



João Paulo Borges Coelho

African Approaches To Maritime Security:

SOUTHERN AFRICA

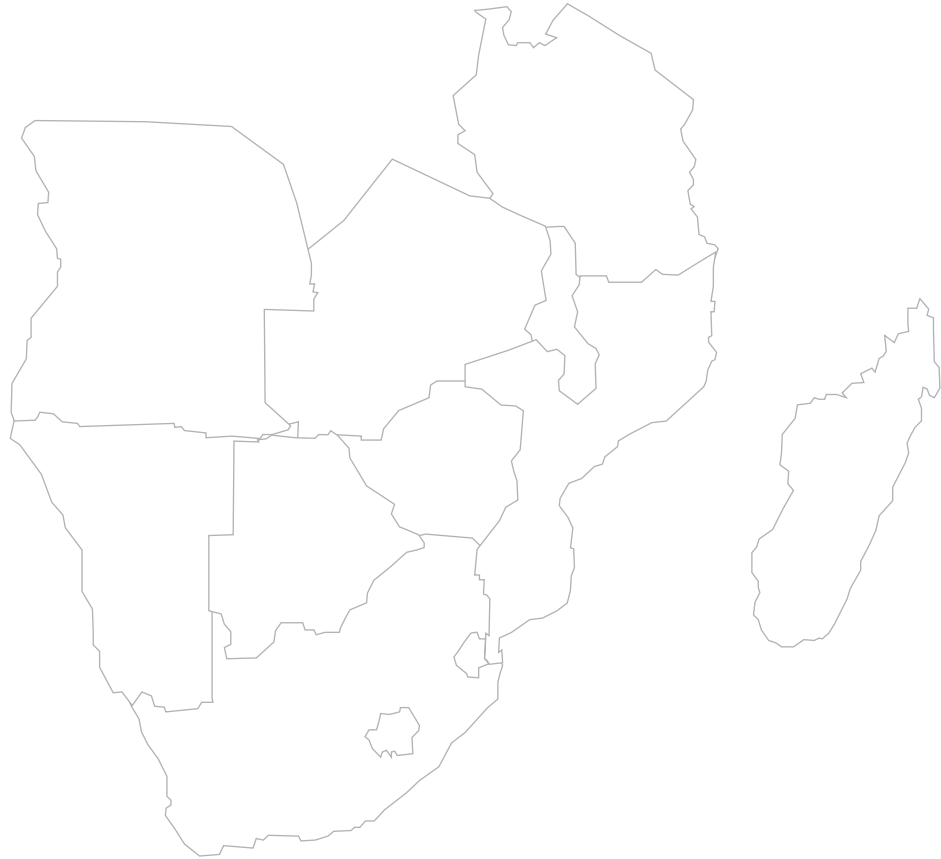
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Introduction

The sea has always been stranger than land, an unexplored area where a permanent human presence and the demarcation of boundaries seemed impossible. For a long time, the politics of measuring such boundaries had as a yardstick the reach of the cannonball and the rule of the *mare liberum* formulated in the early 17th century by Grotius's declaration that the sea should be used by all and would not belong to anyone. Hence the perspective, which to a great extent still exists today, of the sea as a common space that everyone could benefit from and has the duty to preserve.

Being a space to cross, not to stay, its main importance besides fishing came gradually to lie in its communication routes, currently referred to as sea lines of communication (SLOCs). In other words, the sea existed to be traversed, while land was there to be occupied and has been the object of notions of power and sovereignty. It was on land that the States established their foundations, and hence the surprise of Carl Schmitt that the figure chosen to designate the State power was Leviathan, an aquatic monster. Since the colonisation of the Southern worlds, Southern America and Africa in particular, was about occupation and exploitation of continental resources, and the sea was important only as a route for transferring wealth to colonial headquarters, the maritime dimension of colonial sovereignty was never a serious issue.

This way of looking at the sea started to change in the aftermath of the World War Two, when the political division of the world was generally completed and the "territorial" dimension of the sea started to gain importance, particularly through the growing fishing industry and the exploration of sub-aquatic soils. In 1945, President Harry Truman announced the right of the United States over the continental shelf,

and in 1958 the first United Nations Convention on the Law of the Sea (UNCLOS) was signed, introducing concepts such as territorial sea, contiguous zone, and continental shelf. Later on, in 1982, the third UNCLOS established a more precise way of demarcating and measuring aquatic areas and introduced the concept of the Exclusive Economic Zone (EEZ), an area extended 200 nautical miles from the edge of the territorial sea, where nations could claim exclusive exploitation rights over all natural resources.

However, post-colonial Africa remained beyond these issues for most of the second half of the 20th century, busy as it was with settling disputes and consolidating political borders in the hinterland, and deprived of the means to integrate the sea into its national economies. This trend was reinforced throughout the 1990s by structural adjustment programmes (SAPs) imposed to rescue African economies, which in the course of dealing with shrinking states and rendering economies accountable and competitive never paid significant attention to the maritime dimension. Moreover, the impact of the sea on other spheres of activity besides fisheries, commerce and transport was not seen then very clearly.

This sounds like a bad irony if we consider that African coastal political entities historically participated in world trade by operating an interface between the sea and the hinterland, feeding the former with goods to be exported, slaves in particular. It was unfortunate that Africa continued to look at the sea from a distance while a revolution was taking place in the 1980s with the containerisation of maritime cargoes, which revived the competitiveness and importance of sea transportation, particularly in view of the fact that the continent is surrounded by some of the main international maritime routes and that almost 90 per cent of its commerce is transported by sea. It was also unfortunate

that this happened while foreign industrial fishing trawlers were exhausting the main source of protein of African populations. For too long, African countries disguised this non-existent relationship by being present at the signing ceremonies of the main international conventions related with the sea. Until very recently, the sea has also been practically absent from African studies.

In the meantime, the sea was not seen as a place in need of security considerations, provided that good order prevailed. The International Maritime Organisation (IMO), while paying attention to the safety of life at sea (the Safety of Life at Sea, or SOLAS, Convention was signed in 1974), barely mentioned security issues until 1988, when the Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation (the SUA Convention) came into force in response to the 1985 hijacking of the cruise ship *Achille Lauro* (Rahman 2009: 40ff).

Following 9/11, the situation changed entirely as the sea became an insecure place and the bridge between safety and security at sea was established in several ways. Terrorist threats could assume any form and come from everywhere, including the sea. The attacks on the *USS Cole* and the French tanker *Limburg* in 2000 and 2002, respectively, and on oil platforms off the coast of Iraq in 2004 accentuated the new trend. Oil tankers and international cargo ships were now at risk, as were harbours. Suddenly the situation was reversed and coastal countries were forced to look at the sea, instead of the hinterland, as the direction from where threats could come. New measures were adopted, most notably the 2004 International Ship and Port Facility Security (ISPS) Code.

In the process, maritime security was no longer linked exclusively to geo-strategy and naval attacks, but began to follow the transformation of security in general, now covering diverse fields related to the

functioning of societies, their economies and their relations with the sea, including fisheries, the environment and health, and aimed at safeguarding them against a wide range of threats and criminal activities such as illegal, unreported and unregulated fishing (IUU), smuggling, human trafficking, trafficking in narcotics and weapons, terrorism, and of course piracy.

In Africa, after a slow climb up the security agenda, maritime security is becoming a central issue, particularly in the context of the 2050 Maritime Security Strategy. The reason or rather reasons are complex and intertwined, ranging from overfishing and other environmental threats on both the western and eastern coasts, through piracy, to deep coastal transformation in the wake of mining and energy resources exploration, amid growing evidence of a close relationship between inshore and offshore activities and control. In any case, there is now a growing awareness that neglecting the sea can lead to a loss of economic opportunities and even to serious economic threats.

The Brenthurst Foundation (2010: 10) defines maritime security from an African perspective as 'anything that creates, sustains or improves the secure use of Africa's waterways and the infrastructure that supports these waterways'. Whatever the particular issue at hand, most threats emerging from the sea – due to their magnitude, the fact that they are so closely intertwined, and the fact that they produce such a diversity of impacts – demand co-operatively framed responses. This applies to the global, continental, regional and even national levels, where issues of maritime security should no longer be left to the military, but dealt with by the full spectrum of social stakeholders.

The Context of Threats

Given that boundaries on water are in many instances almost impossible to establish, maritime threats resist being isolated and circumscribed. On the contrary, they tend to reinforce each other. One thing seems clear, however: a maritime security threat in its hardest terms, e.g. a direct naval attack against the region or one of its member-States is a very remote possibility. Notwithstanding, most of the threats to the African coasts referred to at the start, both structural and circumstantial, are present in Southern Africa, and according to all signs even worsening. If not properly addressed, some could develop into inter-state conflict and hard maritime security threats, while others could jeopardize the economies, environment and public health of the societies and countries in the region.

Currently, piracy and armed robbery are regarded as the main maritime security threats to Southern Africa. Originated further North, they have spread southwards over the past few years to reach the waters of Southern Africa off both its East and West coasts.

Somalia

To the East, piracy off the coast of Somalia and the Gulf of Aden was reinvigorated between 2008 and 2011, fed initially by attacks on aid carried to Somalia in vessels of the World Food Programme. The pattern was to hijack the ships and keep crews and passengers as hostages against the payment of large ransoms. These activities were so successful that in the following year the number of hijacks and ransom amounts paid multiplied tenfold.

In October 2008, seeking to secure a SLOC which carries one third of the crude oil traded

internationally, and to combat the pirates, the UN Security Council adopted resolutions 1838 and 1851, calling on nations with vessels in the region to apply military force. At the same time, the European Union decided to deploy operation NAVFOR Atalanta, a maritime mission which had the objective of protecting maritime traffic in the region as well as improving humanitarian assistance in Somalia. The EU operation was added to NATO's Operation Ocean Shield and to Task Force 151 (a coalition of maritime forces led by the US) to constitute a true armada which has been stationed permanently in the area for the past five years.

Due to a range of factors, including the fact that ships began to avoid Somalia, a greater awareness of the risk of piracy and the presence of the international naval force, the pirates – now using “mother-ships” to support their skiffs – extended their operations to the Arabian Sea, the Gulf of Oman, the west coasts of India and the Maldives, as well as to the coasts of Kenya, Tanzania, Seychelles, Mozambique and Madagascar, further South, well inside the Mozambique Channel, where surveillance was much softer and the risks far less. In November 2008, the super tanker Sirius Star was hijacked 450 miles to the South-east of the Kenyan port of Mombasa. In late 2010, attacks by pirates were reported off the coast of the Mozambique-Tanzania border and further South, off the city of Beira, where a fishing vessel, the Vega 5, was taken by Somali pirates, raising the alarm in the Southern African region.

However, since 2012, the number of attacks has been steadily decreasing. According to figures of the International Maritime Bureau (IMB) the drop corresponded to 75 attacks in 2012, compared with the 237 in 2011, and virtually none in 2013, at least until August. This is due to a series of factors, starting with

military deterrence through the flooding of the region with war vessels integrated in the three main efforts of NATO's Operation Ocean Shield, European Union's Operation Atalanta and Task Force 151, and also other forces later deployed in the area, from China, Japan, etc.

The second factor is that now ships are aware and take several security measures. These include cruising at high speeds, and self-protection measures such as water cannons, barbed wire and security guards, which according to estimates are being applied by nearly 70% of the ships cruising the West Indian Ocean, costing between 1.15 and 1.53 billion US\$ to the shipping companies. As a result, not one single self-protected merchant vessel was hijacked successfully. A direct consequence has been the emergence of a new important business, the Private Maritime Security Companies (PMSCs), which range from big sized like Control Risks or G4S, to medium or small ones. They all tend to hire former military or police personnel.

A third factor usually acknowledged behind piracy decline would be the improvement of the political and security situation in Somalia under President Abdirahman Omar Osman. Some of the main pirate groups, like the Coastal Guard of Garaad Mohamed in Kismayo, the Marka group of Sheik Yusuf Mohamed Siad, and the Puntland group, drastically reduced their activities. And one of the most important, the Somali Marines headed by Mohamed Abdi Hassan (also known as Afweyne, or Big Mouth), suffered a major blow with the announcement of Afweyne's "retirement" early this year, and his posterior arrest in Brussels a few weeks ago. Also related with inland transformation is the Kenya military intervention in South Somalia from 2011, which led to the loss of important land bases by the pirates.

A fourth factor would be the change in the business model represented by piracy, an

argument that somewhat contradicts the previous in the sense that it would be the survival of piracy in a different form, and not really its reduction. According to this argument, Somali pirate gangs have moved to provide armed protection to boats illegally fishing in Somali waters. They are also trafficking people, drugs and arms. According to one source, citing a UN Monitoring Group report, up to 180 illegal Iranian and 300 illegal Yemeni vessels are fishing in Puntland waters, as well as a small number of Chinese, Taiwanese, Korean and European-owned vessels, according to estimates by officials in the northern Somali region of Puntland. Fishermen in Puntland have confirmed that the private security teams on board of such vessels are normally provided from pools of demobilized Somali pirates and coordinated by a ring of pirate leaders and associated businessmen operating in Puntland, Somaliland, the United Arab Emirates (UAE), Oman, Yemen and Iran.

Finally, there is also the argument related with geography and the climate, according to which piracy has reduced and is even dormant because of the Monsoon period, which between May and September is characterised by rough seas which prevent piracy activities. According to this reasoning, after this period piracy should be climbing again.

Gulf of Guinea

Like in a system of connecting vessels, while Somali piracy is decreasing piracy and armed robbery are now consistently increasing on the West coast of the continent. According to the IMB, 2012 witnessed a total of 58 attacks in this area, compared to 49 in 2011. In the current year, still far from the end, the number is already much higher.

In fact, piracy and armed robbery occur significantly in West Africa since the 1990s.

They started in the Niger Delta where the exploration of oil brought serious environmental degradation, pronounced community impoverishment and a very active insurgency, particularly between 2006 and 2009. In this context, the “disorder that surrounds the oil industry” grew and became entrenched. Oil was siphoned off directly from pipelines, domestically refined and diverted to the black market in great quantities; oil companies were forced to pay protection fees to groups to avoid kidnappings and ransoms; smuggling of subsidised fuel to markets across the Nigerian borders became common (UNODC 2013: 45). According to the Crisis Group (2012: 6):

While some stolen crude is refined illegally in Nigeria, most is exported. Once at sea the oil may be traded and transferred to other tankers before being taken to other West African countries where there are refineries – Ghana, Cameroon and Côte d’Ivoire in particular – and other destinations around the world, including India, the Far East and the countries of the former Soviet Union. Profits from exporting oil illegally are used by criminal gangs to launch pirate attacks on other vessels.

From around 2010, the unrest decisively moved to the sea, with aggressive speedboat operations against harboured tankers and offshore oil wells. It also began to spread, reaching as far as Guinea Conakry in the north and the Angolan province of Cabinda and the coast of the Democratic Republic of Congo in the south, particularly during the past few years. The local and global impact of this instability is enormous. Countries such as Benin were seriously affected; in 2011, activities in the port of Cotonou, which handles 90 percent of Benin’s external trade, were reduced by 70 percent (UN SC S/2012/45: 4-5). In Nigeria the costs of piracy amount to more than 5 percent of daily oil production. The impact is

felt well beyond the region, since it supplies 40 and 29 per cent respectively of the oil used by the European Union and the United States (Chatham House 2012).

For a long time, the response to this situation has been weak, due to the complexity of the threat, the absence of political will, the lack of a maritime perspective, and poor funding and resources. With interests in the region, France has developed some level of response through Operation Corymbe, a permanent naval presence in the region since 1990. While also aimed at fighting piracy and armed robbery at sea, its main focus is to rescue French and European expatriates and support French military forces active in the region.

A co-ordinated local response only began to develop relatively recently, following an appeal by the Secretary-General of the United Nations, and involving the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC). Even if the West and Central African States have a longer history of marine engagement, and possess “better capacity to create and institutionalise integrated maritime strategies” (Walker 2012), the situation has not improved much, if at all.

Beyond Existing Piracies: the New Threats

In general terms, and despite the obvious differences, both the Somali and Gulf of Guinea piracy threats have important aspects in common. To name just a few more general ones, they render the SLOCs unsafe and provoke an increase in privately contracted armed security on vessels, with obvious security consequences for harbours and shores, not only in the relevant region but also in the

countries touched by these vessels. Piracy threats are also behind a steep rise in transport costs through more onerous insurance costs and less direct routes, among other factors, with an obvious impact on national, regional and international economies.

Besides the search for new prey, strong armed response at sea is regarded as the main reason why pirates on both coasts tended to move to less risky areas: in the case of Somalia, the presence of war vessels pushed the pirates further East and also South in the direction of the Mozambique Channel, while in the Gulf of Guinea "robust anti-piracy operations launched by Nigeria" have served to push them to more vulnerable countries (UN Security Council 2012), including Cabinda and the Congo off the coast of Pointe Noire. In any case, if left unchecked these two pirate clusters could help to isolate Southern Africa, with disastrous consequences.

Moreover, since pirates are not amphibious creatures, the root causes of piracy are not found at sea, but on land. In other words, the perspective that regarded piracy as a maritime event to be contained and repressed at sea is changing, and it is increasingly being acknowledged that piracy is driven by a powerful context of land-based poverty and political instability.

The root causes of Somali piracy have been debated for some time. A strong school of thought, which also emanates from Somalia, claims that overfishing by foreign industrial trawlers firms, together with the systematic dumping of toxic waste by unscrupulous foreign companies, led to the depletion of fish stocks in Somali waters, particularly following the end of the Siad Barre regime in 1991, forcing the Somali fishermen to turn to piracy as a means of survival. This trend was strengthened by a long period of political and

security instability and by the collapse of the State, together with the cyclic occurrence of severe famines. Allegedly unable to fish, coastal Somalis were attracted to piracy which, according to Vines (2012: 3), allowed "the potential of earning of up to \$6,000 for an armed pirate foot soldier taking part in a successful hijacking of a commercial vessel", in a country where the annual GDP per capita is about \$600.

Others – including Tesch (2011), citing an Atlantic Council study on global piracy – retort that Somalis, as nomad pastoralists, have never been fishermen, and that their piracy activities is a seawards extension of warlord predation on land. This argument is supported by research which shows that pirate sanctuaries are situated not in chaotic but rather in relatively well organised areas under warlord or Islamic fundamentalist control. In any case, and acknowledging this in- and offshore connection, international partners are now paying much closer attention to events ashore. The European Union is a good example, with its new EUCAP Nestor mission focusing on anti-piracy training and on regional capacity- building for the Horn of Africa and the Western Indian Ocean in general.

In the Gulf of Guinea, the offshore and onshore connection is even more evident. Apparently, it is the strong parallel market that provides buyers for diverted or stolen oil, in a system allegedly nurtured and supported by entrenched corruption in the political and security administration spheres, as well as in private sector. This has resulted in what is euphemistically described as a "lack of political will" to fight piracy. Largely unchecked and unaddressed, piracy has continued to expand to new areas, assume new forms, and search for new contents.

Another commonality between the Somali and

Gulf of Guinea cases is that piracy, despite its precise formal definition, is constantly seeking to expand its reach, assume new forms and establish new relations (ransom, oil, drugs, and so on). Even if it is not associated with other criminal activities such as drugs, arms, fake pharmaceuticals or human trafficking, the mere fact of creating instability and insecurity at sea favours their development. In Somalia, recent indications are that arms are being trafficked to al Shaabab in Puntland. As Vines (2012: 7) writes, “arguments that no strategic link exists between pirates and al Shaabab could become increasingly difficult to make as the two groups converge in the same space.” Piracy and fundamentalist terrorism could therefore probably be mutually reinforcing.

In West Africa, recent research shows how a general environment of illegality and corruption has not only allowed piracy to grow, but has also turned the region into a platform where cocaine transits from South America to Europe, methamphetamines are “exported” to East Asia, fraudulent medicines from Asia are introduced in the market, firearms are trafficked, and migrants are smuggled to Europe (UNODC 2013). Besides the need for tailored responses to each of these criminal threats, the fact that there is open space for them, makes disorder at sea a formidable threat, very complex and hard to address, particularly in an environment lacking the operational means, and where efforts to enforce the law and reduce corruption are timid.

These two “principles” considered to apply to both the Somali and Gulf of Guinea piracies – namely the in- and offshore connection, and the synergies with other criminal activities or spill-over effects – can help us look at Southern African maritime threats in a different way. Considering that a combination of factors created the inland conditions that fostered

piracy in those regions, it makes sense to argue that similar sorts of conditions in Southern Africa could create the same sort of effects – in other words, lead to local forms of piracy. This has profound implications for the current approach to maritime security which is largely based on securing the maritime borders of the region and facing piracy as an external threat.

Learning these lessons is perhaps the most important relationship that Southern Africa can establish with these two piracy plagues. This argument is not new, and has long been made by others who point to the vulnerability of long stretches of coast in Madagascar and Mozambique, for example. However, it has often been associated to a background reality of “weak states”, “failed states” and “ungoverned spaces” (Whelan 2005). Contrary to this line of analysis, which regards piracy as emerging from chaotic spaces, Amirell writes that:

The first necessary conditions for the emergence of piracy are so evident that risk going unnoticed. Without maritime traffic connected with commerce, fishing or other, piracy would not have opportunities to seize. And we must add the unequal economic opportunities linked to the acute expansion of the world maritime trade: the passage of loaded vessels close to coastal areas populated by poor communities often favoured the emergence of piracy. In Nigeria (and to a lesser extent in other West African states) opportunistic piracy emerged in the late 1970s associated with a sudden rise in maritime traffic provoked by a boom in oil exports together with a strong increase in imports of luxury goods and consumption in general.

Cabo Delgado, a northern Mozambican province on the border with Tanzania, seems a paradigmatic example of how inshore developments can establish direct links with

maritime security. The life in this once quiet north province has been increasingly disrupted by routes of refugees, clandestine migration, and human trafficking from Eastern and Central Africa. These human flows include a high percentage of Somalis, which either try to reach the South African El Dorado or stay behind in the area, becoming involved in clandestine mining and petty trade, or are sent to refugee camps by the authorities. Many of these routes are maritime ones, persisting from ancient times to carry out a coastal trade in the holds of dhows, resisting rules made by the modern State, and including all sorts of goods, legal and illegal, as well as people.

Referring to this situation in 2007, Sillinger (2007) wrote that the “meagre State capacity combined with the overwhelming socio-economic needs of the population” had left the province wide open, unprotected and unmonitored. He added:

The vulnerabilities are more readily apparent in incidents of drug trafficking, smuggling customs abuse, corruption and poorly monitored immigration. Customs officials described incidents in which Chinese tourists set up camps in the inland forests and engaged in illegal forest cutting and timber smuggling. Some within the growing Somali communities in the province, meanwhile, are allegedly engaged in illegal gemstone extraction. Corruption is high. Even prominent and long-established local businessmen admit to manipulating trade invoices. Understanding the extent of these practices is hard, however, because, as Tony Vaux et al indicate, a culture of impunity and the ready flow of aid encourage corruption and clientelism.

Since then, developments have been mixed. Promising megaprojects are being established in the region, with particular relevance to the greatly offshore, particularly at the mouth of the Rovuma River, on the border with

Tanzania, where similar developments are also taking place. On the other hand, news about drug trafficking, massive elephant poaching for ivory, as well as worrying increases in the illegal export of precious woods to the Far East, with the involvement of corrupt officials, are becoming commonplace. Moreover, poverty and food insecurity seem to be worsening, particularly among coastal communities, due to several factors that need to be better understood, including a crisis in artisanal fisheries as a result of decreases in fish stocks and a long-lasting asymmetric competition between artisanal fishermen and industrial fishing trawlers. More recently, this situation has been exacerbated by the operation of semi-industrial fishing boats frequently owned and run by Tanzanians, which not only increases competition closer to shore but creates resentment and xenophobia feelings among the communities of petty fishermen. Forced resettlement of communities is breeding growing resentment and signs of Islamic fundamentalist proselytization have been noted. At the same time, local elites are starting to demand a bigger share of revenues flowing from these new discoveries of natural resources which have been controlled by a political power based on the distant southern capital.

A sharp increase in maritime traffic in the Mozambique Channel, just off Cabo Delgado, has to be added to this picture. According to a recent study, in a few years from now the northern Mozambican ports of Beira and Nacala, plus perhaps Chinde and the Zambezi River Delta, will be exporting mining and energy products (coal, LNG, phosphates and other minerals) in the order of 79 million tons a year (Lopes 2013: 69, 126). Added to existing maritime traffic, this amounts to a scenario of increased traffic to the point where it challenges the imagination, and presents a new range of quantitative and qualitative challenges in terms of the safety and security

of ports and of navigation. This raises major concerns about maritime security, particularly if the root causes of Somalia piracy and events in the Gulf of Guinea have been correctly understood, namely that addressing the root causes of poverty is to a great extent the same as addressing the root causes of instability.

Another major factor associated with poverty and piracy along the coast is the depletion of fish stocks in African waters, which has allegedly forced local fishermen to change their way of life and engage in criminal activities at sea. While this explanation may be a bit too simplistic, and should ideally be further researched, in the sense that without organisation, resources and knowhow, perhaps such option would never be turned into concrete action, most pirates do come from local fishing communities which have, for environmental, political or “developmental” reasons, been deprived of their means of subsistence.

The relationship between piracy and fisheries is complex, and cannot be evaluated just in terms of impact on fish stocks. Even this impact is unclear, since the withdrawal of fishermen due to dwindling fish stocks can actually help to replenish them. As a recent World Bank report shows, the apparent decline of catches could be caused by the withdrawal of the fishing vessels from the most dangerous areas. Since the advent of Somali piracy in 2006, the tuna catch in the western Indian Ocean has dropped almost 30 per cent compared to the eastern part. However, some claim this is due to the repositioning of fishing fleets, which have moved to pirate-free areas. In fact, in the same period the number of fleets operating in the western part of the ocean dropped by 16 percent. At the same time, the average catch in the two parts of the Indian Ocean did not differ substantially (World Bank 2013: 58ff).

Certainly, there are a number of reasons for the decrease in fish stocks in African waters, including global warming and migration of species. However, the single most important cause seems to be the systematic, intense, long-lasting and largely unchecked activity of illegal, unreported and unregulated (IUU) fishing, generally (although not exclusively) developed by non-African fishing trawlers. With some notable exceptions, namely Mauritania, Namibia and South Africa, IUU fishing in sub-Saharan Africa has continued almost unchallenged for decades, since the targeted countries usually do not have efficient policies to counter IUU, and the means to enforce them, including patrolling capabilities. While difficult to estimate, the extent of IUU fishing is said to cost sub-Saharan Africa more than US\$ 1 billion dollars a year (Vogel 2011), in the form of pressures on fish stocks on the edge of the law (such as disrespect of closed fishing periods), fishing licenses and harbouring revenues, as well as unfair competition with local artisanal fisheries. Finally, the lack of maritime policies and means of policing in many African countries, and the tendency to rely solely on the licensing and taxation of fishing agents and vessels, also play significant roles.

Although unevenly distributed, IUU fishing has affected Southern African for a long time. Difficult to quantify (after all, it is an activity that tries to evade any form of control), IUU fishing causes damage which is more serious closer to the coast than in the offshore large pelagic sector, particularly due to the operation of large numbers of small fresh fish longliners and trawlers. Taking several forms, including unlicensed activities, changing the name of vessels when visiting the ports of the region, not keeping records, the transfer of catches at sea, and disrespect for catching seasons, etc., IUU fishing is more harmful to some species, which include on the Eastern

coast tuna, sharks and shrimp, species that are rapidly dwindling and even running the risk of disappearing. In the absence of clear fishing policies, IUU fishing, together with semi-industrial fishing, can have the added effect of generating virulent competition among artisanal fisheries in countries such as Angola, Mozambique and Tanzania.

Responses

The SADC Maritime Strategy

Following the hijacking of Vega 5 by Somali pirates in the Mozambique Channel, the SADC Troika asked the State Security Sub-Committee of the Inter-State Defence and Security Committee (ISDSC) to draft guidelines towards a regional action plan for combating piracy. Next, the Summit of Heads of State and Government held in Windhoek mandated the creation by the ISDSC of an assessment team to establish the extent of the threat. The team, comprising representatives of Zambia, South Africa, and Mozambique, assisted by the SADC Secretariat, produced a series of recommendations as well as a Draft Action Plan. On the basis of that plan, the Joint Defence and Security Committee and State Security Sub-Committee met in Pretoria, South Africa, to develop a SADC Maritime Security Strategy. The strategy was formally adopted by the summit of Heads of State held in Luanda, Angola, in August 2011, and is currently in force.

The strategy, which has not been entirely publicly released, cites the eradication of Somali piracy of Southern Africa as the first priority, securing the west coast of Southern Africa as second, and “securing Southern Africa’s vast rivers and lakes, such as the Congo River and Lake Tanganyika, which are vital to trade and development,” as the third. The

strategy consists of two main components: military deterrence and intelligence-gathering.

Military deterrence consists of the deployment of South African naval means to patrol the coast of Northern Mozambique and Southern Tanzania after an agreement signed among the three countries in the beginning of 2012. Since then, under Operation Copper, a South African naval vessel has been permanently stationed off the coast of Pemba in northern Mozambique, together with a maritime patrol aircraft and a maritime surveillance helicopter.

The second component is a “massive South African naval intelligence-driven operation” supported by Maritime Domain Centres (MDCs) to be run from strategic locations (Silvermine in Cape Town and the Bluff in Durban), coordinated by a multi-security agency centre in Snake Valley, Pretoria, and aimed at gathering and processing intelligence. The system includes “maritime intelligence-gathering hubs” in South Africa’s neighbouring countries up to Kenya on the East, and the Democratic Republic of Congo (DRC) on the West, involving “the use of local populations as intelligence gatherers” (Hosken 2012) to directly feed Pretoria with information.

The Nature and Limitations of the Strategy

Despite the scarcity of information, some initial remarks can be made about the shape and scope of this strategy beyond its merit of providing a barrier against the southwards progression of the Somali piracy. The first and most obvious is that SADC (Mozambique and Tanzania in particular) is benefiting from a strategy that has largely been designed, implemented and paid for by South Africa, which is to be expected since this country is the sole naval power in the region.

Therefore, it is not surprising – and it makes a lot of sense – that the strategy responds to and seems guided first and foremost by perceived South African interests. In geostrategic terms, these include the projection of a South Africa strengthened by its leadership role in a cohesive region, and using this status, as well as its pivotal placement between the South Atlantic and the Indian Oceans in concert with other southern emerging maritime powers, and in the context of IBSA and BRICS, to “jointly carve out a security niche within a changing world order”. Having inherited the profile of a conventional blue-water navy capable not only of guarding the Cape sea route and the southern sea but also the south western Indian ocean, as well as of performing bold roles in the African context, the South African Navy (SAN) seems a powerful vehicle to this end.

The military component of the strategy is therefore a high-profile off shore frigate-based operation that can be read in the old South African tradition of securing its own borders from a distance, through buffer zones, while providing strong justification for increases in its defence budgets, and particularly funding for the SAN.

The strategy seems to reflect South Africa’s general dilemma in respect of the region. On the one hand, it has grand geo-strategic motives and a self-appointed status as rescuer of the region that requires the support of a modern blue-water navy, despite what seem to be major problems in maintaining it. On the other hand, this option does not respond to domestic challenges in respect of drug and human trafficking, IUU fishing, environmental protection and rescuing and disaster response. Given this and other factors, there are indications that the strategy has to develop in a more flexible and participatory way. As former Minister of Defence, Lindiwe Sisulu, once said, “our frigates are too big to move

around the coast”, and there are renewed reports that South Africa could be looking for more flexible solutions, including the concept of a SADC Offshore Patrol Vessel (OPV), to be manufactured locally in the context of Project Biro. Moreover, there are signs of greater regional participation, referred to as ‘integrated means’, with Mozambique providing marines, South Africa providing submarines, Angola providing coastal patrol craft, and so on. Also, integrated exercises are being held more frequently.

Not enough information is available to fully assess the intelligence-gathering component of the strategy. However, reducing the interface with society to the establishment of “coastal hubs” meant to gather intelligence to be fed into a network ending up in Snake Valley in Pretoria is a disturbing idea. It is also not clear how local land-see connections are meant to be forged, or the intelligence-operational connection has been conceived.

At this stage, then, SADC’s maritime strategy appears to be an emergency response to an external threat that reached Southern African waters, a response that, despite being seemingly effective in the short term, reveals an unclear conception of maritime security, and a narrow approach to achieving it. At the same time, it seems highly centralised and inextricably linked to the South African context, a situation to which the weak or absent maritime security policies and means of the other member States, particularly the coastal ones, also contribute.

A little more than a year ago, the implementation of the strategy has revealed some serious limitations, notably the practical difficulties involved in maintaining such a force so far from its base, maintenance challenges, and the budgetary demands, which have already provoked political discomfort in the

South African parliament. Moreover, currently there is a sharp decrease in piracy attacks, as was mentioned above. And, even if some possibility remains that the situation could change, the fact is that a context was created of enormous disproportion between the allocated means and the level of piracy threat. On the other hand, the recent placement by Mozambique of an order to acquire twenty four fishing vessels plus six patrol boats in a deal of around 300 million euro, apparently taking the regional partners by surprise, is a further test on the cohesion of the region and of its maritime strategy.

The Need of New Responses

To traditional threats originated at the sea, like IUU fishing or piracy, new ones are being added, related with growing imbalances provoked by the recent gigantic activity of exploration of gas and mining resources, including the impoverishment of coastal communities and its multiple potential consequences, the threat to the environment, and so on. Some of the challenges have to do directly with securing the huge infrastructural investments related to these activities, which have been responded to with an increase in services provided by private maritime security companies (PMSCs). While PMSCs can justifiably claim to make the seas safer for their clients, they operate in a largely unregulated space, and under uncertain rules of engagement, which brings extra risks for maritime activity in general. While arguments could be found in favour of the economic rationality of privatising security, complementing the effort of authorities in securing ships, off-shore platforms and even fishing monitoring, it is undeniable that this brings sovereignty questions and has to be weighed against the risks of increased weapons and armed men in the sea and ports of the region.

These developments pose challenges that can only be responded if the current effort is reinvented as a true regional maritime security strategy. The way forward implies three fundamental steps towards achieving the paradigm of good order on the seas of the region. The first is to move beyond a purely security-based approach to a holistic one. The second is to gradually decentralise the effort by looking for a solution in which SADC member-States other than South Africa, particularly coastal ones, have bigger roles and responsibilities. The third, but not the least, is to seek the inclusion of non-security stakeholders, and the adoption of good practices.

This will require the adoption of a regionally shared concept of maritime security, one which – pegged on the SADC tradition of human security – acknowledges that maritime security is a component of a larger notion of maritime governance based on a holistic vision of the sea as an extension of the territory, capable of generating resources as well as threats. A concept that would guide all response to the complex web of interrelated maritime threats, existing and potential, and particularly those related to the deep transformation brought about by development corridors and new activities related to the exploitation and export of mineral and energy resources, which will profoundly affect traffic in the Mozambique Channel.

Of course the coherence of the strategy will depend on how important challenges not necessarily negative but that can condition the regional response will be faced. Amongst them we could cite the tension involved in the coexistence of two very distinct geo-strategic environments as the South Atlantic and the Indian Ocean; the asymmetry between South Africa and the other member-States; the tension between landlocked and

coastal states; overlapping memberships and networking; and last but not least concluding the boundary delimitation process particularly in the Mozambique Channel.

Conclusion

Southern Africa urgently needs a maritime strategy capable of securing good order on Southern African waters in the near and more distant future, bearing in mind its importance for the social and economic well-being of the region as well as recent international and regional developments. These include not only the spread of maritime instability from the Gulf of Guinea and Somali waters and the negative impacts on the region, but also the profound coastal and maritime impact of growing exports of mining and energy resources. It is vital to resist the temptation of measuring development in terms of financial or even macro-economic parameters, neglecting its impacts on people (local communities in particular) and the environment. Far from being just an ethical question, neglecting these issues could transform developmental dynamics into instability as well as threats to coastal and maritime security, as the Niger Delta clearly shows.

Therefore, rather than looking at the sea as a potential battlefield, maritime security must be based on the concept of sea administration, a holistic approach that takes stock of all the factors that can affect it in negative or positive ways, assuming that there is always a strong connection between developments in land and on water. Maritime insecurity is always created ashore.

The text considered that besides being what seem to be the principal sources of the maritime threat to Southern Africa, Somali and Gulf of Guinea, piracies are important also in

the sense that they can reveal conditions that can foster the “creation” of local piracy. In this sense, understanding the nature of such piracies is an important step to inhibit the development of such conditions. Of particular importance is the conjugation of increased coastal poverty, sometimes fostered by the impact of development projects, with a more intense maritime traffic.

The text has examined the regional strategic response to the threat represented principally by the spread of Somali piracy. It has viewed this as an important development in the sense that it exhibits a high degree of regional cohesion. However, judging its success in terms of the recent decrease in piracy in the Western Indian Ocean could be highly misleading, as a number of other factors have also played a role in this trend. Moreover, the strategy shows early signs of fatigue and needs to be reinvigorated by crossing its narrow security boundaries to become a real strategy capable of mobilising all the regional stakeholders. Their involvement is important in the sense that, as beneficiaries, they should also share the cost of a very onerous endeavour that States are incapable of supporting on their own.

An even more important reason to adopt an inclusive stand is to acknowledge that maritime security in Southern Africa is not about an occasional external threat. As noted earlier, our point of departure was that maritime security cannot be achieved without being regarded as a component of the broader concept of maritime governance. Giving its dependence on so many extra-military factors and its impacts on so many aspects of the economy and society, maritime security in Southern Africa is a clear case of an issue which is too serious to be dealt with by the security sector alone. It has to be the subject to a multidisciplinary approach, both in theory and

in practice. Among others, this means it has to be informed by a sound knowledge of reality, including the views and social and economic circumstances of one of the most important stakeholders, namely coastal communities.

As one author noted, the resolution of maritime insecurity in all its forms, in the region as elsewhere is a test of the mind and not naval muscle (Vreÿ 2012: 12). In this sense, SADC's maritime security strategy has to counter the regional inertia of leaving defence and security issues to be dealt with by politicians and the military, and leaving society aside. A first move in that direction would be to divulge at least the main components of the existing strategy, thus submitting it to the scrutiny of regional stakeholders.

Recommendations

Perhaps the best point of departure for an effective regional maritime strategy would be the various national maritime strategies which exist in the region. These strategies and associated national laws should be unified and improved into a true regional strategy. Where such national strategies do not exist, an effort should be made to create them.

Of course, a regional strategy is not merely a sum of national strategies. It should also say how it aims to achieve and maintain good order of the region's seas; and how it intends to address some of the main structural challenges in the region, including its division into two geo-strategic sections; heavy internal asymmetries; the tension between landlocked and coastal member-States, and the vital issue of access to water. Regional studies of these issues and particularly the impact of development on maritime security should be commissioned.

Finally, it is vital to expand the maritime security debate via the media, universities, civil society, professional organisations and other relevant forums, and to design strategies for including those stakeholders who will play key roles in providing funding and identifying solutions. As noted previously, this process can be started by divulging the current strategy. Maritime security is too important to be left to the navies alone, or even to the defence and security forces.

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About this study

João Paulo Coelho highlights the maritime dimension of regional security. He points out that maritime security involves many aspects of conflict germane to Africa as its governance is too weak to absorb the challenges of globalised maritime trade such as piracy, pollution, the illegal trafficking of humans, drugs and weapons, and resource management. He argues that, if these issues are not properly addressed in a comprehensive maritime security framework, some could develop into hard security threats, while others could jeopardise the economies, environments, and public health of

countries and societies in the region. Piracy should therefore not merely be regarded as a maritime event to be contained at sea, but as a symptom of broader problems such as extreme poverty and political instability. In line with this approach, the author argues that maritime insecurity is always created ashore, and is too serious to be dealt with by the security sector alone.

This study is part of a series of three regional studies on African Approaches to Maritime Security published by the FES peace and security network.