread across the continent, which handle various forms

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<sup>32</sup> Christian Bueger, 'Defining Maritime Security', *SafeSeas.net*, 27 January 2017, (accessed on 26 July 2024).

<sup>33</sup> Timothy Stapleton, *African Navies: Historical and Contemporary Perspectives*, 11 November 2022, Taylor & Francis Ltd, pp. 240.

<sup>34</sup> African Union, '2050 Africa's Integrated Maritime Strategy (2050 AIM Strategy)' AU, Version 1.0, 2012, Addis Ababa: Ethiopia, at [https://wedocs.unep.org/bitstream/handle/20.500.11822/11151/2050\\_aims\\_sstrategy.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/11151/2050_aims_sstrategy.pdf), (accessed on 01 August 2024).

<sup>35</sup> African Union, 2012, p.8.

of cargos and shipping containers. ‘Fifty-two of its one hundred ports handle containers.’<sup>36</sup>

As per the African Union, ‘While African owned ships account for about 1.2 percent of world shipping by number and about 0.9 percent by gross tonnage, these ports handle 6 percent of worldwide water-borne cargo traffic and approximately 3 percent of the worldwide container traffic.’<sup>37</sup> Naturally then, it should have resulted in the African continent evolving a significant maritime outlook and developing a maritime-based culture. However, this has not been the case for various reasons.

Millions of Africans live along the continent’s coastlines and depend on ocean and water resources for their sustenance and livelihood. Although many Africans continue to live in absolute poverty, ‘fish makes a vital contribution to the food and nutritional security of over 200 million Africans and provides income for over 100 million.’<sup>38</sup> Moreover, many of the world’s vital trade and shipping routes also encircle the continent. African waters are home to many important maritime ‘choke points’ such as Suez Canal, Mozambique Channel, Bab-el-Mandeb, Gulf of Aden, Gulf of Guinea, etc. These routes are responsible for shaping the African continent’s maritime trade which mainly comprises of various energy sources. Accordingly, ‘around 40 percent of goods exported by sea in 2017 comprised of crude oil, while over two-third of imports were accounted for by dry cargoes and containerized goods, and close to 20 percent of imports were made up of petroleum products and gas.’<sup>39</sup>

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<sup>36</sup> African Union, 2012, p.8.

<sup>37</sup> African Union, ‘The geostrategic importance of Africa’s maritime domain: opportunities and challenges,’ African maritime safety and security conference, 13-14 October 2010, Stuttgart, Germany, at [https://au.int/sites/default/files/newsevents/workingdocuments/27459-wd-keynote\\_address\\_of\\_h.e.\\_the\\_dcp-1\\_0.pdf](https://au.int/sites/default/files/newsevents/workingdocuments/27459-wd-keynote_address_of_h.e._the_dcp-1_0.pdf), (accessed on 04 August 2024).

<sup>38</sup> African Union ‘2050 AIMS’, p. 8.

<sup>39</sup> United Nations Conference on Trade and Development, ‘Maritime trade and Africa,’ 2018, UNCTAD/PRESS/IN/2018/006, at <https://unctad.org/press-material/maritime-trade-and-africa>, (accessed on 02 August 2024).

The AMD holds important significance for both African and international actors. Africa's oceans, inland waterways, ports, and shipyards are not simply sources of food and energy. They also facilitate how the continent trades with other nations. Therefore, a robust and developed maritime sector can be the harbinger of wealth and prosperity for the entire continent. "The global maritime industry, by acting as a key facilitator of global trade, can contribute by creating sustainable and inclusive growth with Africa."<sup>40</sup> "The maritime industry can also play a central role in creating jobs and providing training opportunities for a new generation of African talent."<sup>41</sup>

The maritime domain provides all African countries with enormous growth opportunities, with a network of sea-lanes important for ensuring African security and prosperity. Not only is the AMD important for conducting African commerce but it is important 'in terms of natural resources and energy, trade and commerce, and for leisure and scientific activities.'<sup>42</sup> The AMD 'provides a lifeline and a means of livelihood for various communities including fishing, transportation, tourism, marine resources, wave energy, maritime industry, harbour, and transport infrastructure.'<sup>43</sup>

However, the AMD is confronted by a multitude of challenges that require innovative solutions to ensure long-term sustainability amidst new and

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<sup>40</sup> Hellenic Shipping News, 'The maritime industry can unlock growth with Africa', *Hellenic Shipping News*, 7 February 2019, at <https://www.hellenicshippingnews.com/the-maritime-industry-can-unlock-growth-with-africa/>, (accessed on 04 August 2024).

<sup>41</sup> Hellenic Shipping News, February 2019, at <https://www.hellenicshippingnews.com/the-maritime-industry-can-unlock-growth-with-africa/>, (accessed on 04 August 2024).

<sup>42</sup> Abhishek Mishra, 'Piracy and Armed Robbery in Indian Ocean Region: Assessment, Challenges and the Way Forward', in Suranjan Das and Anita Sengupta (ed.) *Contiguity, Connectivity and Access: The Importance of the Bay of Bengal Region in Indian Foreign Policy*, December 2022, New York: Routledge.

<sup>43</sup> African Union, 'The geostrategic importance of Africa's maritime domain: opportunities and challenges', African Union, Germany: Stuttgart, 2010, (accessed on 04 August 2024).

shifting global dynamics. The AMD is susceptible to various real and potential threats. Neglect and mismanagement can result in enormous harm to the economy of the concerned countries. According to 2050 AIMS, challenges like trafficking of drugs and illegal weapons can distort economies. Illicit money and weapons can feed corruption, violence and subsequently undermine governance. Therefore, 'as the actors threatening the AMD continue to grow in number and capability, there needs to be a corresponding African endeavour to address these at the national, regional, and continental level.'<sup>44</sup>

The African continent has almost 13 million square meters of maritime space, with many countries having long coastlines. The large size of the AMD means it contains multiple maritime resources, but whose abundance is still unknown. Over the years, African states have indeed established several instruments and strategies to engage the maritime domain. However, the need of the hour is for African states to efficiently and effectively implement these strategies and instruments if they are to benefit from all the opportunities the oceans, seas, and the maritime domain has to offer. It is imperative that the African maritime strategies look beyond the challenges and threats and focus on common interests of wealth creation and sustainable governance.

## **THREATS AND VULNERABILITIES TO AFRICA'S MARITIME DOMAIN**

Threats, whether real or potential in the maritime domain could result in outbreak of violence, destabilize political regimes and harm the economy of the African states. Apart the revenue loss, these threats could fuel violence and insecurity. The number and capabilities of the actors threatening the

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<sup>44</sup> African Union, 2010, p. 10.

<sup>45</sup> The British Academy, 'Analysing Maritime Security: Capacity building in the Western Indian Ocean,' *The British Academy*, 2019, at <https://www.thebritishacademy.ac.uk/projects/sustainable-development-maritime-security-capacity-building-western-indian-ocean>, (accessed on 10 August 2024).

maritime domain are continuously increasing. Therefore, an appropriate response mechanism at national, regional, continental level is required to address such threats. We can quote the British Academy in this regard: 'Protecting the territorial waters, primary trade routes, EEZs, preventing maritime crimes such as piracy and illegal fishing, and ensuring the sustainable exploitation of marine resources requires significant law enforcement capacities, information sharing tools, and working maritime governance structures.'<sup>45</sup>

In the Indian Ocean, non-traditional security threats often involve non-zero sum situations and issues concerning humanitarian assistance and disaster relief. These issues can be broadly grouped under three categories: Constabulary ('piracy and armed robbery at sea', trafficking of arms, narcotics, wildlife, human trafficking), Humanitarian Assistance (HADR, search and rescue, out of area contingencies), and Governance (IUU fishing, marine pollution, etc.). Some of the major and pressing maritime security challenges faced by African countries are as follows.

- 1. Piracy and Armed Robbery at Sea:** Maritime piracy is not a new development. It has existed from time immemorial. 'Article 101 of *United Nations Convention on the Law of the Sea*' defines piracy as: 'Any acts of violence, detention, or depredation committed on the high seas by the crew or passengers of a private ship or aircraft against another ship, aircraft, persons, or property in a place outside the jurisdiction of any state for private ends.'<sup>46</sup> Maritime piracy in East Africa emanating from Somalia is one of the glaring manifestations of maritime insecurity. 'The new piracy off the coast of Somalia caught the attention of the international community when pirates started attacking World Food Programme (WFP) ships delivering humanitarian aid to Somalia back in 2004/2005.'<sup>47</sup> The countries in

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<sup>46</sup> UN General Assembly, *United Nations Convention on the Law of the Sea*, 10 December 1982, p. 61, at [http://www.un.org/Depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](http://www.un.org/Depts/los/convention_agreements/texts/unclos/unclos_e.pdf), (accessed on 08 August 2024).

<sup>47</sup> Robert McCabe, *Modern Maritime Piracy: Genesis, Evolution and Responses*, 2017, London: Routledge, pp. 344.

the WIO including the broader *East African Community* (EAC) member states' are directly or indirectly affected by maritime piracy. Some of the root causes include; unemployment, poverty, illegal fishing, and weak Somalian institutions. Quantifying the economic costs of piracy in this region is a difficult exercise but are nevertheless significant. Oceans Beyond Piracy in its 'The State of Maritime Piracy in 2017' report highlighted that 'the cost of piracy in East Africa reached \$1.4 billion, down from \$1.7 billion in 2016 and \$7 billion in 2010 during the peak of attacks by Somali pirates.'<sup>48</sup>

The African Union (AU) began proactively engaging African nations and regional organisations to tackle the challenge of maritime piracy from 2008 onwards. The 'Contact Group on Piracy off the Coast of Somalia (CGPCS)' established in 2009, changed its mandate in 2022 following reduction in piracy incidents in Western Indian Ocean. The group is now known as 'Contact Group on Illicit Maritime Activities (CGIMA)' in the Western Indian Ocean region.<sup>49</sup> Moreover, the AU has also supported the initiatives of the *International Maritime Organisation* (IMO) like Best Management Practices (BMP) for vessel protection in High Risk Areas (HRA) and the *Djibouti Code of Conduct (DCoC)* operating in WIO and the Gulf of Aden.

Since 2012, piracy and armed attacks off the coast of Somalia progressively decreased due to the dedicated efforts by foreign countries who conducted multinational maritime patrols. However, piracy in the region was simply contained, not eradicated. The resurgence of piracy in the latter half of 2023 due to attacks on international shipping by Houthi rebels in the Red Sea is a testament

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<sup>48</sup> DefenceWeb, 'Piracy grew off East Africa in 2017', *defence Web*, 29 May 2018, at <https://www.defenceweb.co.za/sea/sea-sea/piracy-grew-off-east-africa-in-2017>, (accessed on 10 August 2024).

<sup>49</sup> Brian Gicheru Kinuya, 'UN's Contact Group on Somali Piracy changes its mandate', *International Union of Marine Insurance*, 22 February 2022, at <https://iumi.com/news/news/uns-contact-group-on-somali-piracy-changes-its-mandate>, (accessed on 10 August 2024).



to the fact that a latent threat of piracy's return always remained.<sup>50</sup> Fortunately, the Indian Navy as a key security provider in the region promptly jumped into action and helped thwart many attacks and secure important shipping lanes. In March 2024, the Indian Navy handed over 35 Somali pirates captured onboard the cargo ship MV Ruen to the Mumbai police for prosecution under India's 2022 Maritime Anti-Piracy laws.<sup>51</sup>

2. **Illegal, Unreported and Unregulated (IUU) Fishing:** IUU fishing poses immense challenge to marine ecosystems around the world due to its potent ability to 'undermine national and regional efforts to manage fisheries sustainably as well as endeavours to conserve marine biodiversity.'<sup>52</sup> IUU fishing not only threatens livelihoods, but also exacerbates poverty, and augments food insecurity.<sup>53</sup> Illegal fishing refers to activities conducted in contravention of laws and regulations adopted at the national or international level.<sup>54</sup> Unreported fishing refers to fishing activities which are not reported or are misreported

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<sup>50</sup> United Nations Office on Drugs and Crimes, 'UNODC Chief urges greater vigilance in face of increased attacks by Somali pirates', *United Nations Office on Drugs and Crimes*, Press Release, 4 April 2017, at <https://www.unodc.org/unodc/en/press/releases/2017/April/unodc-chief-urges-greater-vigilance-in-face-of-increased-attacks-by-somali-pirates.html>, (accessed on 11 August 2024).

<sup>51</sup> The Maritime Executive, 'India Begins its First Prosecution of Somali Pirates in More than a Decade', *The Maritime Executive*, 25 March 2024, at <https://maritime-executive.com/article/india-begins-its-first-prosecution-of-somali-pirates-in-more-than-a-decade>, (accessed on 11 August 2024).

<sup>52</sup> Food and Agriculture Organization, 'Illegal, Unreported, and Unregulated (IUU) Fishing', *Food and Agriculture Organization of the United Nations*, 2019, at <http://www.fao.org/iuu-fishing/en/>, (accessed on 06 4 August 2024).

<sup>53</sup> Ibid.

<sup>54</sup> United States Government Accountability Office, 'Combatting Illegal Fishing: Better Information Sharing Could Enhance U.S. Efforts to Target Seafood Imports for Investigation', *United States Government Accountability Office*, May 2023, GAO-23-105643, at <https://www.gao.gov/assets/d23105643.pdf>, (accessed on 04 August 2024).

<sup>55</sup> United States Government Accountability Office, May 2023, p.5.

to the relevant authorities in contravention of national laws.<sup>55</sup> It also includes instances where the applicable reporting procedures are not followed. Unregulated fishing occurs in areas where ‘applicable conservation or management measures are disregarded and fishing conducted in a manner which is not consistent with state responsibilities for protection of marine resources under international law.’<sup>56</sup>

‘More than 200 million people in Africa feed regularly on seafood which is an important part of their nutrition.’<sup>57</sup> ‘On an average, seafood accounts for 22 percent of their protein intake, with some other coastal countries depending more on seafood. Fish is the most affordable source of protein for the poor in Africa.’<sup>58</sup> It is estimated that ‘marine fisheries in Africa provides direct employment to about 2.8 million persons and indirectly to over 14 million people.’<sup>59</sup> Weak governance structure and regulations in many of Africa’s coastal states contribute to IUU fishing. Most of the IUU catches are taken by non-African foreign fleets. IUU fishing in the continent is growing, ‘with far reaching and devastating social, environmental and economic consequences.’<sup>60</sup> ‘Without a concerted effort by the global community

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<sup>56</sup> United States Government Accountability Office, May 2023, p.5.

<sup>57</sup> David Obura, Valerie Burgener, Sian Owen and Aimee Gonzales, ‘Reviving the Western Indian Ocean Economy: Actions for a Sustainable Future, *WWF International*, 2017, Gland: Switzerland, pp. 66, at <https://sustainabledevelopment.un.org/content/documents/13692WWF2.pdf>, (accessed on 02 August 2024).

<sup>58</sup> Obura, D., Burgener, V., Owen, S., and Gonzales, A., 2017, p.13.

<sup>59</sup> Mike Bergh and Merle Sowman, ‘Economic, Social and Environmental Impacts of IUU Fishing in Africa: A Plan of Action’, *Inter-African Bureau for Animal Resources*, Advocacy Paper, AU-IBAR Reports, 2016, at [https://www.au-ibar.org/sites/default/files/2020-pb\\_20180926\\_iuu\\_impact\\_advocacy\\_paper\\_en.pdf](https://www.au-ibar.org/sites/default/files/2020-pb_20180926_iuu_impact_advocacy_paper_en.pdf), (accessed on 08 August 2024).

<sup>60</sup> Bergh, M., and Sowman, M, AU-IBAR Reports, 2016.

and African governments, the health of Africa's oceans and inland waterways may be damaged.<sup>61</sup>

- 3. Marine Pollution:** The marine ecosystem provides food and jobs to many Africans. They find employment in sectors like tourism, fisheries, shipping and ports. Yet, marine pollution including marine litter, sewage, oil spills and agricultural run offs pose a serious threat, especially to the tourism industry and fisheries sector which is a source of income and food security for poor coastal communities in Africa. Besides its environmental impacts, marine pollution is also an economic and social priority. The generation of hazardous waste and other marine pollutants from ships at sea is a major threat facing the AMD. Oil spills along Africa's coastal waters is also a significant threat which can occur while transferring the oil to vessels. It is a possibility during transportation or when pipes break or when drilling goes wrong. Then there are serious issues related to oil pollution. This is in consequence of our high dependence on oil and oil based technology. The July 2020 MV Wakashio oil spill in the waters south of Mauritius is another reminder of the deadly consequence of oil spills.<sup>62</sup> Almost 1,000 metric tons of oil spilled into the sea, which resulted in Mauritius declaring a state of environmental emergency. Even though many African countries do have national oil spill contingency plans, they may still remain insufficiently equipped to handle such environmental catastrophes. Therefore, African countries

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<sup>61</sup> Amanda McCarty, 'African Union, U.S. Officials Stress Global Importance of Maritime Security at AFRICOM-Hosted Conference', *United States Africa Command*, U.S. AFRICOM Public Affairs, 13 October 2010, at <https://africom-web-app.azurewebsites.net/article/7777/african-union-us-officials-stress-global-importance>, (accessed on 10 August 2024).

<sup>62</sup> United Nations Conference on Trade and Development, 'Mauritius oil spill highlights importance of adopting latest international legal instruments in the field', *UNCTAD*, 14 August 2020, at <https://unctad.org/news/mauritius-oil-spill-highlights-importance-adopting-latest-international-legal-instruments>, (accessed on 18 August 2024).

must seek to ensure that their national oil spill contingency plans are regularly revised and provide for all eventualities.

4. **Illegal Oil Bunkering/ Crude Oil Theft:** Bunkering refers to ‘siphoning of oils from the network of pipelines that crisscross oil fields and creeks into private barges. This is then ferried out to rusting tankers and sold in the black markets for profits.’<sup>63</sup> Oil bunkering results in massive loss of revenue. It costs billions of dollars in public funds. In addition, oil bunkering fuels violence and instability, feeds corruption, finances the purchases of arms and ammunitions, causes environmental pollution, corrupts youth, and destabilises communal life. The problem of illegal oil bunkering in Africa has primarily been limited to the Niger Delta and Gulf of Guinea. However, the discovery of oil and gas reserves along East African shores and the fact that many petroleum companies operates in the region is indicative to the latent threat of illegal oil bunkering in East Africa.
  
5. **Narcotics, Drugs, Wildlife, and Human Trafficking:** ‘Illicit maritime trade in arms, drugs, wildlife, and other illicit products undermines global security and stability. This lucrative trafficking activity funds criminal organisations and violent non-state actors, and fuels conflict and terrorism.’<sup>64</sup> The Indian Ocean is a primary thoroughfare for global trade in illicit wildlife products. Ports like Mombasa, Dar es Salaam, Colombo, are embankment or transit points for illicit wildlife products. Significant amounts of global opium and heroin trafficking also occurs in the region. ‘Afghanistan’s

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<sup>63</sup> African Union, ‘The Geostrategic Importance of Africa’s Maritime Domain: Opportunities and Challenges’, *Africa Maritime Safety and Security: Towards Economic Prosperity Conference*, Stuttgart: Germany, 13-14 October 2010, at [https://au.int/sites/default/files/newsevents/workingdocuments/27459-wd-keynote\\_address\\_of\\_h.e.\\_the\\_dcp-1\\_0.pdf](https://au.int/sites/default/files/newsevents/workingdocuments/27459-wd-keynote_address_of_h.e._the_dcp-1_0.pdf), (accessed on 04 August 2024).

<sup>64</sup> The Association of Southeast Asian Nations, ‘ASEAN Matters: Epicentrum of Growth’, *ASEAN Regional Forum Annual Security Outlook 2023*, p. 49, at <https://aseanregionalforum.asean.org/wp-content/uploads/2024/01/ASEAN-REGIONAL-FORUM-ANNUAL-SECURITY-OUTLOOK-2023-final-ver.pdf>, (accessed on 16 August 2024).

opium production fuels maritime crimes throughout the WIO and provides important funding for violent non-state actors such as the Taliban and the Haqqani network.<sup>65</sup> According to ‘*Stable Seas*, a program of One Earth Foundation’, there are ‘19 active violent non-state actors that operate in the WIO region.’<sup>66</sup>

**Table 1: Stable Seas: Maritime Security Index<sup>67</sup>**

Countries	Inter-national Co-operation	Rule of Law	Mari-time Enforcement	Coastal Welfare	Blue Eco-nomy	Fisheries	Piracy	Illicit Trade	Maritime Mixed Migration	Over-all Score
Kenya	69	48	54	50	29	62	98	43	52	56
Mozamb-ique	100	57	31	41	41	61	85	25	61	57
Tanzania	88	45	47	58	35	54	95	43	51	57
South Africa	94	62	52	48	44	74	100	44	74	66
Somalia	38	30	08	26	25	35	82	45	30	35
Mauritius	75	73	52	87	50	58	100	60	72	69
Madagascar	69	49	28	48	35	61	92	44	65	54
Seychelles	100	69	39	84	58	53	93	60	62	69
Comoros	50	45	22	71	42	42	92	32	46	49
Reunion (France)	75	86	84	88	41	65	100	91	93	80
India	88	62	74	44	62	56	24	48	64	58

*Source:* Stable Seas, 2020

<sup>65</sup> Stable Seas, ‘Violence at Sea: How Terrorists, Insurgents, and other Extremists Exploit the Maritime Domain,’ *Stable Seas*, One Earth Foundation, August 2020, pp. 190, at <https://www.stableseas.org/post/violence-at-sea-how-terrorists-insurgents-and-other-extremists-exploit-the-maritime-domain>, (accessed on 16 August 2024).

<sup>66</sup> Stable Seas, August 2020, p. 82.

<sup>67</sup> Stable Seas’ Maritime Security Index, a programme of One Earth Future measures and maps nine maritime issues to highlight the pressing maritime challenges, the transnational efforts to improve maritime governance, and the links connecting these issues to each other. For more, see <https://www.stableseas.org/services>, (accessed on 16 August 2024).

Africa's vast maritime domain is important for the continent and as well as the international community. African leaders and institutions are increasingly turning their attention to these issues in the maritime domain. For the most part, scholarly debate and international responses tended to focus most on piracy in African waters. Maritime security nonetheless is increasingly assuming prominence on the African security agenda.<sup>68</sup> The next section lays out a chronological overview of the evolution of a maritime security agenda in an African context.

## **EMERGING AFRICAN DEBATES AND POLICIES ON MARITIME SECURITY**

What constitutes maritime security in the context of Africa? Scholars are not unanimous. Engel maintains that 'as a policy field, content of maritime security is currently contested.'<sup>69</sup>

It can be located in traditional security policies such as piracy and IUU fishing and developmental and environmentalist concerns.<sup>70</sup> We can also consider this as part of the 'efforts to regain environmental sovereignty over African territorial and offshore waters.'<sup>71</sup> Countries on the Eastern coast of Africa tend to have long coastlines along the Indian Ocean. Indian Ocean Island nations like Mauritius, Seychelles, Madagascar, Comoros, have extensive EEZ that are twice the size of their landmass. Since 2005, 'the AMD has been repeatedly discussed in the context of piracy in the Gulf of Aden, Indian Ocean (East Africa), and the Gulf of Guinea (West

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<sup>68</sup> Francois Very, 'Turning the Tide: Revisiting African Maritime Security', *Scientia Militaria: South African Journal of Military Studies*, 2013, 41(2), at <https://scientiamilitaria.journals.ac.za/pub/article/view/1065>, (accessed on 18 August 2024).

<sup>69</sup> Ulf Engel, 'The African Union, the African Peace and Security Architecture, and Maritime Security', *Friedrich-Ebert-Stiftung*, 2014, Ethiopia: Addis Ababa Office, at <https://library.fes.de/pdf-files/bueros/aethiopien/10878.pdf>, (accessed on 04 August 2024).

<sup>70</sup> Engel, U., 2014, p.7.

<sup>71</sup> Engel, U., 2014, p.7.

Africa).<sup>72</sup> Various African actors, *AU*, Regional Mechanisms, RECs and the ‘*African Union Commission*’, have responded to the various dimensions of the maritime domain. The direction in these efforts is to have a comprehensive maritime security and safety policy. Therefore, it was not a surprise when the ‘African Union (AU) Assembly’ adopted the ‘2050 *Africa’s Integrated Maritime Strategy* (2050 AIM Strategy)’ in January 2014.

‘Maritime Security is a fairly new sector. It entered Africa’s regional and continental agenda around the middle of the first decade of 2000s.’<sup>73</sup> Engel notes that, ‘the initial debate on African maritime security stemmed from different sources, reflecting a wide field of interests and a complex but unsystematic set of African-international relations.’<sup>74</sup> The debate can be traced to parallel efforts by African RECs—some of them supported by international institutions such as the United Nations and the London-based *International Maritime Organization* (IMO)—and other efforts by state actors including the United States, France, India and China.<sup>75</sup>

Although ‘maritime security was for a long time not a major issue of African security, yet a number of institutions already addressed it before 2000. Thirty-seven African states are members of the IMO. The IMO Council, its main governing body, has continuously included African representatives. Africa has a maritime transport charter since 1993.’<sup>76</sup> As such, African Union has a maritime office.<sup>77</sup> ‘A Standing Maritime

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<sup>72</sup> Engel, U., 2014, p.7.

<sup>73</sup> Engel, U., 2014, p.8.

<sup>74</sup> Engel, U., 2014, p.8.

<sup>75</sup> Engel, U., 2014, p.8.

<sup>76</sup> Christian Bueger, ‘Communities of Security Practice at Work? The Emerging African Maritime Security Regime’, *African Security*, 6-3(4), 2013, pp. 297-316, at <https://www.tandfonline.com/doi/pdf/10.1080/19392206.2013.853579>, (accessed on 20 August 2024).

<sup>77</sup> Organization of African Unity, ‘African Maritime Transport Charter,’ 15 December 1993, Ethiopia: Addis Ababa, at <https://www.peaceau.org/uploads/african-maritime-transport-en.pdf>, (accessed on 16 August 2024).

Committee (SMC) exists as a sub-body of the Interstate Defence and Security Committee (ISDSC) since 1995.<sup>78</sup> ISDSC is part of the ‘*Southern African Development Community*’—one of the regional organisations of Africa. Apart from increased naval patrolling due to the growing threat from maritime terrorism, new forms of international regulations like the ‘*International Ship and Port Facility Security (ISPS) Code*’ was adopted. This is part of the ‘*International Convention for the Safety of Life at Sea (SOLAS) of 1974*’. ‘The ISPS code has come into force in 2004 and is responsible for exerting considerable pressure to improve risk management at African ports.’<sup>79</sup>

According to Engel, ‘initial continent-wide efforts to beef up search and rescue capacities evolved within the context of the 2000 *International Convention on Maritime Search and Rescue*.’<sup>80, 81</sup> The main aim was to set up a strong and ‘effective network of 5 *Maritime Rescue Coordination Centres (MRCCs)* and 26 sub-centres, the first of which was commissioned in Mombasa, Kenya.’<sup>82</sup> Other sub-centres have opened in Cape Town, Lagos, Monrovia, and Rabat during 2007-2011.

The most common medium through which African maritime security issues were discussed was through a number of informal meetings, conducted since 2005. These conferences, symposiums or seminars provided a common platform for African voices to come together and deliberate on issues of mutual interest in the maritime domain. The first of this was the 2005 ‘*Sea Power for Africa Symposium (SPAS)*,’ which was attended by naval officers of 24 African states. The participation of SPAS

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<sup>78</sup> Bueger, C., 2013, p. 303.

<sup>79</sup> Bueger, C., 2013, p. 303.

<sup>80</sup> Engel, U., 2014, p. 8.

<sup>81</sup> International Maritime Organization, ‘Regional maritime piracy agreement broadened to cover other illicit maritime activity’, International Maritime Organization, 13 January 2017, at <https://www.imo.org/en/MediaCentre/PressBriefings/Pages/4-DCOC-widened.aspx>, (accessed on 19 August 2024).

<sup>82</sup> Engel, U., 2014, p. 8.



has continuously been extended as it held other meetings in 2006, 2009, and 2011. Another important meeting was the ‘*East Africa and Southwest Indian Ocean Maritime Security Conference (EASWIO)*’, which was an initiative of the ‘U.S. Naval Command’ and was inaugurated in 2006. Representatives at this conference mostly belonged from Africa’s Indian Ocean littoral states. Regional and national maritime strategies and functioning of civil maritime authorities were the main subjects of deliberations. The EASWIO conference was also held in 2007 and 2008. It was ‘at the 2007 conference that the ideas related to a pan-African maritime security strategy was conceived.’<sup>83</sup>

The IMO also sponsored a number of meetings from 2005 onwards to deliberate on aspects of regional cooperation for maritime security in the WIO region (April 2005 in Sana’a, Yemen, January 2006 in Muscat, Oman, and April 2008 in Dar es Salaam, Tanzania). These series of meetings would eventually become the basis of a regional agreement. The resultant effort in the form of ‘*Djibouti Code of Conduct (DCoC)*’ came into agreement in January 2009.<sup>84</sup> Another important format was the ‘*Indian Ocean Naval Symposium (IONS)*’<sup>85</sup>, established by the Indian Navy in 2009.

Within the African Union’s debates on peace and security, maritime security issues began to get attention around 2009. Somalian piracy took centre stage in these discussions. The ‘mounting insecurities in the maritime spaces around Africa, and Somalia in particular, and all illegal activities in this

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<sup>83</sup> Bueger, C., 2013, p. 304.

<sup>84</sup> While the initial attempt was to formulate a broader maritime security alignment, the DCoC primarily concentrated on counter-piracy efforts, with a focus on joint training activities and improvement of communications through the setting up of information sharing centres across Africa. The ambit of the DCoC was broadened to include a focus on blue economy and sustainable development in the 2017 Jeddah amendment to the DCoC.

<sup>85</sup> At present, the Indian Ocean Naval Symposium has 6 African Members, namely: Kenya, Mozambique, Mauritius, Tanzania, South Africa, and Eritrea. The island nation of Mayotte and Reunion is represented by France.

region, including piracy, illegal fishing, and dumping of toxic waste<sup>86</sup> became a matter of serious regional and international concern. The African Union, through its reports and resolutions, ‘urged for the adoption of an international convention on the phenomenon of maritime piracy and its underlying causes, as well as promotion of effective international cooperation, in convention with the 1982 *UN Convention on the Law of the Sea*.’<sup>87</sup> The focus remained on ensuring the freedom of maritime navigation and for the preservation of the right of states on the EEZs and territorial waters.

‘Over the last decade, efforts at generating maritime security cooperation between governments and between regions have produced an increasingly holistic African approach to maritime security.’<sup>88</sup> Two of the main pillars for promoting African maritime security cooperation are the Djibouti and the Yaoundé Codes of Conduct. The intent behind these codes of conduct is to assist the regions (East Africa through Djibouti, and West Africa through Yaoundé) in ‘addressing an array of maritime crimes affecting both these regions, including piracy and armed robbery at sea, IUU fishing, trafficking in narcotics and wildlife products, and maritime pollution.’<sup>89</sup> The following section explores these two codes of conduct.

### **Djibouti and Yaoundé Code of Conduct**

*The Code of Conduct Concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden*, also referred to as the Djibouti Code of Conduct (DCoC), was adopted on 29 January

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<sup>86</sup> Engel, U., 2014, p.11.

<sup>87</sup> Engel, U., 2014, p. 9.

<sup>88</sup> Africa Center for Strategic Studies, ‘Trends in African Maritime Security’, *Africa Center for Strategic Studies*, 15 March 2019, at <https://africacenter.org/spotlight/trends-in-african-maritime-security/>, (accessed on 20 August 2024).

<sup>89</sup> Stable Seas, ‘Gauging Maritime Security in West and Central Africa’, *Stable Seas*, One Earth Future, 24 August 2020, at <https://www.stableseas.org/post/gauging-maritime-security-in-west-and-central-africa>, (accessed on 20 August 2024).

2009.<sup>90</sup> Signatory states included: ‘Djibouti, Ethiopia, Kenya, Madagascar, Maldives, Seychelles, Somalia, Tanzania and Yemen. Countries like Comoros, Egypt, Eritrea, Jordan, Mauritius, Mozambique, Oman, Saudi Arabia, South Africa, Sudan, and the United Arab Emirates have since signed.’<sup>91</sup> This brings the total number of signatory states to 20 out of 21 states eligible to sign.<sup>92</sup>

There are four broad pillars constituting the Code. These are: ‘national and regional training, national legislation, information sharing and counter piracy.’<sup>93</sup> Technical cooperation between the DCoC States and IMO has been good for the credibility and effectiveness of the Code.

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<sup>90</sup> International Maritime Organization, ‘Code of Conduct Concerning the Repression of Piracy, Armed Robbery Against Ships, and Illicit Maritime Activity in West and Central Africa,’ 25 June 2013, at [https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/code\\_of\\_conduct%20signed%20from%20ECOWAS%20site.pdf](https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/code_of_conduct%20signed%20from%20ECOWAS%20site.pdf), (accessed on 22 August 2024).

<sup>91</sup> Sparshita Saxena, ‘India joins Indian Ocean grouping against piracy as observer’, *Hindustan Times*, 17 September 2020, at <https://www.hindustantimes.com/india-news/india-joins-indian-ocean-grouping-against-piracy-as-observer/story-ki47pyuwXJeZhk4Wzbxr9O.html>, (accessed on 22 August 2024).

<sup>92</sup> International Maritime Organization, Protection of Vital Shipping Lanes, ‘Sub-regional meeting to conclude agreements on maritime security, piracy, and armed robbery against ships for States from the Western Indian Ocean, Gulf of Aden, and Red Sea areas’, C 102/14, 3 April 2009, at <https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/DCoC%20English.pdf>, (accessed on 18 August 2024).

<sup>93</sup> International Maritime Organization, ‘*Djibouti Code of Conduct*’, Marine Safety Division, Edition 4: November 2014–August 2015, at [https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/DCoC%20Newsletter%20\(2015\).pdf](https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/DCoC%20Newsletter%20(2015).pdf), (accessed on 20 August 2024).

## Model 2. Signatories to the Djibouti Code of Conduct (highlighted in red)



*Source:* International Maritime Organization, 2019, United Kingdom

Training is an important aspect of the DCoC. In 2010, with the support of the IMO, it was decided to set up a ‘*Djibouti Regional Training Centre* (DRTC)’ to support regional training endeavours. The centre’s aim focused on matching available training with that of the specific needs of WIO littorals. ‘On 12 November 2015, the DRTC building was officially opened in Doraleh, Djibouti.’<sup>94</sup> The construction cost of the DRTC was borne by Japan, through the Djibouti Code Trust Fund. Denmark and Republic of South Korea contributed by providing the necessary equipment. The DCoC

<sup>94</sup> International Maritime Organization, ‘The Djibouti Code of Conduct’, International Maritime Organization website, at <https://www.imo.org/en/OurWork/Security/Pages/Content-and-Evolution-of-the-Djibouti-Code-of-Conduct.aspx>, (accessed on 20 August 2024).

also focused on enhancing national legislation among its signatories in order to ensure that there are appropriate ‘laws in place at national level to criminalise piracy and armed robbery against ships.’<sup>95</sup> The Code also calls for ‘the exercise of jurisdiction, launch of investigations, and provision for prosecution.’<sup>96</sup>

Along with training, information sharing and enhancing maritime domain awareness (MDA)<sup>97</sup> is also a key focus of the DCoC. The DCoC Information Sharing Network consists of three ‘Information Sharing Centers (ISCs)’: ‘the *Regional Maritime Rescue Coordination Centre (RMRCC)* in Mombasa, Kenya; *Maritime Rescue Coordination Centre (MRCC)* in Dar es Salaam, Tanzania; and the *Regional Maritime Information Sharing Centre (ReMISC)* in Sana’a, Yemen.’<sup>98</sup> This entire information sharing network and its centres have assisted in countering piracy in the WIO region.<sup>99</sup>

Over the years, the DCoC’s scope broadened significantly to cover ‘other illicit maritime activities including human trafficking, and IUU fishing.’<sup>100</sup> Signatories adopted some new measures in the revised code of conduct—

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<sup>95</sup> Ibid.

<sup>96</sup> Ibid.

<sup>97</sup> ‘Maritime Domain Awareness (MDA) has been defined by the International Maritime Organization. Its definition is premised on “effective understanding” of anything associated with the maritime domain which may impact the security, safety, economy, or the environment. MDA is essentially a nations’ ability to gather, process, analyse, and share real time information about what is occurring at sea.’ For more information, see <https://issafrica.s3.amazonaws.com/site/uploads/PolBrief79.pdf>, (accessed on 24 August 2024).

<sup>98</sup> International Maritime Organization, ‘Information Sharing’, Djibouti Code of Conduct website, at <https://dcoc.org/information-sharing/>, (accessed on 20 August 2024).

<sup>99</sup> Christian Bueger, ‘Effective maritime domain awareness in the Western Indian Ocean,’ *Institute for Security Studies*, 2017, at <https://issafrica.s3.amazonaws.com/site/uploads/policy-brief104.pdf>, (accessed on 18 August 2024).

<sup>100</sup> International Maritime Organization, “The Djibouti Code of Conduct”, International Maritime Organization, at <https://www.imo.org/en/OurWork/Security/Pages/Content-and-Evolution-of-the-Djibouti-Code-of-Conduct.aspx>, (accessed on 20 August 2024).

DCoC+. This was signed in January 2017 with 17 African countries participating.<sup>101</sup> The meeting also saw participation of Observers from EU, UNODC, Interpol and other organizations. The amendment is forward looking in as much as it recognizes ‘Blue Economy’ and builds up on the opportunities that lie ahead in various subject and issue areas having a role in the socio-economic progress of participating countries. ‘The revised code builds on the previous 2009 code and encourages signatory states to counter organised crime, prevent maritime terrorism and illegal fishing.’<sup>102</sup>

The participants also pledged to co-operate with ‘states, including Flag State, State of suspected origin of perpetrator, State of ownership of cargo, and other stakeholders.’<sup>103</sup> ‘The Jeddah meeting was attended by high-level representatives from 17 DCoC signatory states’ and Observers from EU, UNODC, and Interpol, among others.<sup>104</sup>

Like the DCoC, another important code of conduct focusing on West Africa is the ‘Yaoundé Code of Conduct (YCoC)’. ‘On June 25, 2013, 25 countries from West and Central Africa gathered in Yaoundé, Cameroon, to sign the *Yaoundé Code of Conduct* (YCoC), a comprehensive regional maritime security framework aimed at enhancing cooperation and information sharing in the wider Gulf of Guinea.’<sup>105</sup> The YCoC ‘consists

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<sup>101</sup> International Maritime Organization, ‘Revised Code of Conduct Concerning the Repression of Piracy, Armed Robbery Against Ships, and Illicit Maritime Activity in the Western Indian Ocean and Gulf of Aden Area,’ 12 January 2017, Jeddah, at <https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/A2%20Revised%20Code%20Of%20Conduct%20Concerning%20The%20Repression%20Of%20Piracy%20Armed%20Robbery%20Against%20Ships%20Secretariat.pdf>, (accessed on 22 August 2024).

<sup>102</sup> Mishra, A., 2019.

<sup>103</sup> International Maritime Organization, 2017, p. 43.

<sup>104</sup> Mishra, A., 2019.

<sup>105</sup> International Maritime Organization, ‘Code of Conduct Concerning the Repression of Piracy, Armed Robbery Against Ships, and Illicit Maritime Activity in West and Central Africa,’ 25 June 2013, at [https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/code\\_of\\_conduct%20signed%20from%20ECOWAS%20site.pdf](https://wwwcdn.imo.org/localresources/en/OurWork/Security/Documents/code_of_conduct%20signed%20from%20ECOWAS%20site.pdf), (accessed on 20 August 2024).

of 21 articles that establish how member countries will address the issues of piracy, armed robbery, and other illicit maritime crimes.<sup>106</sup> To facilitate coordination, the YCoC created two regional information-sharing centres: ‘*The Regional Centre of Maritime Security in Central Africa (CRESMAC)*’ and ‘*The Regional Coordination Centre for Maritime Security for West Africa (CRESMAO)*’. The ‘Economic Community of Central African States’ are served by CRESMAC. It is based in Pointe-Noire, Republic of the Congo, while CRESMAO supports the “*Economic Community of West African States*” and is based in Abidjan, Côte D’Ivoire. These coordination centres are connected through the *Interregional Coordination Centre* in Yaoundé.<sup>107</sup>

YCoC signatories agree to share and report relevant information on maritime crimes, interdict ships and aircraft involved in illicit activity, investigate and prosecute individuals suspected of carrying out illegal activities at sea, and provide adequate care for seafarers, fishers, and others who are victims of violent maritime crimes.<sup>108</sup>

## **2050 AFRICA’S INTEGRATED MARITIME STRATEGY (2050 AIM STRATEGY)**

‘The *2050 AIM Strategy* is African Union’s (AU) concerted attempt to reclaim Africa’s maritime sector for development of African citizens.<sup>109</sup> The strategy aims to economically exploit Africa’s oceans and water bodies in the interest of maritime economy. The strategy also builds up on realizing the opportunities and partake the benefits of ocean resources in an environmentally sustainable manner. The 2050 AIM Strategy begins with a bold but largely unsubstantiated statement:

‘Africa’s inland waters, oceans and seas are under pressure. Over the years, traditional maritime activities, such as shipping or fisheries

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<sup>106</sup> Ibid.

<sup>107</sup> Stable Seas, ‘Gauging Maritime Security in West and Central Africa,’ *Stable Seas*, One Earth Future, 24 August 2020, at <https://www.stableseas.org/post/gauging-maritime-security-in-west-and-central-africa>, (accessed on 20 August 2024).

<sup>108</sup> Ibid.

<sup>109</sup> Mishra, A. 2019.

have intensified, while new ones, such as aquaculture or offshore renewable energy, emerged. However, the rise in intensity of activities at sea is taking place against the backdrop of insecurity, various forms of illegal trafficking, degradation of the marine environment, falling biodiversity and aggravated effects of climate change. In the past decades direct aggregate losses of revenue from illegal activities in Africa's Maritime Domain (AMD) amount to hundreds of billions US dollars, not to mention the loss of lives.<sup>110</sup>

The 2050 AIM Strategy identifies and seek to address thirteen issue areas: 'oil bunkering/crude oil theft; money laundering; illegal arms and drugs trafficking; environmental crimes; container security and control programme; flag state and port state control; hydrography, oceanography and meteorology; aids to navigation; piracy and armed robbery at sea; maritime terrorism; human trafficking, asylum seekers travelling by sea; strategic communications system; maritime spatial planning; and environmental and biodiversity monitoring.'<sup>111</sup>

'The strategy stresses upon the importance of developing the AMD, merging arguments from a more developmental course with those stemming from a fairly narrow but concrete peace and security debate.'<sup>112</sup> <sup>113</sup> Hence, some observers have welcomed the 2050 AIM Strategy as a "holistic approach that integrates all relevant dimensions of maritime security, including from an operational perspective."<sup>114</sup> Subsequently, 'the AU is beginning to construct a maritime security community based on its own experiences, needs, and practices.'<sup>115</sup> Basically, the strategy is to inject African

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<sup>110</sup> African Union, 2012, p. 7.

<sup>111</sup> Engel, U., 2014, p. 12.

<sup>112</sup> Engel, U., 2014, p. 12.

<sup>113</sup> Mthuli Ncube and Michael Lyon Baker, 'Beyond pirates and drugs: Unlocking Africa's maritime potential and economic development', *African Security Review* 20 (1), 2011, pp. 60-69, at <https://www.tandfonline.com/doi/abs/10.1080/10246029.2011.561019>, (accessed on 24 August 2024).

<sup>114</sup> Engel, U., 2014, p.12.

<sup>115</sup> Engel, U., 2014, p.12.



interests, claims and narrative in any agenda for maritime security. African countries would prefer a development-oriented maritime security strategy in the interest of all stakeholders. Needless to say, the African countries are not interested and prefer not to be guided by external actors and their narrative on maritime security.<sup>116</sup> Other scholars however ‘strongly emphasise the economic core of the 2050 AIM Strategy. In fact, the AU stresses the economic importance of the Africa’s oceans.’<sup>117</sup>

The 2050 AIM Strategy is African-owned and African-developed ‘effort to reclaim the continent’s maritime security agenda and move it beyond the international counter-piracy agenda.’<sup>118</sup>

The strategy is in fact only one of the latest developments among various maritime security efforts on the continent. ‘This denotes a shift away from a period of self-imposed sea blindness.’<sup>119</sup> In fact, 2015-2025 has been declared as the Decade of African Seas and Oceans.

The document details a number of strategic objectives to address Africa’s maritime challenges. Africa’s sea-borne development potential is the major focus of the document. Establishment of a Combined Exclusive Maritime Zone of Africa (CEMZA) is yet another goal. CEMZA is expected to work for the involvement of civil society and stakeholders in pursuit of set out goal of enhancing maritime capacities and capabilities and other allied objectives including preservation of biodiversity. The African countries also express themselves against the dumping of nuclear waste in African waters.

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<sup>116</sup> Jan Stockbrugger, ‘Reclaiming the Maritime? The AU’s New Maritime Strategy’ *Piracy-studies.org: the research portal for maritime security*, 2 February 2014, at <http://piracy-studies.org/reclaiming-the-maritime-the-aus-new-maritime-strategy/>, (accessed on 24 August 2024).

<sup>117</sup> African Union, 2012, p. 10.

<sup>118</sup> Abhay Kumar Singh, ‘2050 Africa Integrated Maritime Strategy and India’s SAGAR Vision: Charting Convergences and Cooperative Synergies,’ in Beri, R., and Kumar, R. (ed.) *India and Africa: Deepening The Security Engagement*, 2024, New Delhi: Pentagon Press LLP.

<sup>119</sup> Vrey, F., 2013, p.4.

The 2050 AIM Strategy is coherent and ambitious. It has a holistic view of almost everything that pursuit of maritime security may entail. The right emphasis on necessary collaboration with the stakeholders as well as international partners is also a part of the strategy.

## **AFRICAN CHARTER ON MARITIME SECURITY AND SAFETY AND DEVELOPMENT IN AFRICA (LOMÉ CHARTER)**

The ‘African Charter on Maritime Security and Safety and Development’ in Africa, also known as the ‘Lomé Charter’, was ‘signed on 15 October, 2016 by the heads of state and governments of AU member states.’<sup>120</sup> The charter attempts to build upon 2050 AIMS, which forms a blueprint for the advancement of Africa’s seapower and maritime developmental potential. ‘The idea of the Lomé Charter is to take African blue economy and maritime security agenda forward.’<sup>121</sup> Edwin Egede (2017), a lecturer in international law and international relations at Cardiff University, argues that ‘the Lomé Charter is a momentous document, in Africa’s quest for achieving maritime security, safety, and development,’<sup>122</sup> in three main ways. According to him, Lomé Charter;

‘moves the African maritime security agenda from a mainly soft law, non-binding approach, as reflected in vital instruments such as the 2009 Djibouti Code of Conduct, the 2013 Yaoundé Code of Conduct, or the 2050 Africa Integrated Maritime Strategy adopted in 2014, to a hard law, legally binding treaty approach.’<sup>123</sup>

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<sup>120</sup> African Union, ‘African Charter on Maritime Security and Safety and Development in Africa (Lomé Charter)’, 15 October 2016, Togo: Lomé, at [https://au.int/sites/default/files/treaties/37286-treaty-african\\_charter\\_on\\_maritime\\_security.pdf](https://au.int/sites/default/files/treaties/37286-treaty-african_charter_on_maritime_security.pdf), (accessed on 22 August 2024).

<sup>121</sup> Edwin Egede, ‘Africa’s Lomé Charter on Maritime Security: What are the next steps?’ *Safe Seas*, 17 July 2017, at <http://www.safeseas.net/africas-lome-charter-on-maritime-security-what-are-the-next-steps/>, (accessed on 22 August 2024).

<sup>122</sup> Egede, E., 2017.

<sup>123</sup> Egede, E., 2017.

‘The charter has the status of an international treaty as encapsulated in the *Vienna Convention on the Law of Treaties*. Since African states willingly consented to be bound by it, each state party remains bound to meet the charter’s obligations.’<sup>124</sup> The Lomé Charter draws out the linkages between maritime security and safety on the one hand and question of marine spaces and resources on the other. Blue/Ocean economy is defined in Article 1 of the Charter as:

‘sustainable economic development of oceans using such techniques as regional development to integrate the use of seas and oceans, coasts, lakes, rivers, and underground water for economic purposes, including, but without being limited to fisheries, mining, energy, aquaculture and maritime transport, while protecting the sea to improve social wellbeing.’<sup>125</sup>

Through the Lomé Charter, the African Union has demonstrated a unity of purpose ‘on the need to highlight the vital linkages between maritime security and safety and the developmental aspect of the marine spaces.’<sup>126</sup> However, Egede highlights an important challenge towards the successful implementation of the Lomé Charter: ‘Slow and long-drawn ratification process of treaties by AU member states result in such treaties, like the Lomé Charter, taking a long time to be binding.’<sup>127</sup> For example, the ‘*African Maritime Charter*’<sup>128</sup> and the revised treaty, has not come into force though

<sup>124</sup> Oluseyi Oladipo, ‘Cooperation as a Tool for Enhancing State Capacity to Fulfill Obligations of the Lomé Charter’, *The African Centre for the Constructive Resolution of Disputes*, 12 October 2017, at <https://www.accord.org.za/conflict-trends/cooperation-tool-enhancing-state-capacity-fulfill-obligations-lome-charter/#:~:text=Status%20of%20the%20Lom%C3%A9%20Charter,the%20auspices%20of%20the%20AU> (accessed on 24 August 2024).

<sup>125</sup> African Union, 2016, p.7.

<sup>126</sup> Egede, E., 2017.

<sup>127</sup> Egede, E., 2017.

<sup>128</sup> The African Charter on Maritime Transport (1993) was adopted on 26 July 1994 by the members of the erstwhile Organization of African Unity, in Addis Ababa, Ethiopia. The charter provided a framework to foster cooperation among African countries for the development of Africa’s maritime transport sector. However, the charter never entered into force. For more, see <https://www.peaceau.org/uploads/african-maritime-transport-en.pdf>, (accessed on 20 August 2024).

these were signed way back in 1994 and 2010 respectively. The Lomé Charter also awaits ratification though the progress is quite satisfactory.<sup>129</sup> It is a positive sign that 31 African countries have signed the Lomé Charter but ratification is still a long way off.<sup>130</sup>

The 'Lomé Charter' is a welcome addition to Africa's growing list of maritime security policies. The charter is a legal force that is binding on the AU's member states. However, the Lomé Charter continues to emphasize mostly about Africa's security concerns. While focusing on national security or restricting maritime threats is essential for securing the maritime domain, only viewing or considering security solutions is problematic. In its aim to realise the '2050 AIM Strategy' goals, the 'Lomé Charter' must address the long-term structural causes of maritime crimes that plagues Africa's maritime domain. A mere suppression of the symptoms would not suffice.

## **BLUE ECONOMY: THE NEW FRONTIER OF AFRICA'S RENAISSANCE**

The concept of Blue Economy (BE) is defined by the World Bank as the 'sustainable use of ocean resources for economic growth, improved livelihood and job, and ocean ecosystem health.'<sup>131</sup> A comprehensive

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<sup>129</sup> "Communique of the 858<sup>th</sup> meeting of the PSC, held on 16 July 2019, on the status of the implementation of the African Charter on Maritime Security and Safety and Development in Africa (Lomé Charter)", *African Union*, 22 July 2019, at <https://www.peaceau.org/en/article/communique-of-the-858th-meeting-of-the-psc-held-on-16-july-2019-on-the-status-of-the-implementation-of-the-african-charter-on-maritime-security-and-safety-and-development-in-africa-lome-charter>, (accessed on 20 August 2024).

<sup>130</sup> Pieter Brits and Michelle Nel, 'African maritime security and the Lomé Charter: Reality or dream?', *African Security Review*, 27: 3-4, 2018, pp. 226-244, at [https://www.tandfonline.com/doi/pdf/10.1080/10246029.2018.1546599?casa\\_token=iQJo3ilO0doAAAAA:iOXWgBRejS9JGCTfm68UmVtVNLK50dp6LFsUJGrYwcuGE5upNBF12UPT8Ahzm40Tb8wwSX8PDXnFMAZL0g](https://www.tandfonline.com/doi/pdf/10.1080/10246029.2018.1546599?casa_token=iQJo3ilO0doAAAAA:iOXWgBRejS9JGCTfm68UmVtVNLK50dp6LFsUJGrYwcuGE5upNBF12UPT8Ahzm40Tb8wwSX8PDXnFMAZL0g), (accessed on 24 August 2024).

<sup>131</sup> The World Bank, 'What is the Blue Economy?' 6 June 2017, at <https://www.worldbank.org/en/news/infographic/2017/06/06/blue-economy>, (accessed on 18 August 2024).

definition of Blue Economy is yet to be agreed upon. There are many terms that may create confusion: 'Terms such as 'marine economy' or 'coastal economy' does not capture the essence of the concept of Blue Economy.<sup>132</sup> 'The idea of Blue Economy was first articulated by Gunter Pauli in 2010<sup>133</sup> and later discussed at the United Nations Conference on Sustainable Development, Rio + 20, in 2012.'<sup>134</sup>

In an African context, the BE holds immense potential for all littoral states of Africa. It is estimated that African coastal states and island nations collectively encompass 13 million km<sup>2</sup> of ocean territory. The strategic importance of these water bodies and wetlands are immense. The AU 'recognises the potential of ocean economy and has been promoting sustainable use of Africa's ocean for the benefit of both current and future generations of Africans.'<sup>135</sup> Subsequently, the AU has declared Blue Economy as the 'new frontier of Africa's renaissance.'<sup>136</sup>

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<sup>132</sup> Timothy Doyle, 'Blue Economy and the Indian Ocean Rim', *Journal of the Indian Ocean Region*, 2018, 14 (1), pp. 1-6, at <https://www.tandfonline.com/doi/full/10.1080/19480881.2018.1421450>, (accessed on 22 August 2024).

<sup>133</sup> Gunter Pauli in his book *The Blue Economy: 10 years, 100 innovations, 100 million jobs* developed the concept of blue economy with the ultimate aim to create a 'blue economy business model' that will shift society from scarcity to abundance with locally available resources, and by tackling issues that causes environmental and related problems in new ways. For more, see [https://www.jef.or.jp/journal/pdf/175th\\_cover04.pdf](https://www.jef.or.jp/journal/pdf/175th_cover04.pdf), (accessed on 20 August 2024).

<sup>134</sup> Aparna Roy, 'Blue Economy in the Indian Ocean: Governance perspectives for sustainable development in the region', *ORF Occasional Paper No. 181*, January 2019, Observer Research Foundation, at <https://www.orfonline.org/research/blue-economy-in-the-indian-ocean-governance-perspectives-for-sustainable-development-in-the-region>, (accessed on 22 August 2024).

<sup>135</sup> Aruna Bolaky, 'Operationalising Blue Economy in Africa: The Case of South West Indian Ocean', *ORF Issue Brief No. 398*, September 2020, New Delhi: Observer Research Foundation, at <https://www.orfonline.org/research/operationalising-blue-economy-in-africa-the-case-of-south-west-indian-ocean>, (accessed on 24 August 2024).

<sup>136</sup> United Nations Economic Commission for Africa, 'The blue economy: a new frontier for Africa,' UNECA, 2019, Ethiopia: Addis Ababa, at <https://repository.uneca.org/handle/10855/43053>, (accessed on 22 August 2024).

The objective of utilization of resources of ocean and water bodies and at the same time conservation of biodiversity is integrated in the concept of BE. Reasonable use of the resources and focusing equally on sustainability is the centrepiece of the concept of BE. A number of policies adopted at the global level reflect this balance between resource utilization and conservation. Many of the African policy frameworks and international declarations including the ‘African Union’s *Agenda 2063*’, ‘*Aquaculture in Africa* (PFRS)’; the 2015 ‘*UN Agenda 2030 (Sustainable Development Goals, SDGs)*’; and the 2016 ‘*Lomé Charter*’ and other policy and legal instruments have reflected the balance between the necessity of resource exploitation and the imperative of maintaining the ecosystem.

One of the most important developments towards the evolution of BE in Africa is the ‘Sustainable Blue Economy Conference’ in November 2018 of Nairobi, Kenya.<sup>137</sup> The conference deliberated on the challenges and opportunities for growth in BE. ‘Africa’s leaders committed to developing the Africa’s Blue Economy Strategy following the Nairobi Conference.’<sup>138</sup> Consequently, the African Union *Inter-African Bureau for Animal Resources (AU-IBAR)*, within the African Union Commission has been given the responsibility of developing the Africa Blue Economy Strategy.<sup>139</sup> ‘African BE sectors and components generate today a value of USD 296 billion with 49 million jobs. It is projected that by 2030, figures will be respectively USD 405 billion and 57 million jobs while in 2063 estimates would respectively be USD 576 billions of value created and 78 millions of jobs.’<sup>140</sup> However, the potential of BE in Africa is yet to be

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<sup>137</sup> International Institute for Sustainable Development, ‘Summary report, 26-28 November, 2018,’ IISD Earth Negotiations Bulletin, at <https://enb.iisd.org/events/sustainable-blue-economy-conference/summary-report-26-28-november-2018>, (accessed on 22 August 2024).

<sup>138</sup> African Union-Inter-African Bureau for Animal Resources (AU-IBAR), ‘Africa Blue Economy Strategy,’ 2019, Nairobi: Kenya, at [https://www.au-ibar.org/sites/default/files/2020-10/sd\\_20200313\\_africa\\_blue\\_economy\\_strategy\\_en.pdf](https://www.au-ibar.org/sites/default/files/2020-10/sd_20200313_africa_blue_economy_strategy_en.pdf), (accessed on 28 August 2024).

<sup>139</sup> AU-IBAR, 2019.

<sup>140</sup> AU-IBAR, 2019, p. 4.

realized. 'Blue growth in Africa continues to remain mostly unattainable as sustainable exploration of the sea is undermined by inadequate knowledge and technical capacity, combined with limited investment in BE sectors.'<sup>141</sup>

Okafor-Yarwood et al., have examined few unsuccessful<sup>142</sup> and successful<sup>143</sup> 'community-based and government-based BE interventions in African countries'<sup>144</sup> and the authors have provided an assessment of blue projects in Africa. They based their study on ecological, economic and social implications and outcomes of such interventions. On unsuccessful BE projects in Africa, they note that:

'While the governments of the respective countries have the right intentions about developing their ocean economies, emphasis is placed predominantly on economic outcomes, with limited attention given to social equity and ecological sustainability.'<sup>145</sup>

In contrast, successful BE projects are people-centred. For African coastal states to truly benefit from BE, they need to adopt 'a functional institutional governance framework. Such a framework should necessarily be based on equitable and sustainable BE in Africa, for Africans. Social equity and ecological conservation must be incorporated in the development of BE in Africa.'<sup>146</sup>

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<sup>141</sup> Ifesinachi Okafor-Yarwood, Nelly Kadagi, Nelson Miranda, Jacqueline Uku, Isa Elegbede and Ibukun Adewumi, 'The Blue Economy-Cultural Livelihood-Ecosystem Conservation Triangle: The African Experience,' *Front. Mar. Sci.* 7:586, 23 July 2020, at <https://www.frontiersin.org/articles/10.3389/fmars.2020.00586/full#ack1>, (accessed on 28 August 2024).

<sup>142</sup> Some examples of unsuccessful BE projects in Africa as enlisted by Okafor-Yarwood et al., are: Port of Kribi Project, Kribi, Cameroon; Vridi Canal Project, Abidjan, Cote d'Ivoire; Lamu Port Project, Kenya; The Sandpiper Marine Phosphate Mining Project, Namibia.

<sup>143</sup> Some examples of successful BE projects in Africa as enlisted by Okafor-Yarwood et al., are: TRY Oyster Women's Association, the Gambia; Vezo Community Fisheries, Madagascar; Mikoko Pamoja, Kenya; Seaweed Farming, Kenya.

<sup>144</sup> Okafor-Yarwood, I., et.al., 2020.

<sup>145</sup> Okafor-Yarwood, I., et.al., 2020.

<sup>146</sup> Okafor-Yarwood, I., et al., 2020.

## THE WAY AHEAD

The development of an African maritime security agenda has been a relatively new process. African countries and international actors began to pay due attention to tackling insecurities in the maritime domain only after the problem of piracy off the coast of Somalia posed serious threat to uninterrupted global commerce. In Africa, the initial continent-wide efforts to strengthen SAR capacities evolved with the IMO's 2000 'International Convention on Maritime Search and Rescue', following which a host of maritime rescue coordination centres and sub-centres were commissioned, ranging from Mombasa in Kenya, to Cape Town, Lagos, Monrovia, and Rabat in Morocco.

Concurrently, African maritime issues were discussed through a number of international meetings (conferences, symposiums, workshops) since 2005, which provided a common platform for African maritime stakeholders to come together and deliberate on issues of common interest in the maritime domain. Some of the popular ones were SPAS, EASWIO conference, and IONS led by India. The IMO also sponsored various meetings, which led to the adoption of the 'Djibouti Code of Conduct (DCoC)' in 2009. This subsequently led to the opening of three information sharing centres in Mombasa, Kenya, Dar es Salaam, Tanzania, and in Sana'a, Yemen.

By the turn of the 2010 decade, maritime security entered into the agenda of the African Union. In 2012, the '2050 AIM Strategy' was released. The strategy's aim was to realise the potential of the AMD and the possibility of exploiting Africa's ocean resources in a sustainable manner to achieve economic growth and development. This was followed by the *Lomé Charter* of 2016. Since then, African countries are paying increasing attention to concepts such as 'blue economy' or 'blue growth' which is 'vital for the sustainable development of Africa's coastal economies and ensuring food and energy security.'<sup>147</sup> It is appropriate to realize that 'maritime security

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<sup>147</sup> Robert McCabe, 'Environmental drivers of maritime insecurity: governance, enforcement and resilience in the western Indian Ocean', *Conflict, Security & Development*, 23(3), 18 September 2023, at <https://www.tandfonline.com/doi/full/10.1080/14678802.2023.2256251#abstract>, (accessed on 24 August 2024).



and blue economy are intimately linked. Secure oceans are a precondition for the development of the blue economy. For African countries in the WIO region, a stronger blue economy could play a vital role in alleviating some of the root causes of maritime crimes.<sup>148</sup>

There has been an effective realization on part of African leaders and governments on the vast potential its resource-rich maritime domain has to offer. The continent's oceans and water bodies are increasingly becoming a source of economic opportunity, holding potential in fields of energy (both renewable and non-renewable), food, tourism, and transportation that links Africa with the global economy. If Africa's oceans are secure, then it could lead to the development of a strong blue economy. This would subsequently help in alleviating some of the root causes of maritime crimes which are prevalent in the African maritime domain.

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<sup>148</sup> Indian Ocean Commission, 'Strengthening Maritime Security in the Western Indian Ocean', *Indian Ocean Commission*, Policy Brief, at <https://www.commissionoceanindien.org/wp-content/uploads/2019/10/Strengthening-maritime-security-in-the-western-indian-ocean-policy-brief.pdf>, (accessed on 28 August 2024).

In an African context, the process of developing an agenda for maritime security has been relatively new despite the continent being completely surrounded by water. For long periods of time, African nations tended to be labelled as 'sea blind,' which implied that they ignored the vital importance of their waters and the maritime domain. This was due to the colonial legacy of the continent, which prompted an inward and continental outlook. Following the emergence of the scourge of piracy off the Somalian coast, African states and international actors started to pay due attention to ensure maritime security. This paper highlights the different ways in which maritime security in an African context has developed in the last couple of decades and explores some of the emerging debates and strategies impacting African maritime security.

The paper argues that piracy and armed robbery at sea has sensitized the countries of Africa and the international community to these threats. However, this over-emphasis on piracy and armed robbery has also skewed perceptions about Africa's maritime landscape. The challenges are much broader in nature and the resultant strategies employed by African countries go beyond tackling piracy. African maritime strategies, in present times, tend to look beyond the challenges and threats and focus on common interests of wealth creation and sustainable governance.

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