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**MARITIME PIRACY**

**(Item proposed by the Republic of Togo)**

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**I. BACKGROUND**

1. The Governments of African countries be it at continental, regional or national level, are fully aware of the contribution of oceans and seas to the socio-economic development of the Continent. They are all resolutely mobilized at the commanding heights of the African maritime economy and therefore determined to wage an unprecedented war against this hugely worrying scourge of maritime piracy, as evidenced by all the strategies and initiatives that have been put in place for this purpose. We mention only the most recent which are: the Summit of Heads of State and Government of the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS ) and the Gulf of Guinea Commission (GGC) on Maritime Safety and Security in the Gulf of Guinea held in Yaoundé on 24 and 25 June 2013, with its memorandum and code of conduct; the 2050 Africa's Integrated Strategy (2050 AIM Strategy) adopted in January 2014 and the Plan of Action for its operationalization; the ECOWAS Integrated Maritime Strategy adopted on 30 March 2014; the 17 March 2014 European Council Maritime Strategy for the Gulf of Guinea; that of the International Maritime Organization (IMO) of the same date as well as the national maritime strategies of many States reviewed or revised in recent months.

**II. SITUATION ANALYSIS AND JUSTIFICATION**

2. The African Continent has almost 30,725 kms length of coastline, 90 major ports which handle only 6% of the global traffic, despite the fact that maritime transport accounts for nearly 92% of the cargo destined to and emanating from the African Continent. Africa also boasts a large number of navigable waterways, and maritime transport accounts for almost 92% of Africa's external trade.

3. While the African Continent backed by its raw material riches and driven by its dynamism can today take pride in its tremendous economic growth, maritime piracy and armed robbery, two versions of the same scourge, have continued to pose an extremely ominous threat to the principal engine of Pan-African economic flows.

4. There is not a country, even if devoid of coastline, that is not deeply dependent on regional maritime, and in particular, intercontinental trade. The share of maritime economy in the overall economy of coastal States is preponderant (sometimes 70% of GDP and three-quarters of fiscal resources), while landlocked countries depend strategically on maritime trade flows that transit the States bordered by oceans. Beyond Africa, a significant proportion of industrialized countries' energy and raw material supplies emanate from or transit through African waters.

5. This means that the impact of piracy can be staggering in the original sense of the term, thus eroding this maritime economic mainstay.

6. Some countries have had experience of this scourge as Benin did in the summer of 2011, causing President Boni Yayi to raise an alarm that sparked international community reaction, particularly through UN Security Council

resolutions 2018 and 2039 on acts of piracy and armed robbery at sea off the Gulf of Guinea. Many countries are now streamlining their maritime economy: taxation control, port development, strategic infrastructure appropriate to trade from the ports to the hinterland, and the upgrading of State fleets for maritime safety. While these measures are vital, they are nonetheless still fragile. Maritime piracy remains a real Achilles heel for the very future of our economies so long as mafia gangs retain the capacity to wreak untold and irreparable destruction to what others have built.

7. Coastal populations, whose seas represent traditional sources of income, see their economy similarly impacted by insecurity, illegal fishing and pollution arising from the exploitation of oil resources and their transportation. Impoverished but always burdened with the responsibility to cater for souls, these very populations can turn to the same illegal activities, including piracy, in the difficult task of putting together the means at the end of the month to feed their families. Support and vigilance have to be extended to these populations as a matter of priority.

8. The view that the phenomenon is more or less under control is only in theory. Some States which hitherto thought they were shielded from the phenomenon, have had the painful experience of seeing the first acts of piracy either in the form of the development of the *modus operandi* of well organized gangs or in the emergence of the first criminal networks, within. Statistics are reassuring in East Africa, but are a source of concern in West and Central Africa. However, who can say what country will remain safe?

9. Who can believe that improvement of a handful of figures is a sign of a sustainable improvement?

10. Clearly, States, regional organizations, and the international community at large are at the commanding heights of the African maritime economy. So many fairies are hovering over the cradle of African maritime security that it seems no longer possible for pirates to continue to wreak mayhem.

11. And yet, is the impact perceptible today? How many resolutions passed and measures decided at the highest levels of State or regional or international communities have been translated into concrete, appropriate and implementable actions? Whereas many have begun to levy taxes on maritime trade, what funding has actually been put in place to improve maritime security? We are at one in recognizing that it takes time to implement agreed measures, sometimes at the end of a difficult process; and even Rome was not built in a day. However, it is needful to keep the efforts ongoing over time and sustain the fight against piracy and other serious forms of maritime insecurity, which top the agenda of our meetings.

12. There can be no question of effectiveness without meaningful coordination. Within States, as well as in regional organizations and in the international community, criminality thrives on loopholes and entropy. Our sloth, our disagreements and also our poor coordination of international support are fertile grounds for maritime insecurity. Needful are education, training and combat preparedness, development and sharing of dedicated resources, improved legal framework and specific maritime competences, consolidation and implementation of international and regional agreements and conventions; and the surge in the capacity of national, regional and supra-regional sharing and coordination structures. *To receive the support that is*

*really suited to our needs, it is necessary as a matter of urgency to convene around the same table and under our control, the international service providers that now operate in fragmented ranks.* Moreover, the new skills that we are developing in our mastery of the maritime challenge should serve to spark the emergence of a true African thinking centered on this domain, especially through capacity surge of dedicated centers of excellence, bringing together energies, emulsifying thoughts, defining guidelines and actions, and creating an African maritime identity suited to the specific needs and customs of this Continent.

**13.** In conclusion, it must be remembered that the fight against piracy is not won at sea, but on land. Repressive arsenal does not often match criminals' response, as well as their adaptation and anticipatory capacity. A first line of action is to address the substantive issues that have led some populations to turn to crime. A second line of action is to stand up against the piracy-driven shadow economy, in which bunkering, sale of stolen petroleum products and money laundering are facets of the same problem which may be tackled through effective and unflagging collaboration of the services, forces, administrations, specialized international organizations, States and regional and supra-regional communities, all working in concert to smash this economic model that has now become so blatantly prosperous. Finally, the last line of action is to address maritime insecurity in its entirety, leaving priorities of the moment no room for other forms of criminality to flourish out of the glare of the searchlight.

**14.** African coasts are no doubt victims of piracy. However, illegal fishing is another marine monster with very serious economic and social consequences. At the same time, international drug trafficking has never really left our waters, to the extent of sometimes destabilizing States. As a final word, let us not lose sight of what global danger a *rapprochement* of the mafia gangs and terrorists would represent.

### **III. OBJECTIVES**

**15.** The objective sought by the Togolese Republic in presenting this item is for a Conference to be convened on the issue.

#### *a) Global objective of the proposed Conference*

**16.** The overall objective of the Conference is to bring together around the same table, Member States' Governments (ministries, administrations and agencies involved in maritime activities), Regional Economic Communities (RECs), African institutions and organizations specialized in maritime and related issues, international organizations dealing with maritime and related issues, non-governmental organizations and development partners. The Conference should serve all these stakeholders as platform to brainstorm together the scourge that is maritime piracy and all criminal acts perpetrated at sea as well as their root causes, and to discuss ways to put a definite stop to such acts.

*b) Specific objectives of the proposed Conference*

- (i) Develop effective and concrete measures to combat piracy and other criminal acts perpetrated at sea such as armed robbery, thereby ensuring the safety and security of international navigation;
- (ii) Take measures to enhance cooperation, particularly in the realm of information sharing and for prosecution in accordance with applicable international law, of suspected perpetrators of acts of piracy or other criminal acts at sea or of persons that facilitate the financing of such acts;
- (iii) Promote and strengthen partners' assistance in the fight against these scourges and upgrade African countries' maritime capacities;
- (iv) Promote protection of the interests of African shippers and those of all international players in the maritime sector;
- (v) Boost Africa's competitiveness in intra-African trade and the transit transport to landlocked countries; and
- (vi) Improve the maritime sector in terms of socio-economic and environmental development.

#### **IV. CONCLUSION**

**17.** As indicated above, the African Union adopted at its Summit held in January 2014 at its headquarters in Addis Ababa, the 2050 Africa's Integrated Maritime Strategy (2050 AIM Strategy) together with a Plan of Action for its operationalization. Many national, regional and indeed international strategies have also been adopted in recent months, some with focus on maritime security and safety.

**18.** Organization of the proposed Conference would serve to demonstrate that Africa is resolutely committed to ensuring that its seas and oceans are protected and secured, thus enabling its populations to take full advantage of the enormous economic potential that abound therein. It would obviously signal the start of implementation of our 2050 AIM Strategy, and the opportunity would undoubtedly allow for coordinating of the different solutions advocated in various strategies for a common, coordinated and resolute struggle to achieve safety and security in the African maritime space for development of the maritime economy of the Continent and of humanity at large.

**19.** In view of the aforesaid, Togo solicits the support of all Member States for its proposal.

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