

Responding to Insecurity in the Gulf of Guinea

PATRICE SARTRE



Cover Photo: The overcrowded port of Elmina in Ghana, August 20, 2012. iStockphoto.

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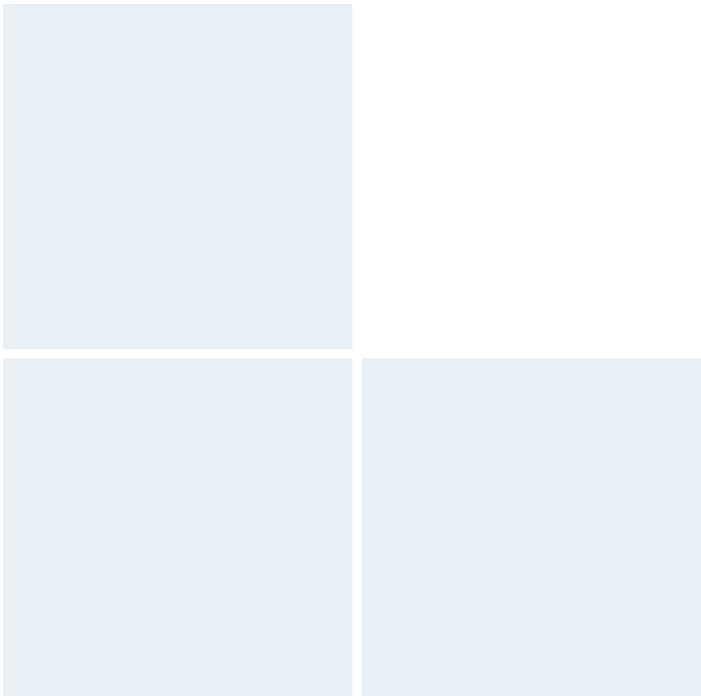
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ABOUT THE AUTHOR

PATRICE SARTRE is a retired Brigadier-General from the French Marines. He served in peace operations in Africa and the former Yugoslavia. He also worked as deputy assistant director in the Strategic Affairs Directorate of the French Ministry of Defense; military advisor to the Permanent Representative of France to the United Nations; defense advisor to the French Secretary-General for National Defense; and lastly defense advisor to the Ministry for Foreign Affairs.

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Introduction

The Gulf of Guinea has become notorious for its violent conflicts and political instability. This insecurity has its origins in bad governance, corruption, and failures of social and economic development. Violent power struggles and competition for the control of economic assets periodically cause crises to flare up, and these tend to be persistent and widespread. The international community has worked to move countries in the region onto a stable trajectory. West Africa has also made efforts to develop a coordinated approach to the region's challenges through a common security architecture. Such subregional initiatives may ultimately prove most conducive to long-term stability.

Geographically, the Gulf of Guinea extends from Liberia to Gabon and includes the island territories of Equatorial Guinea and São Tomé and Príncipe. In policy discussions, it is common to add Sierra Leone and the Guineas to the west and Congo-Brazzaville to the east. This report addresses this whole area but focuses in particular on the ten countries bordering the Atlantic from Guinea-Bissau to Cameroon, for two reasons: they are connected to the persistent insecurity in the Sahel region (a semi-arid geographic band below the Sahara desert and above the southern savannas), and they are most afflicted by the piracy activities in the Gulf of Guinea itself.

The Roots of Insecurity

CIVIL WARS AND A FAILURE OF GOVERNANCE

The arbitrary division of territory by the colonial powers in the Gulf of Guinea led to a number of disputes among the new African states following their independence, such as those between Côte d'Ivoire and Ghana; Benin and Burkina Faso; Guinea and Sierra Leone; and Niger, Nigeria, and Cameroon. There has been no full-fledged interstate war in the Gulf of Guinea region in the post-independence period, but internal instability has produced civil wars that have caused between half a million and million deaths:

- **Nigeria** experienced a civil war from 1967 to 1970, also known as the Biafran War.

- **Liberia's** civil war took place in two phases, from 1989 to 1996 and 1998 to 2003.
- The civil war in **Sierra Leone** lasted from 1991 to 2000.
- **Guinea-Bissau's** brief civil war in 1998 and 1999 occurred after a war of liberation of a ferocity that had not been known elsewhere in the region.
- The "War of 5 June" in the **Republic of the Congo** (Brazzaville) lasted from 1997 to 1999.
- **Côte d'Ivoire's** civil war lasted from 2002 to 2007 and was renewed in 2010 and 2011 following disputed elections.

Cameroon, Benin, and Ghana have managed to avoid violent conflict, the latter despite a very unstable post-independence period. Liberia, Sierra Leone, Togo, Guinea, and latterly Côte d'Ivoire are gradually becoming more stable. Nigeria is still confronted by a wide range of conflicts, some of which relate to the Sahel and others to the Gulf of Guinea. Guinea-Bissau recently descended into conflict once more, in relation to a struggle for political power and control of the drug trade. Fortunately, following the elections in Spring 2014, it seems that Bissau-Guineans have succeeded in bringing democracy to their country.

Nigeria and Guinea-Bissau provide valuable examples of the longstanding interaction between the Sahel and the Gulf of Guinea. The Sahel has traditionally provided the Gulf countries with cattle, manpower, and trade routes to the Arabic and European realms; the coast provided mineral and agricultural resources, connecting West Africa to the rest of the world through its rivers and ports.

In the early post-independence years, African states focused on creating a sense of nationhood through strong power structures, which tended to result in military regimes or one-party states; both developments were assisted by the static confrontation of the Cold War.

After the fall of the Berlin Wall, some of the countries in the Gulf of Guinea found themselves still dominated by authoritarian regimes derived, directly or indirectly, from the colonial powers (Cameroon, Côte d'Ivoire, Gabon). Others were about to fall into a state of near anarchy (Liberia and Sierra Leone) or subject to a military government condemned by the international community (Nigeria).

Apart from Ghana, no West African country had succeeded in moving toward democratization. The strong governments that had ruled them until that point had not provided them with solid and autonomous administrations, capable of managing the state competently and with integrity. The absence of any real countervailing judicial powers allowed a level of corruption to develop that drained the state of its very substance and caused the populations to distrust their political leaders or bred contempt for the state itself. Even Benin and Mali, which gained the confidence of the international community for a time, proved unable to avoid autocracy and corruption.

The Gulf of Guinea has a climate particularly favorable for agriculture, which helped to reduce the extent of undernourishment in the region. The Gulf should be self-sufficient in food production, but postcolonial wars and political instability completed the vicious circle of physical insecurity leading to food insecurity. Wars caused at least two famines in one of the richest parts of Nigeria (Biafra) and in Sierra Leone and Liberia between 1989 and 2001. Political and social instability also contributed to malnutrition for populations in the Niger Delta, Guinea, and Guinea-Bissau.

PIRACY AND CRIME

Throughout the Gulf of Guinea, maritime banditry coexists with other illicit activities at sea, including arms trafficking, illegal immigration, and, increasingly, transshipment of drugs from South America en route to Europe via Guinea-Bissau, Guinea, Ghana, and now Nigeria. And the situation has been deteriorating.

In 2013, there were 54 attacks against ships in the Gulf of Guinea, of which 34 were successful, according to the International Maritime Organization (IMO). This compares with 64 attacks in 2012 and 61 in 2011. In almost half of the 2014 cases, the ship was alongside or at anchor. No crew members were killed nor wounded in this period, but 93 were taken hostage, and 9 ships were hijacked. Ships and crews were subsequently released. All this amounts to 18 percent of the 298 attacks at sea throughout the world, a decrease of 12.6 percent over the figures of 2012.¹

In the Niger Delta, where the most spectacular incidents have occurred, the most common activity is hostage taking of expatriates for ransom, usually from offshore oil installations, exploration vessels, tankers that are loading, and, in particular, service vessels shuttling to and from the land.

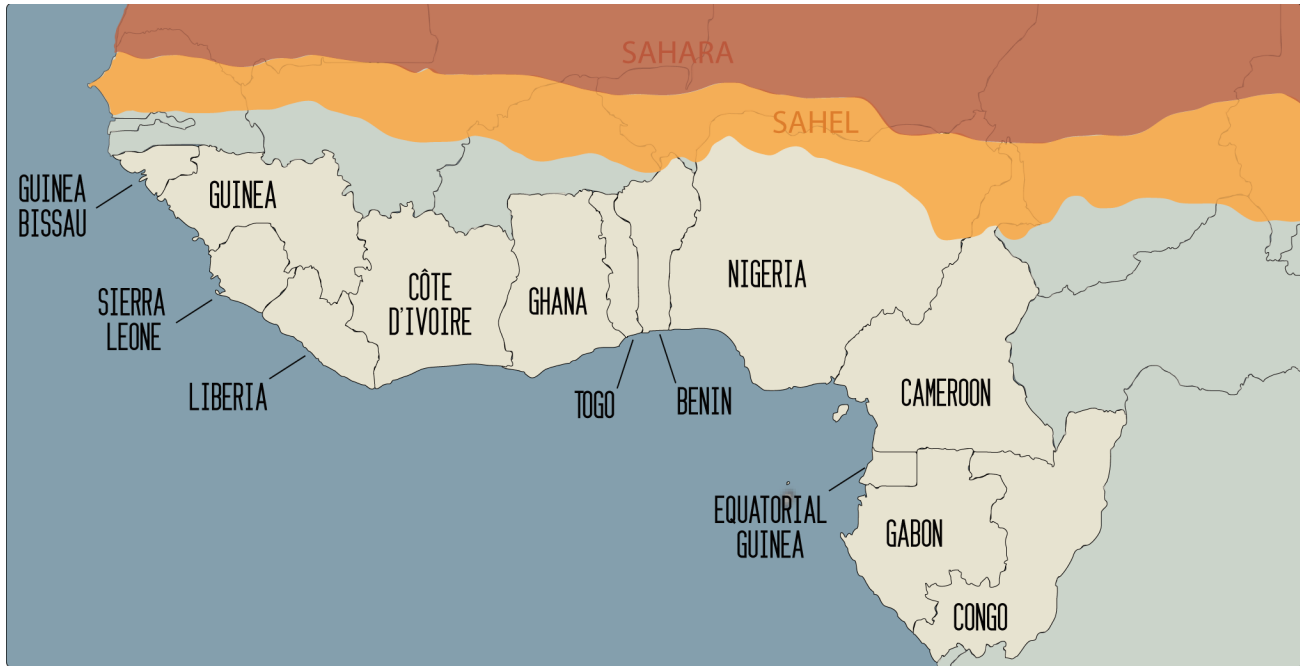
All along the coast, but particularly in the Niger Delta, insecurity at sea is a consequence of poor governance on land and an extension of land-based activities, such as drug trafficking, kidnapping, and “bunkering”—the illegal siphoning of oil. In the Niger Delta, these crimes often have a political origin: the revolt of local people against the despoiling of their soil and water (especially by pollution), and against what they perceive as an unjust distribution of oil profits.

After the 2003 elections, parliamentarians from the Nigerian South-South geopolitical zone who were unable to pay the militias who had “protected” their campaign allowed the militias to keep their arms in return for a share in the profit of their illegal activities. These activities were part political, part commercial: taking over from the militant groups of the military dictatorship era, these new militants undertook to “protect” the oil facilities and personnel. It rapidly became clear that protecting meant extorting the oil companies and preying upon their staff. Not only did the local authorities prove unable to counter these criminal activities, they also appeared to abet the recovery of ransoms and seizure of booties. When the oil exploitation moved offshore, so did this “protection.”

THREATS FROM THE SAHEL AND CENTRAL AFRICA

While dealing with internal problems after independence, the states in the Gulf of Guinea rarely posed a threat to each other. One exception—the dispute between Nigeria and Cameroon over the Bakassi peninsula—was ultimately resolved in a deal brokered by the UN system. Neighboring countries in the Sahel region also tended not to interfere in conflicts in the Gulf of Guinea, with the exception of Burkina Faso. The only state directly affected by Islamic terrorism was Nigeria, through the unrest in its northern states,

¹ International Maritime Organization, “Reports on Acts of Piracy and Armed Robbery against Ships: Annual Report 2013,” MSC.4/Circ.208, April 2014, available at <https://imo.amsa.gov.au/public/circular-titles/msc4-201-400.htm>.



Source: Peel, Finlayson, and McMahon, Updated World Map of the Köppen-Geiger Climate Classification | Chris Perry

many of which form part of the Sahel's geographic band. As in the rest of the Sahelian band, mismanagement was reinforced by a lack of resources combined with religious militancy in the form of the jihadist group Boko Haram.

Today, the spread of insecurity across the Sahel, from Sudan to Senegal, is partly fuelled by drug trafficking from the Gulf of Guinea. This has become a shared threat for the entire Economic Community of West African States (ECOWAS), especially Mali, where the drug trade coming in from the coast helped to erode the structures of the state. Unable to deal with Tuareg unrest in the north and then overwhelmed by Islamic groups after the fall of Qaddafi in Libya, Mali is now a center of insecurity that borders and also threatens the Gulf of Guinea states. And in Central Africa, Cameroon now suffers from crises occurring in Chad as well as those in northern Nigeria. Congo-Brazzaville suffers consequences of the crisis in Sudan, through its metastases in Chad and the Central African Republic.

International, Regional, and National Responses

Confronted by this insecurity, the international community has sought to put an end to crises and move countries that have emerged from crisis onto a stable trajectory. Subregional organizations and more recently the African Union have also made efforts to develop security frameworks for addressing challenges to stability. These initiatives may be less visible to the international community, but they are likely to be more promising in the long term if the region is to achieve stability.

EUROPE AND THE US: EVOLVING APPROACHES

Since 2005, West Africa has demanded the attention of the United States, which initially expected to meet 25 percent of its hydrocarbon needs from the wider Gulf of Guinea (including Angola) by 2015.² Together with its counterterrorism goals and other concerns around the

² This area exports 1.5 million barrels of oil per day to the USA, 1 million to Europe, 850,000 to China, and 330,000 to India. See International Crisis Group, "The Gulf of Guinea: The New Danger Zone," Africa Report N°195, December 12, 2012.

continent, this was one of the reasons why the United States established the US Africa Command, known as Africom, in 2008.³

However, in recent years this interest has waned as the United States relies increasingly on shale gas to meet its energy needs and less on the Gulf of Guinea's hydrocarbons. This is reflected in the Obama administration's approach to the crisis in Mali. Wary of engaging in another overseas military campaign that was not connected to its wider foreign and security policy, the United States was content for European countries, in close coordination with regional and subregional African organizations, to lead the military intervention to counter the terrorist threat in Mali.

During the crises in Sierra Leone and Côte d'Ivoire, Great Britain and France felt compelled to act, but their actions came across as politically motivated postcolonial interventions, so they were not really supported by bilateral efforts of other European states.

In contrast, the European Union's assistance to countries in the Gulf of Guinea afflicted by armed conflict has been perceived as relatively generous and comparatively disinterested. The EU funded national and international efforts in disarmament, demobilization, and reintegration of combatants (DDR); security sector reform; and state reconstruction. The EU also carried out a less successful civilian operation relating to security sector reform in Guinea-Bissau in 2009 and 2010. So far, the EU has not considered launching a maritime operation to prevent or repress acts of piracy in the Gulf of Guinea, as it has with Operation Atlanta off the coast of Somalia.

THE UNITED NATIONS AS PEACEKEEPER

In 1993, the United Nations established its first peacekeeping mission in the Gulf of Guinea: the United Nations Observer Mission in Liberia operated until 1997. It was followed by United

Nations Observer Mission in Sierra Leone (1998–1999), United Nations Mission in Sierra Leone (1999–2005), United Nations Mission in Liberia (2003–present), and United Nations Operation in Côte d'Ivoire (2004–present). These operations served as the main laboratories for the concept of multidimensional operations, particularly focused on DDR, security sector reform, and state reconstruction.⁴

If the UN proved, through these operations, to be efficient in crisis management, the international community remained ineffective in its efforts to prevent crises, particularly crises at sea. In an attempt to solve these problems, UN Secretary-General Kofi Annan appointed special representatives in West Africa and then in Central Africa. In 2006, the special representative of the secretary-general in West Africa, Ahmedou Ould-Abdallah, understood the plague that piracy was becoming in the Gulf of Guinea. He ordered a study on the issue and recommended working closely with all actors at sea, especially the US Naval Command in Naples, Italy, and its ships patrolling in the Gulf of Guinea, as well as the British and French naval forces.⁵ However, it was only in 2011 that the Security Council considered the situation in the Gulf; supported a regional meeting in Yaoundé, Cameroon, to develop a comprehensive strategy; and encouraged the Gulf states to develop and implement national and regional maritime security coordination centers and joint patrols, under the auspices of the IMO.⁶

THE AFRICAN UNION: GROWING REGIONAL LEADER

One of the main objectives of the AU is to “promote peace, security and stability on the continent.”⁷ The primary body charged with implementing this objective is the Peace and Security Council through, among other means, its peace support missions, sanctions in the case of unconstitutional change of government, and “initiatives and action it deems appropriate” in

3 Africom is one of the nine strategic unified combatant commands of the US Armed Forces. Headquartered near Stuttgart, Germany, it is responsible for military operations and relations with all African countries except Egypt.

4 Operations in the Democratic Republic of the Congo should not be regarded as Gulf of Guinea operations, as they mainly address the crises in the Great Lakes.

5 Patrice Sartre “Piraterie, brigandage et insécurité en mer de Douala à Nouakchott – Etude réalisée au profit du RRSF des Nations Unies pour l’Afrique de l’Ouest (UNOWA)” [Piracy, Theft, and Insecurity at Sea from Douala to Nouakchott—Study Undertaken for the United Nations SRSG for West Africa (UNOWA)], Dakar, 2007.

6 UN Security Council Statement of August 30, 2011, on piracy and armed robbery at sea in the Gulf of Guinea; UN Security Council Resolution 2018 (October 31, 2011), UN Doc. S/RES/2018; UN Security Council Resolution 2039 (February 29, 2012), UN Doc. S/RES/2039.

7 *Constitutive Act of the African Union*, Lomé, 2000, Art. 3(f).

response to potential or actual conflicts.⁸ The Peace and Security Council's decisions are binding on member states. The Constitutive Act recognizes the African Union's right to intervene in member states in circumstances of war crimes, genocide, and crimes against humanity.⁹

Since it first convened in 2004, the Peace and Security Council has been instrumental in the crises of East and Central Africa: Darfur, Comoros, Somalia, Democratic Republic of the Congo, and Burundi. The crisis in Côte d'Ivoire in 2010 and 2011 presented an opportunity to intervene in West African security matters. To support the work of the Peace and Security Council, the African Standby Force—a permanent African peacekeeping force made up of five subregional brigades—was initially planned to be operational in 2010; this is now scheduled for 2015.

All of these arrangements were made with a view to solving security problems on land. The outbreak of piracy on eastern and western African coasts led the African Union ministers in charge of maritime affairs to design and adopt in December 2012 the “2050 Africa's Integrated Maritime (AIM) Strategy” and a corresponding plan of action.

ECOWAS: SOLUTIONS FOR STABILITY

Most of the states in the Gulf of Guinea are members of ECOWAS and hence committed to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security—possibly the most successful stability mechanism on the continent.

Established by a 1999 protocol, the mechanism has three objectives: the prevention, management, and resolution of conflicts.¹⁰ To achieve these objectives it promotes the strengthening of cooperation and the maintenance and consolidation of peace, security, and stability within the community, as well as humanitarian institutions and policies. Headed by the Conference of Heads of State and Government of the member states, this mechanism is directed by the Mediation and

Security Council composed of nine member states and assisted by the Department of Defence and Security,¹¹ which is made up of civilian and military technical experts on security, as well as by the Panel of the Wise.

The December 2001 supplementary protocol to the mechanism seeks to establish a normative foundation. It includes common constitutional principles among member states (Article 1), democratic and civil control of forces (Articles 19 and 20), rights of citizens in uniform (Article 21), and participation in regional peace support operations (Article 28).¹² There are also various technical documents, including a code of conduct for the security forces.

There has been significant criticism of the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security for its tenuous understanding of the realities in West Africa, and this is not entirely unfair. However, it is less a theoretical construct whose practical consequences have not yet materialized and more the institutionalization of mediation procedures and of mechanisms such as the ECOWAS Monitoring Group, which have been developed on an ad hoc basis in previous crises. To its credit, the mechanism also involves West African governments in a set of general proposals for a law-based approach to peace, bringing together supranationality, mutual assistance, and non-interference.

The ECOWAS Monitoring Group (ECOMOG) was formed in haste in 1990, to deal with the first war in Liberia. It later intervened successfully in the conflict in Sierra Leone and subsequently in Guinea-Bissau, and it has since formed the core of the ECOWAS standby brigade, part of the African Union standby force.

The fact that the results of ECOMOG missions were generally positive is largely to the credit of the Nigerians, who have provided the framework and the majority of the troops. The other countries of the subregion, especially Ghana and Guinea, have

⁸ *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, Durban, 2002, Art. 9(1).

⁹ *Constitutive Act of the African Union*, Lomé, 2000, Art. 4(h), repeated in Article 4(j) of the *Protocol Relating to the Establishment of the Peace and Security Council of the African Union*, Durban, 2002.

¹⁰ ECOWAS, *Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security*, Lomé, December 1999.

¹¹ This is also known as the Committee of Experts on Peace and Security, a rebranding that indicates an evolution from the vocabulary originally coming from NATO and the EU toward a terminology more of the region, and “putting back in their correct place” the military and police chiefs who make up this body.

¹² ECOWAS, *Protocol A/SP/12/01 on Democracy and Good Governance Supplementary to the Protocol relating to the Mechanism for Conflict Prevention, Management, Resolution, Peacekeeping and Security*, Dakar, December 2001.

provided company-strength units, headquarters staff, and sometimes the force commander.

NIGERIA'S REGIONAL POWER IN QUESTION

Nigeria has aspirations to become a permanent member of the UN Security Council as a representative of Africa. The country has been an essential contributor of troops to peacekeeping missions around the world, and especially in the Gulf of Guinea, both in UN missions and in ECOMOG missions, which Nigeria initiated and to which it is the main contributor. In the 1990s, Nigeria showed itself to be an effective actor in the crises in the Gulf of Guinea, especially in Liberia and Guinea-Bissau. In spite of the situation in the Niger Delta and its northern areas, it remains an essential actor in the resolution of problems in the Sahel and the Gulf.

Unfortunately, Nigeria has been starting down a slippery slope which could at best reduce its positive influence in the subregion and at worst cause its security problems to spread to neighboring countries. As demonstrated in the Mali crisis in 2012 and 2013, Nigeria's domestic challenges are undermining its leadership role in the subregion. It withdrew its forces from the UN mission in Mali (MINUSMA) to deal with Boko Haram. The Nigerian government remains unable to curb corruption and, despite the abundant resources drawn from oil, it appears unable to develop its troubled northern states, even unable to develop the wealthy south. In addition, the country is becoming an avenue for a variety of transnational organized criminal networks, which threaten the stability of the broader region, the Maghreb, and Europe.

To address these two crises, the federal government has tried just two approaches: an attack on the excessive corruption of the leaders of violence, in order to convince them that their personal interest would be to lay down their arms, or excessive repression, facilitating the rise of violent movements such as Boko Haram. The Nigerian elite appears unable to establish a sustainable dialogue with the rest of the population, and it has fallen increasingly under the influence of the police and military establishment, whose authority strengthens with the increasing use of force.

ECCAS, THE GGC, AND REGIONAL COOPERATION AT SEA

Subregional organizations have strengthened cooperation between their member states, but they can also contribute to deepening the divides between neighboring countries when the latter are part of different organizations. This is indubitably the situation in the Sahel, where nefarious nonstate actors exploit the states' division among three different subregional organizations—the Inter-governmental Authority on Development, the Economic Community of Central African States (ECCAS), and ECOWAS. It is also the case in the Gulf of Guinea, whose countries may be members of two different subregional organizations, ECOWAS and ECCAS—if not three, when considering the wider Gulf of Guinea, in which Angola is a member of the Southern African Development Community (SADC) as well as ECCAS.

Taking over from the Customs and Economic Union of Central Africa (UDEAC) established in 1964 and following the same shift as ECOWAS from economic to security issues, ECCAS became “active” in 1985. Headquartered in Libreville, Gabon, ECCAS is made up of Angola, Burundi, Cameroon, Central African Republic, Congo, Democratic Republic of the Congo, Gabon, Equatorial Guinea, São Tomé and Príncipe, and Chad.

In reality, ECCAS remained inactive for several years and it has not yet reached the level of efficiency of ECOWAS or SADC, particularly in security matters. Financial difficulties, the overlap with several regional organizations,¹³ and the conflict in the Democratic Republic of the Congo and the Great Lakes area were all obstacles to an efficient implementation. This left the door wide open to external interventions: Libya and France in Chad, and France in the Central African Republic, Gabon, and Congo. Learning from ECOWAS and SADC experiences, ECCAS finally established its Peace and Security Protocol, which it is struggling to implement. As was the case for the African Union and for ECOWAS, ECCAS frameworks were established with a view to solving security problems on land.

¹³ Rwanda, which left ECCAS in 2007, was also a member of COMESA, as Angola, Burundi, and the Democratic Republic of the Congo continue to be. Rwanda is today member of the East African Community and of the Economic Community of the Great Lakes Countries.

The outbreak of piracy along the Gulf of Guinea's coastline forced its member states to seek solutions to maritime insecurity. Could maritime cooperation be arranged between different subregional organizations? West African states acknowledge that they cannot deal with insecurity at sea without cooperating with the other countries bordering the Gulf. In fact, this cooperation is the main task of the Gulf of Guinea Commission (GGC). Founded in 1999, the GGC comprises Angola, Cameroon, Congo, Democratic Republic of the Congo, Gabon, Equatorial Guinea, Nigeria, and São Tomé and Príncipe.

Since 2011 ECOWAS and ECCAS have also been cooperating to develop a joint maritime security strategy and to counter threats to security at sea. These efforts followed the UN Security Council Resolutions 2018 and 2039, which urged the West and Central African countries to counter armed attacks at sea, advocating a common code of conduct on the issue.

This cooperation on the situation at sea has yet to yield concrete results. Nigeria remains the most active state in the struggle against maritime insecurity. As part of both ECOWAS and the GGC, and bordering ECCAS states, Nigeria is playing a pivotal role in transregional cooperation in the Gulf of Guinea and increasingly in the Sahelian band.

Strategies in Perspective

THE FAILED STRATEGY OF PREVENTION

"Active" or "operational" prevention (to employ ECOWAS's vocabulary), is supposed to prevent a state falling into crisis, but it has never worked effectively in the Gulf of Guinea. In most of its countries, with the approach of a crisis, the signals have always been too weak or confused to justify the kind of national or international action that could prevent it. Few experts saw the Ivorian or Malian crises coming, and among those who did, even fewer dared to sound the alarm for fear of igniting the fire.

Technical military assistance is among the best

managed of aid programs in the region, but it has generally been unsuccessful and has often destabilized countries when it didn't form part of a coherent strategy for security sector reform. Above all, it has produced unduly powerful militaries, which have carried out many coups d'état in countries with weak civilian governance. The ten ECOWAS countries that border the Gulf of Guinea have experienced twenty-four coups since independence.¹⁴ Four of these occurred in the 1960s, six in the 1970s, six in the 1980s, four in the 1990s, and four since the year 2000.

Poorly paid and without properly maintained equipment, designed according to a Western model that is not adapted to the actual security problems they confront, African armies have rarely succeeded in controlling internal conflicts. The most significant army in the region today shows itself powerless in the case of the Niger Delta. More frequently, these armies become weakened and then ineffective, their units drifting away to reinforce armed groups challenging the central power (as in Sierra Leone, Guinea-Bissau, and the Niger Delta), or alternatively, their best units turn into separatist groups, as in the Côte d'Ivoire.

In the final years of the 20th century, the United Kingdom, the United States, and France launched loosely coordinated programs to strengthen African peacekeeping capabilities, mainly focused on ECOWAS.¹⁵ The objective behind these schemes was that the Western powers should no longer intervene in African conflicts, instead providing training, equipment, and financing of African forces. If they have not had the effect that was immediately hoped for, they have helped African forces adapt to their mission of stabilizing the subregion and contributed to cooperation among its members.

A SUCCESSFUL, IF LIMITED, CRISIS MANAGEMENT STRATEGY

In the past decade there have been many efforts to bring peace to the Gulf of Guinea: the UN, through its peacekeeping operations and its own agencies; ECOWAS through ECOMOG; the European Union and Organisation for Economic Co-

¹⁴ There have been eight coups in Nigeria; five in Ghana; four in Guinea-Bissau; two in Liberia, Guinea, and Togo; and one in the Côte d'Ivoire.

¹⁵ These started out as RECAMP (Renforcement des capacités africaines de maintien de la paix) for France, APTSP (African Peacekeeping Training Support Programme) for the UK, and ACRI (African Crisis Response Initiative) for the US; ultimately these three programs changed their names, their size, and their organization.

operation and Development (OECD) through financial aid and a large number of small missions involving police, support to elections, and reconstruction of the security sector; practically every Western state, including the United States, the United Kingdom, and France; and a whole range of NGOs—African and non-African, religious and secular.

In Sierra Leone, for example, although the UN mission UNAMSIL encountered major difficulties, it did finally manage to put an end to fighting and disarm the combatants. These episodes reflected important progress toward making peace operations more robust and improving command effectiveness. That said, success has always been a fragile thing. If some crises ultimately gave way to a lasting stability, like those in Liberia and Sierra Leone, other conflicts have demonstrated an enduring nature, such as the one in Guinea.

Among the arsenal of tools employed, whether traditional or freshly minted for the occasion (such as individual sanctions, embargoes, arrest of leaders, teams to provide support to governments, etc.), the most typical is the DDR process. The disarmament of combatants has usually succeeded, but it is estimated that only 10 percent of weapons have been removed from circulation as a result. Demobilization of combatants has been largely effective in the short term, but it has become clear that these combatants remain in contact for long periods of time through the networks of their former armed groups. And there is virtually no case of the successful permanent reintegration of significant numbers of combatants, because of the absence of the stability that rapid economic development would provide.

A MIXED PICTURE FOR MARITIME SECURITY

Insecurity on land claimed millions of lives in West and Central Africa during the last decade, when only a few deaths each year resulted from insecurity at sea in the Gulf of Guinea. But these mostly non-African victims (often Westerners) put the international maritime trade at risk—particularly the flow of oil and gas to the US and China. Piracy then

became a global problem capturing international attention.

The Struggle Against Maritime and Riverine Threats

There are two main elements in the efforts aimed at countering maritime insecurity in the Gulf of Guinea: on the one hand, the security of ports and anchorages and, on the other, the protection of offshore oil installations and the maritime traffic that supports them—especially in the Niger Delta. (A third aspect, unduly neglected at the moment because less likely to provoke a crisis, concerns fishing zones, which deserve more attention than the countries of the Gulf of Guinea currently devote to them.)

The security of ports and anchorages in the Gulf of Guinea has been the target of a number of measures taken after the terrorist attacks of September 11, 2001, as part of the global International Ship and Port Security Initiative.¹⁶ The major ports of the Gulf claim to have put these measures in place, but most of them have not brought their legislation up to date.¹⁷

Some of the most serious acts of violence in this context are committed against installations and personnel of oil companies in the Niger Delta. Measures taken by these companies and by the governments of the Delta states have led to a great reduction in these attacks. Those few attacks that are successful are difficult to avoid, given the protection that the Delta's creeks afford to the fighters and the political protection they enjoy from certain locals in positions of authority.

In the Niger Delta in particular, maritime insecurity is essentially a continuation of widespread insecurity on land, and it has resisted the military response undertaken by the Nigerian government in the context of its Operation Restore Hope. In practice, the associated Nigerian military units are made up of soldiers who often find themselves disoriented in this amphibious context and who are ill equipped for conventional combat, on land or water, with assets that are particularly unsuited to asymmetric riverine warfare.

Since 2006, the Nigerian federal authority had

¹⁶ See the International Ship and Port Security Code, adopted on December 12, 2002, as part of Resolution No. 2 of the Conference of States Parties to the 1974 SOLAS Convention.

¹⁷ See particularly Alf Brodin, "Shipping and the Port Sector in Sub-Sahara Africa," Swedish Maritime Administration, January 2010.

been convinced of the need to find a political solution to the problems in the Niger Delta and promoted the election of an Ijaw (one ethnic group of the Delta) as vice-president of the federation, and then as president.¹⁸ It attempted a policy of amnesty, as well as an increase of the oil resources “diverted” to the Delta states. Together with the most recent results of the military operation, rebranded as Pulo Shield in 2012, this new policy appears to be delivering better outcomes, although this remains to be confirmed.

Nascent Multilateral Cooperation: After the Yaoundé Summit

Everywhere along the Gulf of Guinea, insecurity at sea has roots in poverty, development inequalities, and insecurity of food and livelihoods on land. And everywhere it requires solutions based on better governance and improved development. However, this did not seem to be the approach favored by Gulf of Guinea states at the Yaoundé summit on Maritime Safety and Security in the Gulf of Guinea in 2013, which placed emphasis on prevention, and even repression, at sea.

Heads of state and government of ECOWAS, ECCAS, and the GGC gathered on June 24 and 25, 2013, in Yaoundé, Cameroon, to adopt strategic documents in response to illicit and illegal activities in the Gulf of Guinea. The presidents of thirteen countries¹⁹ and eleven vice-presidents or ministers from other countries in the region²⁰ attended the meeting, as well as representatives from ECOWAS, ECCAS, the GGC, and the UN.²¹

The African Union’s commissioner for economic affairs stressed the complexity and interconnectivity of maritime safety and security issues—a situation that requires the design of “smart comprehensive and integrated strategies, like the 2050 AIM Strategy.” The representative from the International Maritime Organization also praised the AU’s 2050 AIM Strategy, appealing to African states to translate it into reality as Africa’s development depends on the promotion of its maritime industry and “blue” economic growth. It was pointed out that the development of the

African maritime domain is now considered as a high priority on Africa’s agenda, especially within the framework of the 2050 AIM Strategy.

The summit decided on the creation of an inter-regional coordination center on maritime safety and security for Central and West Africa, headquartered in Yaoundé, and the adoption of a code of conduct on the prevention and repression of acts of piracy, armed robbery against vessels, and illicit activities in the West and Central African maritime domain. It pressed each regional organization and the Gulf of Guinea Commission to “elaborate and adopt a regional strategy in line with the 2050 AIM Strategy.”²²

As a follow-up to this summit, states and organizations in the subregion and beyond launched several specific actions. A draft version of the ECOWAS Integrated Maritime Strategy (EIMS) is due to be agreed by the heads of state in 2014. ECOWAS, ECCAS, and the GGC are working to set up an inter-regional working group to implement the summit outcomes and determine the role and structure of a regional coordination center on maritime safety and security in Douala, Cameroon. Benin, Togo, and Nigeria have signed a “Zone E” Patrol Agreement under the EIMS. The African Union adopted its African Integrated Maritime Security Strategy (2050 AIM Strategy) in January 2014. Individual countries in the Gulf have also begun to increase resources and develop strategies in partnership to address organized crime both offshore and on land, such as the joint patrols (Operation Prosperity) by Nigeria and Benin.

At the international level, the IMO is conducting table-top exercises aimed at promoting the development of national maritime security committees pursuant to the Yaoundé Code of Conduct. EU member states and many other actors, including the USA, have increased their support by implementing or reinforcing bilateral and regional programs. Their support is already substantial, notably with regard to capacity building of key institutions and services.

18 Elected vice-president in 2007, Goodluck Jonathan served as acting president in 2010 and was then elected president in 2011.

19 Cameroon, Côte d’Ivoire, Benin, Burkina Faso, Congo, Chad, Gabon, Guinea-Bissau, Equatorial Guinea, Niger, Nigeria, São Tomé and Príncipe, and Togo.

20 Angola, Burundi, Cape Verde, the Democratic Republic of the Congo, Gambia, Ghana, Guinea, Liberia, Mali, Senegal, and Sierra Leone.

21 Observers from Belgium, Brazil, China, France, Germany, Japan, Russia, Spain, the United Kingdom, and the United States were also present, as well as from the European Union, the IMO, the Maritime Organisation for West and Central Africa, Africom, and the Africa Center for Strategic Studies.

22 Article 2.4.a. of the Yaoundé Declaration, 2013.

Conclusion

It will take time for lasting stability in the Gulf of Guinea to come about, and then only if we can count on African solutions.

The priority should be the establishment of a subregional security sector that is effective and economical, free from distinctions between internal and external forces, clear of obstacles erected by regional boundaries, especially along the coast. Each national security system should be organized to cooperate with its counterparts in neighboring countries and with the justice system of its own country. Its most important mission will be the pursuit of the disarmament and demobilization of combatants, and preventing the establishment of criminal networks, particularly those linked to the movement of arms and armed groups along the coast and in the Sahel.

The national and subregional security sectors should also bear significant responsibility for supporting the preparation and conduct of legitimate electoral processes, and the implementation of their results. This is a precondition for avoiding a relapse into disorder. After all, it is partly through this legitimacy that the state can maintain control of the security sector, alongside an active executive that is balanced by an independent judiciary with legal powers to oversee the security forces (on land and at sea), and a legislature that acts as a guardian of minority rights.

Finally, lasting stability in the Gulf of Guinea also depends on robust economic and social development, as much to finance the security forces as to allow an equitable distribution of wealth in society that can address legitimate grievances. In a region overflowing with a wealth of natural resources—from agriculture to oil—it is not acceptable to base this development on international aid, which has made funds available for misappropriation by criminals and from which many communities have seen no benefit. On the other hand, the “bottom up” construction of a society capable of creating value and enabling socioeconomic mobility will limit criminal activity and constitutes the best strategy for the prevention of crises. This is particularly true in terms of discouraging youth from basing their future on crime, whether on land or at sea.

Recommendations

There have been many studies of threats to the security of West and Central Africa, and to the Gulf of Guinea in particular, and many proposals for tackling them. The best of these ideas have been taken up by ECOWAS in its conflict prevention and resolution mechanisms, and some have also been taken up by ECCAS. More recently, the African Union initiated cooperation with ECCAS and the GGC.

Consequently, the recommendations made here are limited to those that are essential to avoid worst-case scenarios, prevent the situation from deteriorating further, and facilitate the provision of widespread and lasting security. They have been arranged in three loose categories: (1) suggestions for bolstering the foundations of security in the Gulf of Guinea, (2) recommendations for strengthening legal and judicial checks and balances for the security sector, and (3) steps for enhancing transnational cooperation to ensure security throughout the subregion.

FOUNDATIONS FOR SECURITY

1. Favor African solutions

Stopping conflicts as soon as they start is a duty of the whole of the international community. But it should not result in destabilizing interference. Creating conditions of lasting human security is a long-term task that can only find its origin in the subregion itself, supported by the rest of the continent where possible. As such, all relevant actors should consider the following recommendations:

- Look for African solutions in the areas of security strategy, legal frameworks, and security policy, rather than trying to apply solutions from the West. Take African traditions in the use of force into account, especially regarding the drafting of combatants and conflict management.
- Pursue the construction of integrated West African and Central African security sectors through a system of political and economic cooperation that reconciles supranationality, mutual assistance, and non-interference.
- Pursue the creation or reinforcement of ad hoc structures across subregions in the Gulf of Guinea and Sahel, enabling seamless cooperation

on security issues.

- Pursue the search for a balancing of relations between the subregions and Western and Asian powers, reconciling solidarity, non-interference, and cooperation.

2. Reform and integrate national security sectors

Those working on security sector reform should keep in mind that the distinction between defense and security does not apply to the Gulf of Guinea (if it applies anywhere), and this is one reason why the security sector is too costly and badly adapted to its context. National security sectors that integrate defense and security activities on land and at sea are most likely to succeed.

- Each country should adopt an integrated security system, some units of which may have a military status (particularly those with intervention missions), and which would be organized into four component parts:
 - A frontier control component directly coordinated with that of neighboring countries and including efficient coast and riverine guards.
 - An intelligence component covering the entire national territory. This should be trustworthy, organized to provide information to the executive and to assist the judiciary, and conceived for the fair exchange of information with neighboring countries, either directly or through ECOWAS and ECCAS.
 - A component responsible for maintaining the state's monopoly on the use of force. This should be a robust but economical force, deployed across the entire territory (including territorial waters), respectful of human rights, under the control of the state, but also capable of acting on demand as an agent of the justice system—to provide it with information or to execute judgments.
 - A rapid and precise intervention capability that can act domestically and abroad (with the appropriate authorization), with provisions for accountability to parliament.
- Security sector reform actors²³ should keep in mind the need to limit the freedom of the security sector to regulate itself. They should work to define the status of the military, describing rights and duties corresponding to the real needs of the country.

These recommendations are not limited only to ground forces. Air power should also contribute to the control of frontiers, to intelligence (through aerial surveillance), and to an intervention capability (through helicopters). Sea power should also contribute to the security of territorial waters, the Exclusive Economic Zone, and offshore islands. Given their cost, the use of both sea and air power will require a significant effort to share resources at the subregional level or higher (see below).

3. Foster a culture of respect for citizens and state

As is well understood among multilateral organizations in West Africa, the importance of training security sector personnel in human rights and in the proportionate use of force cannot be understated. The following suggestions could help to foster respect for the state among personnel and help them to earn the confidence of citizens.

- State reconstruction actors²⁴ should grant security sector personnel a legal, financial, and social status that incentivizes their service of the state and of their fellow citizens. This should include clear opportunities for career advancement and reasonable expectations of job security. Such a status should in turn be conditional on strict respect for citizens and the state.
- States in the region should make a habit of organizing public events that bring together security forces, state officials, local politicians, civil society groups, and local people to improve their confidence in each other.
- Gulf of Guinea states should also facilitate media access to security organizations, installations, and vessels to foster accountability as well as trust.

23 Security sector reform actors may refer to the political, military, and police staff of the country in question as well as those working in UN agencies, the African Union, subregional organizations, specialized NGOs and think tanks, the European Union, and bilateral aid agencies.

24 State reconstruction actors may refer to the political staff, judges, and elite of the country under reconstruction, as well as those working in UN agencies, the African Union, subregional organizations, specialized NGOs and think tanks, the European Union, and bilateral aid agencies.

LEGAL AND JUDICIAL CHECKS AND BALANCES

1. Strengthen legal safeguards within the security system

The security sector and its personnel should be obliged to obey the law. Unfortunately, in the Gulf of Guinea, this is not always the case. This is partly the failure of individual leadership and partly a failure of the system. In light of the nature of the threats they face, the security systems of the Gulf countries should prioritize bringing malefactors before national or, if necessary, international courts.

- Security sector reform actors should seek to ensure that the leadership and officers throughout the security system receive a solid grounding in law, especially in the responsibilities of the commanders and navy captains in criminal procedure, on land and at sea.
- Each component of the security sector should be organized to provide information to the justice sector, to hand over malefactors to it, and to bring before the courts solid evidence of offences committed.
- The judicial system should deploy officers qualified to manage criminal procedure in every component of the security sector, on land and at sea. This goal should be supported by all those working to support the reconstruction of the state.
- When a country sends elements of its security sector to intervene elsewhere in the subregion, as part of an international land or sea mission, they should be accompanied by officers who are accredited by the justice system of the host country, by the subregion, or if necessary by the AU.

2. Enhance legislative oversight

In general, the legislature's oversight of the executive aims to guarantee fairness in the application of the law for every citizen. This is especially relevant to the security sector. With this in mind, Gulf of Guinea states and state reconstruction actors should consider the following recommendations:

- Submit security and defense budgets to parliamentary scrutiny, both when they are formulated, and also at the reporting stage.
- Give parliamentary committees the means to

collect information relating to security, especially on the ground, and without placing unjustified obstacles of secrecy in their way.

- Establish intercommittee activities, bringing together the parliamentary committees responsible for security and the budget, respectively.
- Organize parliamentary scrutiny of the security sector with a view to protecting minorities, especially by ensuring that different parts of the opposition are able to participate.
- Grant the ECOWAS and ECCAS parliaments oversight of subregional security questions. This oversight should be mandatory, even if the parliament's views are not binding.
- Ensure that the provisions of the Arms Trade Treaty are included in national laws and in the laws of ECOWAS and ECCAS.

3. Ensure Judicial Oversight

Judicial oversight of the security sector is similarly essential. The personnel of the security sector should not be able to benefit from their capacity to use force, nor from their role as auxiliaries to justice, to violate the rights of citizens or to defy the state. As such, states in the Gulf of Guinea and state reconstruction actors should consider the following recommendations:

- Ensure that national criminal codes contain provisions, which can be enforced by the civil legal system, to specifically investigate and punish major crimes committed by security sector personnel in the course of their duties, or when they make use of statutory powers and immunities.
- When such major crimes occur, ensure that investigators have specialized knowledge to inquire into infractions committed by members of the security sector and to present their conclusions to the prosecuting authority.
- Ensure the unqualified adherence to international norms and standards for the behavior of the security forces and for the investigation and punishment of alleged violations of these norms.
- Ensure that states' domestic criminal law reflects these norms, to allow for trials in national courts of individuals who have committed crimes defined by the Rome Statute of the International Criminal Court.

- Ensure that maritime security divisions are able to collect, protect, and provide evidence of piracy and other crimes at sea, sufficient to bring the case to criminal courts.

TRANSNATIONAL COOPERATION

1. Strengthen the subregional security system

Subregional organizations in the Gulf of Guinea are well aware that their member states lack sufficient capacity to ensure their security alone and that it is the security of the subregion as a whole that needs to be guaranteed. ECOWAS is leading the world in the conception and implementation of a regional security apparatus. And ECOMOG, now a Standby Brigade, demonstrates West Africa's early recognition of the need to have collective security assets that can be employed temporarily in the service of a country in difficulty. Yet subregional security initiatives still bear too many imprints from Western models, which is leading to a system that is likely to be technically ill-adapted and unnecessarily expensive. Against this backdrop, the following recommendations suggest ways to bolster cooperation efficiently and effectively for greater security in the region as a whole.

- While each national security sector should retain its own identity, states in the Gulf of Guinea should make their individual security sectors interoperable with those of other countries in the subregion, especially neighboring countries.
- ECOWAS should continue with the conception and implementation of security sector reform that it has already begun, and ECCAS should extend this kind of reform to its organization.
- ECOWAS and ECCAS should take steps to set up a system to coordinate regional security, with exchanges of personnel and mutual assistance between security systems.
- ECOWAS and ECCAS should also develop their cooperation with international security organizations, especially the UN Department of Peacekeeping Operations, the AU Peace and Security Council, the UN Office on Drugs and Crime, and the Gulf of Guinea Commission.
- To save costs and ensure effectiveness, ECOWAS and ECCAS should develop systems for joint procurement, maintenance, operational planning, and deployment of the following types of equipment:

- armed helicopters, tactical transport helicopters, and units able to operate them, according to a common policy defined by the subregional organizations;
- aerial surveillance platforms (both drones and manned aircraft) and their operators, including maritime surveillance assets, according to a common policy defined by the subregional organizations and/or GGC.

2. Pursue disarmament and prevent transnational organized crime

In the Gulf of Guinea, as elsewhere at the end of a crisis, disarmament has only partly taken place, demobilization has been superficial, and the reintegration of combatants is taking place only as they themselves get older. This situation presents the risk of a relapse into conflict. It can also lead to the conversion of networks of armed actors that arose in times of crisis into organized crime networks. It is these criminal networks that are likely to be the driving force behind significant deteriorations in the security situation, and the security sectors of the states of the Gulf need to work together to prevent these networks from further expanding and cooperating with each other.

- In application of the ECOWAS Convention on the Proliferation of Light Weapons, DDR actors should track down the arms that are still in circulation, seize them or buy them back, and destroy them publicly.
- As part of subregional cooperation, DDR actors and African states should track down networks which have managed to survive demobilization clandestinely, break them up, and prevent them turning to criminality or returning to armed struggle.
- At the international level, and with the involvement of UNODC and the GGC, African states should monitor and prevent the movement of arms and fighters along the Gulf coast—drug smuggling and illegal immigration from south to north and arms smuggling from north to south.

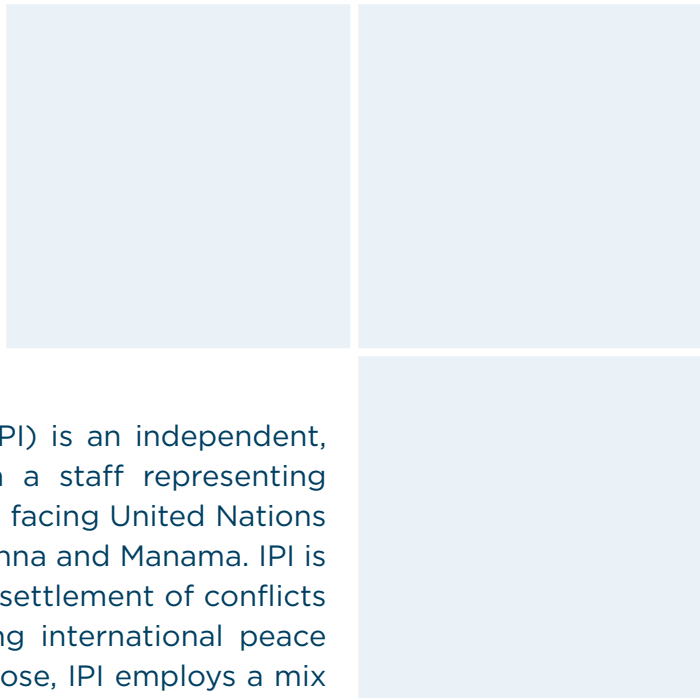
3. Cooperate at sea as well as on land

In general, there are three types of maritime threats. All require expensive efforts to counter them, though these are different in each case.

- With the help of the International Maritime Organization and the Maritime Organisation for

West and Central Africa, states in the Gulf of Guinea should make efforts to translate the provisions of the International Ship and Port Security Code into national laws and apply them in a manner free from corruption in the ports and waters off the Gulf.

- Gulf of Guinea states should implement the Yaoundé code of conduct in the regulation, planning process, and doctrine of the maritime units of all the countries bordering the Gulf.
- In line with the Yaoundé code of conduct, ECOWAS, ECCAS, and the GGC should consider developing air and maritime patrol assets to protect the Exclusive Economic Zones of member countries.
- Gulf of Guinea states, ECOWAS, ECCAS, and/or the GGC should consider establishing specific riverine combat units, with the intention of using them for national and multinational operations.



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777 United Nations Plaza
New York, NY 10017-3521
USA

TEL +1-212-687-4300
FAX +1-212-983-8246

Freyung 3
1010 Vienna
Austria

TEL +43-1-533-8881
FAX +43-1-533-881-11

51-52 Harbour House
Bahrain Financial Harbour
P.O. Box 1467
Manama, Bahrain
TEL +973-1721-1344