THE ROLE OF DIPLOMACY IN THE CHALLENGES TO MARITIME SECURITY COOPERATION IN THE GULF OF GUINEA: CASE STUDY OF NIGERIA
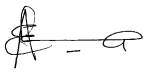
BY

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DECLARATION

I hereby declare that this dissertation is my own original work and I have acknowledged any use of published or unpublished works of other people.

Ahamefule Eluwa
30 September 2011
London, United Kingdom

ACKNOWLEDGMENTS

DEDICATION

To my understanding boys and my supportive wife.

ABSTRACT

There is presently a pervading feeling that the West and Central African states are long overdue to take control of their maritime environment. However, these expectations show no indication of materialising in the short term. There is a growing interest in the Gulf of Guinea and indeed the global village is impatient for these States to take responsibility for security and translate it to developmental indices of trade and commerce derivable from the maritime environment. Of course the global players in the maritime industry also expect to benefit from such attainments. The nations of the sub-region have embarked on individual and collective efforts to confront the myriad of security challenges that have continued to set them back, with little known results and much disharmony. In this era of heightened maritime security awareness, this paper purposes to exploit the potentials for diplomacy in bridging the gaps and cementing the individual efforts of the concerned states towards a cooperative maritime security regime. This study will focus on Nigeria, a central state and a driver to many initiatives in the Region with a view to relating its experiences to the general.

The study presents a model for cooperative maritime security structure for the Gulf of Guinea. The model uses existing cooperation mechanisms to harmonise the efforts of individual states and organisations to achieve synergy. The model structured along presently functional lines of cooperation is unlikely to suffer from fresh bouts of prejudices. However, diplomacy will be relied upon to achieve the necessary compromises and trade-offs critical to success. Diplomacy would also be required to engender the necessary international support that would make for funding and technical support which are direly needed in the Region for success.

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List of Abbreviations

A America

AFD Armed Forces Decree

AFRICOM United States Africa Command

AIS Automated Identification System

ALMATY

APS Africa Patnership Station

APSA African Peace and Security Architecture

ASF African Standby Force

AU African Union

CDS Defence and Security Commission (French)

CHENS Chiefs of European Navies Summit

CIA Central Intelligence Agency (United States)

CLC International Convention on Civil Liability for Oil Pollution Damage

CMC Multinational Coordination Centre (French)

COM Maritime Operations Centre (French)

CONOPS Concept of Operations

COPAX Council for Peace and Security in Central Africa (French)

COSPAS-SARSAT

CPX Command Post Exercise

CRESMAC Regional Centre for Maritime Security of Central Africa (French)

CTF Combined Task Force

DHQ Defence Headquarters

DRC Democratic Republic of Congo

List of Abbreviations (Contd)

EASBRICOM East Africa Standby Brigade Coordination Mechanism

ECA Economic Commission for Africa

ECOMOG ECOWAS Monitoring Group

ECOWAS Economic Community of West Africa States

ECCAS Economic Community of Central African States

EEZ Exclusive Economic Zone

ESF ECOWAS Standby Force

EU European Union

FAO Food and Agricultural Organisation

FOB Forward Operating Base

FOMAC Central African Multinational Force (French)

FRP Fast Response Post

GGC Gulf of Guinea Commission

GGESS Gulf of Guinea Energy Security System

GMDSS Global Maritime Distress Safety System

GoG Gulf of Guinea

IHO International Hydrographic Organisation

ITC International Trade Centre

IMO International Maritime Organisation

ISCGN Integrated Security Coast Guard Network

ISPS International Ship and Port Facility Security

JDZ Joint Development Zone

List of Abbreviations (Contd)

JRCC Joint Rescue Coordination Centre

LRIT Long Range Identification Tracking

LUT Local User Terminal

MARAC Central African Early Warning System (French)

MARPOL Marine Pollution Prevention

MASECA Maritime Security Administration

MCC Mission Control Centre

MDA Maritime Domain Awareness

MDG Millenium Development Goals

MFA Ministry of Foreign Affairs

MMIA Murtala Mohammed International Airport

MOD Ministry of Defence

MoU Memorandum of Understanding

MOWCA Maritime Organisation of West and Central Africa

MPRI Military Professional Resources Incorporated

MRSC Maritime Rescue Sub-Centre

MSZ Maritime Security Zone

NAMA National Airspace Management Agency

NAVEUR Naval Forces Europe

NDP national Defence Policy

NDLEA National Drug Law Enforcement Agency

NEMA National Emergency Management Agency

List of Abbreviations (Contd)

NIIA Nigeria Institute of International Affairs

NIMASA Nigerian Maritime Safety Agency

NMCC Nigerian Mission Control Centre

NMRDC Nigerian Maritime Resources Development Centre

NMSP National Maritime Security Plan

NN Nigerian Navy

NPA National Ports Authority

OAU Organisation for African Unity

OPRC Oil Pollution Preparedness Response and Cooperation

P Portugal

PICOMSS Presidential Implementation Committee on Maritime Security and Safety

PFSP Port Facility Security Plan

RCC Rescue Coordination Centre

RECs Regional Economic Communities

RMAC-ITMS Regional Maritime Awareness Capability and Integrated Maritime Traffic System

RMRCC Regional Maritime Rescue Coordination Centre

SADCC Southern Africa Development Community Conference

SAR Search and Rescue

SOLAS Safety of Life at Sea

SP Spain

SSAS Ship Security Alert System

SUA Suppression of Unlawful Acts

List of Abbreviations (Contd)

UN United Nations

UNCLOS United Nations Conference on the Law of the Sea

UNDOC United Nations Office on Drugs and Crime

UNCTAD United Nations Conference on Trade and Development

URS Underway Replenishment Ship

WTC

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CHAPTER 1

INTRODUCTION

1.1 BACKGROUND

Africa is replete with security challenges which have continuously challenged continental development. Crises in Democratic Republic of Congo (DRC), Sudan, Somalia, Eritrea and the Southern Sahara still persist. It has been generally acknowledged that Africa needs to do more for itself to control the security situation on the Continent. Accordingly, the African Union (AU) has set up the Peace Commission to work with Regional Economic Communities (RECs) to pursue peace and security in Africa through regional integration. However, one area that continues to draw international attention and concern is the insecurity in the African maritime environment. Africa depends heavily on the sea for food, trade particularly imports and for industrial resources which when exported generate much needed foreign exchange revenue. A case in point of insecurity in the maritime environment is the piracy in the Gulf of Aden, which has made the area the most dangerous in the World. It has taken the concerted efforts of 15 non-African coalition nations contributing resources to the multinational Combined Task Force (CTF) 150 conducting anti-piracy and maritime security operations there to attempt to stabilize that important sea lane of communication. The question then is, for how long can Africa expect to depend on interventions by multinationals of non-African extraction. Certainly, Somalia should serve as a wake-up call to African states. Accepted that African states are confronted by myriad of governance, capital, technology and institutional capacity related problems amongst others which undermine their individual capabilities, bringing to the fore the need for cooperative maritime security arrangements. This could hold the solution to a more secure maritime environment between states that share interests in

given body of water. The Gulf of Guinea (GoG) in West and Central Africa is one of such shared body of water. The GoG has been defined geographically as the maritime area of West and Central Africa covering a coastline of about 5,500km measured from the coast of Ghana to Angola in the South West covering about 11 countries (Gilpin, 2007). According to the International Hydrographic Organisation (IHO) the GoG refers to the maritime environment situated at the west seacoast of the Atlantic Ocean from Cape Palmas in Liberia extending down to Namibia in Angola (IHO, 2011). This sea area which may also be described as an environment or a domain could further be defined by the Third United Nations Conference on the Law of the Sea (UNCLOS) to include the territorial waters, the contiguous zone and the Exclusive Economic Zones (EEZ); along the coasts of the littoral states (UNCLOS, 2011). Additionally, the GoG is designated as being in the West African Sub-Region and adjacent

the Central African Sub-Region (Britannica, 2011). Thus there are geographic, political, and economic definitions of the area. This study adopts the IHO definition of the GoG. The GoG is rich in minerals and fish, as well as other aquatic living and non-living resources. It is also an important maritime trade and sea lane of communication. Additionally, its huge hydrocarbon deposits of about 61.5 billion barrels and 140 trillion cubic feet for oil and gas respectively (BP, 2011) have made it acquire a strategic position in global energy politics and calculations. This is so because of the persistent insecurity in the Middle East, the absence of maritime choke points, hence ease of access, its crude oil is reportedly lighter thus cheaper for refineries, its abundant off-shore proven deepwater natural gas reserves make for encumbrance-free exploitation and are largely untapped. These amongst others have brought the GoG to unprecedented height of international focus.

For the littoral countries, as well as the landlocked countries the political and economic GoG portends some national interest either a combination of economic, political or security in nature, and in several instances there exist conflicts of interests between states. In the spirit of collectivism various groupings have emerged as platforms for mutual and peaceful co-

existence for management, harnessing and exploiting of the dividends of the rich maritime area. Some of the groupings include the Gulf of Guinea Commission (GGC), Maritime Organisation of West and Central Africa (MOWCA), Economic Community of West Africa (ECOWAS), Economic Community of Central African States (ECCAS) amongst others. Accordingly, various institutions and structures have been put in place at national and multilateral levels to ensure the protection and peaceful mutual benefit of the resources in the GoG. However, the bases, compositions and peculiarities of colonial and neo-colonial influences of the institutions and their constituents have been stumbling blocks to significant progress of their efforts at neighbourhood cooperation and in particular collective maritime security. The groups comprise mixtures of English, French, Portuguese, Spanish and Belgian colonial heritages (Yates, 2004). Rivalry, suspicion and fierce assertion of sovereignty have also undermined their capacity for cohesion. Consequently, efforts at collective security reflect plenty of motion but no movement as common issues begging to be addressed remain ignored.

On the other hand, the states are individually and collectively confronted by several challenges in their maritime domain. These include poaching, piracy, armed robbery, illegal bunkering, and illegal traffic in arms, drugs and humans. There are also issues of maritime boundary disputes and environmental pollution. These maritime vices cause insecurity in the maritime environment and have the potential for destabilising concerned states. Instability in the region would have very serious adverse implications for the socio-economic and political development as well as national security of these states. This would certainly be the case for Nigeria, a nation of about 150 million people located in the heart of the GoG whose economic mainstay oil and gas are derived from the GoG. Nigeria is a leading nation in the sub-region places a high premium on a secure GoG in her strategic calculations (Ogwu, 2004). Nigeria has a long coastline, shares maritime borders with six neighbours and land borders with four, two of whom being landlocked depend on her for maritime transit. She is the most populous

in the region and depends heavily on the GoG for natural resources and trade. These benefits have in recent time dwindled due to insecurity in the GoG thereby depleting expected revenue (Asuni, 2009). To effectively address these elements of insecurity at national levels, requires resolving not only internal socio-political causes but more importantly, resolving the challenges to the functionality of regional collective maritime security efforts. This calls for a more dynamic, flexible yet robust diplomacy approach in order to get the states and institutions working in concert.

1.2 STATEMENT OF THE PROBLEM

Several national initiatives have been embarked upon over the years by individual states to curb the security challenges in the GoG as well as more recent bilateral and multilateral initiatives leading to some degrees of sub-regional maritime security cooperation. However, there seems to be no let-up in the rising spate of insecurity which appears to run parallel to the growing interest in the Region. It is within this framework that this study will seek to provide answers to the following questions:

    a.   What is the organisation for maritime security in Nigeria.

    b.   What are the institutions/mechanisms/initiatives for regional cooperation between the states with shared interests in the GoG.

    c.   What are the challenges to effective collective maritime security cooperation efforts between the states bordering the GoG.

    d.   What should be done at regional level, in the existing regional groups to enhance cooperation in maritime security in the GoG.

1.3 OBJECTIVE OF THE STUDY

The overall objective of the study is to examine the challenges to Nigeria and by extension the countries in the sub-region, in the sub-regional maritime security arrangements of the GoG. This study believes that the inadequacies in national maritime security institutions can be made up for by a more flexible but robust diplomacy towards bridging the gaps between national and multilateral as well as between multilateral to multilateral initiatives; a fusing of the several incoherent initiatives that exist presently in spite of obvious differences between the participant states.

The specific objectives of this study are as follows:

  a. Examine the organisation for maritime security in Nigeria as a model.

  b. Examine the institutions/initiatives for regional cooperation between the states with shared interests in the GoG.

  c. Identify the challenges to effective maritime security cooperation between the states bordering the GoG.

  d. Propose measures for inclusiveness and the effective collaboration and coordination of maritime security cooperation efforts in the GoG. (to drive forward the security efforts in the GoG).

1.4 SIGNIFICANCE OF THE STUDY

This study will be beneficial to national policy makers and all stakeholders of the GoG, Ministries of Foreign Affairs (MFAs), Ministries of Defence (MODs), Chiefs of the Naval Staff, national strategic think-tank institutions that would play various roles in driving forward the proposals put forward by this study. It would also be useful in the formulation of various policy instruments for the effective maritime security of the GoG. It would be

particularly useful to the shaping of Nigeria's foreign policy which is currently being reviewed, and on the African scene, it would contribute to improved approaches to regional diplomacy. Furthermore, it is expected to evoke further research and discourse on the salient issues that for long have undermined the collective spirit in the West African sub-region. Finally, the study is expected to contribute significantly to knowledge and reduce the gap in available literature on the maritime security of the GoG.

1.5 SCOPE OF THE STUDY

The study starts with an introduction, a review of literature and then covers the organisation for maritime security in Nigeria. The multilateral arrangements for maritime security in the GoG will then be examined after which an assessment of the issues thrown up from the national and multilateral set-ups are analyzed in order to point towards possible solutions for improved collective organisation for the maritime security of the GoG.

1.6 METHODOLOGY

In embarking on the study, primary and secondary sources were exploited. The primary sources include Nigerian Defence Advisers in Cameroun and Sao Tome and Principe, principal staff at the Gulf of Guinea Commission (GGC) and Joint Development Zone (JDZ).

Secondary sources for the study were obtained through research at the Nigerian National Defence College library, Nigerian Navy, Nigerian Institute of International Affairs (NIIA), ECOWAS Secretariat, GGC Secretariat. Secondary data were also sourced from books, seminar papers, conference reports, reviews, lecture notes and other academic material, published and unpublished works, websites and other sources of information. To ensure the authenticity of data, a qualitative analysis and comparison of data from various sources was conducted to establish their credibility and reliability. Consequently, data has been presented

in descriptive form to enrich the research. Following this, deductions, conclusions and recommendations were reached accordingly.

1.7 LIMITATION

There is a dearth of materials, published works and books on the maritime security of the GoG. There is also inadequate information and data on the various national maritime security arrangements of the member countries of the sub regions in West and Central Africa. This is understandably an off-shoot of the developmental stages and a further indication of the insecurity within the states which this study seeks to address. In spite of these deficiencies, considerable efforts were made to access reports, seminar papers, minutes of meetings, seminar papers and treaty documents relating to the specific issues and countries. These were used to enrich the quality of the research work.

CHAPTER 2

LITERATURE REVIEW

2.1 REGIONAL DIPLOMACY

According to Rana (2010), ''Globalization and interdependence have made countries, big and small, aware that neighbourhood cooperation produces win-win outcomes''. This view may ultimately account for the boisterous efforts across the globe for inter-state cooperation efforts and its emergent priority of place in global politics. The UN Environment Programme also, is of the view that ''Cooperation at different levels – from local to national, to sub-regional, to regional, and to international – and peace represent the key to unlock many opportunities for sustainable development''(UNEP, 2008, 2). Some of the key drivers for this increasing trend in neighbourhood cooperation that were identified by Rana include;

a.   A compulsion for political cooperation among like-minded states.

b.   An urge for stronger economic cooperation, often starting with the creation of regional trading groups.

c.   A conviction that the successful models from other regions can be replicated in one's own neighbourhood.

d.   A realization that economic cooperation leads to better mutual security.

Other more recent motivators include democracy, human rights, rule of law and dispute settlement. He further identified factors necessary for the success of such cooperative efforts

as:

    a.   A clear convincing vision of gain.

    b.   One or more vision drivers.

    c.   Absence of serious, plus ability to jointly overcome problems.

    d.   Willingness to subsume ego.

Thus, globalization is characterised by multilateralism and interdependence between nation states. However, regionalism (neighbourhood cooperation) which is one of the outcomes of these characteristics tends to undermine national sovereignty in a manner directly proportional to the level of integration and globalization. The preservation of sovereignty with its associated fear of dominance is the greatest obstacle to regional cooperation (Chossudovsky, 2003, 8). Again according to Rana, other limitations to cooperative efforts include:

    a. Ambitious plans.

    b. Insufficient vision.

    c. Incompatibility of borrowed concepts.

    d. Enlargement of the organization.

    e. Top-down approach to cooperation.

This study is of the view that the limitations to cooperation in the regions of study are more profound at the top hence addressing them would accelerate the already existing degrees of social, economic and cultural links between the peoples at the communal level. Overcoming these obstacles and limitations calls for deft, flexible and compensatory yet robust diplomatic activities. Consequently, regional diplomacy serves as a tool for galvanizing the member

states of a neighbourhood where successful regional cooperation opens the door for mutual and sustainable development.

2.2 MARITIME ENVIRONMENT

The immense importance of the sea to mankind is underscored by the fact that over 70 per cent of the earth's surface is covered by water, over 90 per cent of the world trade by weight and volume travels by water and most of the world's major cities and urban population lie within 200 kilometres of a coastline (King, 2005). Maritime environment refers to the areas at the sea bed, in the sea and in the air above the sea. International law provides for 'freedom of the sea'. The implication is that any nation can use the sea for purposes of trade or defence without infringing on the sovereignty of another country subject to extant international laws. In this wise, the sea has been made very relevant to mankind and has been called 'the great commons'. Current concept of 'Freedom of the Seas' is defined by Article 87(1) of the 'United Nations Convention on the Law of the Sea' which states that ''the high seas are open to all states, whether coastal or land-locked.'' Article 87(1) (a) to (f) gives a non-exhaustive list of freedoms including navigation, overflight, the laying of submarine cables, building artificial islands, fishing and scientific research.

Thus the use of the maritime environment and the adjudication of claims with subsequent arbitration are guided by UNCLOS III. In summary it:

   a.   Defines maritime zones.

   b.   Preserves the freedom of navigation.

   c.   Allocates rights to maritime resources.

   d.   Sets guidelines for conduct of maritime related business.

   e.   Seeks to protect and preserve the maritime environment.

The maritime environment comprises of the physical, political, legal, economic, social and ecological dimensions which form the interface with mankind. All these come to bear at one time or the other on nations that seek to utilise the seas, whether coastal or landlocked. Security in the maritime environment is therefore critical if mankind and nations are to continue the use of the sea. Sustainability of the maritime environment is another sine qua non. Thus the maritime environment must be made secure and sustained to ensure nations derive the dividends there from, to which ultimate end is national development.

2.3 MARITIME SECURITY

The re-awakening of consciousness of the sea as a major line of communication, source of the world's food, industrial raw materials, and indeed energy has brought to the fore the issues of maritime security. Advancement in technology has brought about the mining of sea resources in terms of ocean farming, exploitation of deepwater offshore oil and gas or gathering of manganese nodules from the sea bed. Also, mounting pressure of population growth and expectations of higher living standards have brought to sharp focus the potential impacts of the scarcity of these resources and risks of asserting claims over them. The consequences of maritime insecurity could be economic, social and even developmental. It is obvious that the state of a nation's security affects the national economy and on the other hand, the state of national development impacts on national security, hence the nexus could be characterized by (NDC, 2011):

   a.   Low production level and low economic level of wellbeing of the people which would prompt them to engage in desperate acts capable of impinging on the security of the country.

   b.   Poor economy also affects security as allocation to the security as allocation to the security apparatus would be affected adversely.

c.   The state of the national security on the other hand also impacts on national economy. The different factors of economic development cannot thrive in an insecurity environment.

d.   An improved economy means more employment opportunities and better standard of living, less people involved in criminal activities which impacts on national security positively or vice versa.

e.   Improved economy means more allocation to the security agencies for training, equipment and operations to enhance security.

f.   Good economy enables improvement in infrastructure like roads, hospital, water, and electricity etc, which impact on the human standard of living being indices from human security.

g.   Insecurity scares away foreign investment, there will be capital flight, tourist would be scared away and these impacts on national security.

Maritime insecurity if allowed to thrive could erode political stability and in the long term undermine sovereignty. Consequently, UNCLOS sought to provide the basis extent and mechanism for peaceful, orderly, equitable and harmonious use of the sea.

Maritime security which is subject to varying definitions is a key component of national security. Maritime security in the 21st Century has evolved to a wide scope to include maritime emergencies requiring Search and Rescue operations (SAR), maritime terrorism, human and environmental security as well as transnational crimes. As observed on several other issues, maritime security also evolved after 9/11 leading a former CIA Director to say that maritime security has changed to accommodate maritime terrorism with additional focus on sea port security (Woolsey, 2005). Thus maritime security today also includes maritime environmental protection and Search and Rescue (SAR) (Wu, 2009, 3).

Maritime security in this study, ''is the state wherein the country's marine assets, maritime practices, territorial integrity and coastal peace and order are protected, conserved and enhanced through internal or in combination with external mechanisms'' (Johnson, 2011). Internationally, more so in the globalised context is considered an element of maintaining stability in the international order. Geoffery Till (2009, 307), identified 'Maritime Awareness', 'Maritime Policy' and an 'Integrated Maritime Governance' as the essentials for good order at sea. This study projects Integrated Maritime Governance to the multilateral level beyond national inter-agency coordination and focuses on the dynamics of diplomacy needed to achieve regional cohesion for effective maritime security. For Africa, the Brenthurst Foundation definition puts this aptly as 'anything that creates, sustains or improves the secure use of African waterways and the infrastructure that supports these waterways' (Brenthurst, 2010, 10). Effective maritime security in the GoG therefore requires not only regional and international cooperation but effective management by littoral and associated land-locked states throughout their maritime jurisdiction zones.

2.4 COLLECTIVE MARITIME SECURITY

Globalisation has been a driving force close cooperation and possible integration. Sovereignty, the erstwhile ultimate identity of nation states is being subsumed to common interests, be they political, economic or security. Collective security is cooperation between state entities for mutual non-aggression and mutual defence against attacks from one. It is predicated upon mutual re-assurance and sealed by bilateral or multilateral agreement. It is considered beneficial to the weaker members. However, opponents argue that it harbours drawbacks such as that some members could on occasion not live up to the expected commitments level where their national interests are considered not represented (Conflict Research Consortium, 1998). Collective security arrangements have also been blamed for escalating minor security issues as a result of group interest where pacifist alternatives might

have sufficed. The concept of collective maritime security ''is a requirement for inclusiveness. It encourages regional initiatives, partnership, and bilateralism.''(Johnson, Opcit). Inclusiveness in this regard must capture a balance of state interests, existing bilateral commitments to be harmonised with the collective group aims and objectives. In this harmony, certain traditional elements of sovereignty must also be conceded. Hence, Morgenthau (1993, 290) argues that in a collective security system, the problem of security is no longer the concern of the individual nation. Similarly, Berridge (2003) states that '...all members of the collectivity of states are jointly responsible for the physical security of each of them''. Morgenthau went further to outline three assumptions that must be fulfilled for collective security to function for the prevention of war;

a.   The collective security system must be able to muster at all times such overwhelming strength against any potential aggressor or coalition of aggressors that the latter would never dare to challenge the order defended by the collective system.

b.   At least those nations whose combined strength would meet the requirement at (a) must have the same conception of security, which they are supposed to defend.

c.   The nations must be willing to subordinate their conflicting political interests to the common good defined in terms of the collective defence of all member states.

Collective security has been differentiated from collective defence on the basis of the wide scope of security challenges which range from the traditional to the modern asymmetric threat dimensions like terrorism, necessitating collective actions other than war. It has also taken on a broadened definition based on the expanded definition of security to include human security as well as a redefinition of national interest to include common interest of the international community (NDC, Opcit). Hence, because the assumed (traditional) chief threat of armed attack against a state's physical integrity has diminished in contemporary times (Berridge, Opcit), cooperative security appears to be the current terminology.

Having the same conception of security and the willingness to subordinate their conflicting political interests are two key factors that must be embraced by nations of the GoG region for a meaningful effort to move collective maritime security forward. Another relevant premise is the 'US Maritime Security, A Cooperative Strategy for 21st Century Sea Power' emphasis on improving maritime security cooperation that ''Expanded cooperative relationships with others will contribute to the security and stability of the maritime domain for the benefit of all'' (2007). Collective maritime security organisations of note that have made giant strides in these directions include the Association of South East Asian Nations (ASEAN) and ASEAN Regional Forum (ARF), Council for Security Cooperation in the Asia-Pacific (CSCAP) (Wu, Opcit,171). This study adopts the term cooperative maritime security to represent the elements of collective maritime security.

2.5 OVERVIEW OF RELEVANT LITERATURE

In the course of this research, it became apparent the extent of the dearth of literature on the subject of 'Maritime Security in the Gulf of Guinea'. This was easily attributable to the fact that the GoG has not always been seen as being of strategic importance to the rest of the World until global energy politics and piracy and terrorism in the Gulf of Aden brought it into sharp focus. Again, the ease of traffic through the Suez Canal for Western/Eastern trade and the strategic advantages offered by the Suez during the World Wars took the edge from the GoG as a preferred Sea Lane of Communication (SLOC). However, the GoG has been historically a point of interest to Western Powers just like the South China Seas for raw materials that fuelled the industrialisation era, and indeed the great trans-Atlantic slave trade preceded the raw materials trade and had since then marked the GoG as a point of interest. One then wonders why the drought of research interest in the GoG whereas there exists a sea of literary works on the South China Seas (SCS).

An obvious reason is the very enormous difference in current volume of sea trade/traffic which the SCS have over the GoG deriving from the industrialisation drive of the South East Asian states as well as the advantages conferred by the Suez route. The author also realised during this study that a fundamental factor is the level of awareness and value placed upon the use of the sea by its littorals. Apparently, states of the SCS over time placed a high premium on the use of the sea hence paid attention to safeguarding its sustained availability whereas in the GoG region the legacy of the slave trade seems to have imparted a hereditary abhorrence to the sea thus at the replacement of the slave trade; the raw materials trade dried up, the region actively withdrew from the sea. Being not industrialized and battling with post colonial governance challenges the sea was seen only as a source of the highly needed finished western goods that serviced their import dependent economies. Even the era of oil boom that followed the discovery of crude oil in their respective waters was not sufficient to cause a reappraisal of the importance of the sea leading to limited academic or policy interest.

Current consciousness can be traced to the global economic downturn, piracy and terrorism and in particular the spate of militancy in the Niger Delta which have impacted negatively and heavily on shipping direly needed for the importation of finished products, exploitation and exportation of crude oil and gas as well as some prodding by development partners. Thus a lot of available papers on the subject are from development partners. The works of Raymond Gilpin 'Enhancing Maritime Security in the Gulf of Guinea' and Francois Vrey 'Bad Order at Sea: From the Gulf of Aden to the Gulf of Guinea' are significant in this regard. Another effort came from Ricardo Soares De Oliveira 'Oil and Politics in the Gulf of Guinea'.

While Gilpin and Vrey focused on insecurity caused by piracy, Oliveira addressed the hydrocarbons perspective. Gilpin and Grey identified the increasing political instability in the Middle East as a driver for the emerging view of the GoG as an alternative source of energy supply hence the focus. They also clearly outlined the threats and vulnerabilities in that

maritime domain, reviewed efforts at maritime security arrangements in the region and recommended the building and strengthening of mechanisms for collective and collaborative maritime security. Gilpin articulated the human security and MDGs issues of the problem and details of 'Recent Meetings on Maritime Security in the Gulf of Guinea'. Vrey on the other hand focused on a comparative analysis between maritime insecurity in the Gulf of Aden and the GoG. Oliveira examined the economic and political dimensions of hydrocarbon exploitation in the GoG within the framework of global energy needs. He identified the role of multinational companies and their home governments in the circumstances surrounding the spate of insecurity in the GoG, specifically, the dynamics of oil politics and its influence and effects on states which include insecurity and instability thus justifying further study of the collaborative security aspects.

Various works on maritime security challenges in the GoG while advocating collectivism, all ended on that note. They failed to examine the structures of the institutional arrangements needed to support collectivism. They also did not identify the extent to which the sum total of the intra-state measures and efforts at collectivism would be defined by a mutual emphasis on enhanced multilateral diplomacy underlined by concerted efforts in the region. It is therefore this existing gap in knowledge that this study seeks to address.

CHAPTER 3

ORGANISATION FOR MARITIME SECURITY IN NIGERIA

3.1 INTRODUCTION

In accordance with UNCLOS Nigeria ascribes to a Territorial Sea of 12 nm from the baseline, a Contiguous Zone of 24nm from the shore, an Exclusive Economic Zone up to 200nm from the shore and a Continental Shelf up to 200-350nm (conditional) from the shore. With a coastline of 420nm, the zones together cover 84,000sq nm of maritime area over which Nigeria exercises sovereign rights to all living and non-living resources within this maritime environment (Jonah, 2010). However, in line with her Foreign and Defence Policy objectives, her security concerns project her maritime areas of interests to extend from Dakar in Senegal to Luanda in Angola. Her position which straddles the western and equatorial axes of the GoG as well as her vast offshore oil and gas deposits define her regional geo-strategic disposition and threat perception.

The formation of the earth's crust of Nigeria's coastal line extends in such a manner as to conflict with those of some other neighbouring littoral states (Adewuyi, 2004, 7). Consequently, the delimitation of maritime boundaries is a real issue in the GoG. Accordingly, EEZ limits of Nigeria could only be resolved when complete delimitations are effected between Nigeria and Benin, Cameroon, Equatorial Guinea, Sao Tome and Principe and Gabon, of course, guided by the provisions of UNCLOS (Ezeoba, 2009).

Nigeria's proved reserves of oil of 37.5 billion barrels (2010 est) and natural gas of 5.246

trillion cubic meters (2010 est) make the country the 10th and 8th respectively in the world ranking (CIA,2011). Her oil and gas exports of 2.327 million barrels/day (2007 est) and 20.55 billion cubic meters (2008 est) respectively are all dependent on safety and security of maritime traffic (Barkindo, 2009). Her fisheries capture of 541,368tons (2008 est) (FAO, 2011) is derived from and dependent on maritime traffic in the GoG. ''Nigeria exports shrimps, crabs, oysters, periwinkles, shark fins and oil as well as live ornamental fish of indigenous species''. About 7000tons of fish valued at about US$53 million were exported in 2004. With other resources and activities from the sea, the maritime sector is the second largest revenue generating sector, contributing 30% of non-oil export and more than 85% of the country's import and export trade (Usman, 2009). By 2009, her total value of fish related exports stood at US$337.038 million (ITC, 2011).

Nigeria's Vision 20:2020, a strategic development plan, anticipates to make her one of the twenty most developed countries by Year 2020 with a GDP of not less than US$900 billion and a national per capita income of not less than US$4000/annum. These lofty objectives are couched on the Millennium Development Goals and the maritime sector is a major player in these calculations, hence maritime security is on the front burner of Nigeria's developmental concerns (Adekeye, 2006). Nigeria sees security as a pre-condition for attaining Vision 20:2020 as well as a necessary factor in managing the consequences of achieving the Vision. In the light of these Nigeria sees herself as key to and plays a leading role in the affairs of the GOG. To determine Nigeria's capacity for maritime security we shall examine the key elements of legal framework, policy framework, and the institutions, particularly the operational and enforcement tool; the Nigerian Navy.

3.2 LEGAL AND POLICY FRAMEWORK FOR MARITIME SECURITY

3.2.1 INTERNATIONAL LEGAL FRAMEWORK

The principal international legal framework for Nigeria's maritime activities is the UNCLOS which the Country signed on 10 December 1982 and ratified on14 August 1986. Nigeria is also a member of the International Maritime Organisation (IMO) and the UN. Some elements of international maritime law presently ascribed to by her include:

    a.   1974 Safety of Life at Sea (SOLAS) Convention.

    b.   1979 Convention on Maritime Search and Rescue (SAR Convention).

    c.   International Convention for the Prevention of Pollution from Ship, 1973 (modified by the Protocol of 1978 known as MARPOL).

    d.   Convention for the Suppression of Unlawful Acts against the Safety of Navigation 1988 (SUA Convention).

    e.   Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf 1988.

    f.   Convention for the Suppression of Unlawful Acts Against the Safety of Navigation 2005.

    g.   International Ship and Port Facility Safety (ISPS).

3.2.2 NATIONAL LEGAL FRAMEWORK

The national legal framework for maritime administration and security are the;

    a.   Nigerian Maritime Administration and Safety Agency Act 2007.

b.   Merchant Shipping Act 2007.

c.   Coastal and Inland Shipping (Cabotage) Act 2003.

d.   Nigerian Navy Act 1964 (as ammended).

It is clear that until 2007, only the Navy Act of 1964 which came into being soon after independence in 1960 was in place to articulate on matters of maritime security and safety. In line with this, the Navy was until 2007 the only agency charged with maritime security by the Constitution. The focus was therefore that of national security with emphasis on the preservation of sovereignty in a landward sense.

3.2.3 NATIONAL MARITIME POLICY

There is yet no national maritime policy which would capture the elements of maritime security. A National Transport Policy was emplaced in 2010 but only related to the maritime with respect to inland waterways. However, a Maritime Security (MASECA) Bill 2009 has been before the National Assembly for consideration for two years. The Bill is enmeshed in controversy but if passed, may signal the advent of a Maritime Policy for Nigeria. Presently, the legislation that established the existing maritime supervisory agency; NIMASA, mandated it to ''establish the procedure for implementation of conventions of the IMO and other international conventions to which the Federal Republic of Nigeria is a party on maritime safety and security, maritime labour, commercial shipping and for the implementation of codes, resolutions and circulars arising there-from''(NIMASA,2011). Within this context, it could have been possible for NIMASA to produce a draft Maritime Policy. Meanwhile, in the throes of the controversy and the arguments, a vast vacuum remains gaping and the Nation

and associated maritime components continue to suffer for a lack of policy. The protracted process of considering a Bill for maritime security apparently is a pointer to the lukewarm attitude towards the subject which confirms the need for political commitment to maritime security matters.

3.2.4 NIGERIA'S FOREIGN POLICY

Nigeria's foreign policy and roles have remained unchanged since independence. They were articulated by Alhaji Tafawa Balewa in 1960. Since then, Nigeria has run a "4-Centric Circle" foreign policy feature, which expands outward from the centre being the country's national security and sovereignty. Further outward is the second Circle, which represents the country's West African neighbours. The Third Circle represents the African region as a whole; while the Fourth Circle represents the rest of the World. The general principles/objectives of Nigeria's Foreign Policy as defined in the 1999 Constitution are as follows:

a. Promotion and protection of the national interest.

b. Promotion of African integration and support for African unity.

c. Promotion of international cooperation for the consolidation of universal peace and mutual respect among all nations and elimination of discrimination in all its manifestations.

d. Respect for international law and treaty obligations as well as the seeking of settlement of international disputes by negotiation, mediation, conciliation, arbitration and adjudication.

e. Promotion of a just world economic order.

The defence and promotion of Nigeria's national interests, sovereignty, territorial integrity and national independence capture her maritime domain concerns. In recognition of the commonality of problems and mutual expectations as well as responsibilities within its sub-region, Nigeria had cultivated the friendship and pursued economic and political cooperation with other West and Central African countries on the basis of its belief in multilateral and bilateral diplomacy. It believes that a strong sub-region is fundamental to the creation of the necessary conditions for the economic, political, and cultural development of Africa needed for African integration and unity (NDC, Opcit). The spirit of Nigeria's Foreign Policy may have been consistent; however, inconsistencies in governance, priority setting and execution of Foreign Policy initiatives have left Nigeria far short of her potentials with respect to galvanizing the sub-region. Admittedly, she has performed superlatively with respect to the management of land crises and conflicts within the sub-region having partnered with Togo to drive for the formation of ECOWAS (Gowon, 1998), and with Ghana for its military arm ECOMOG and had successfully steered the diplomatic processes of negotiation and resolution in several of other African states. She has not been that successful in the GoG; either at the national or multilateral levels. This failure to effectively manage the affairs of the GoG is reflected in the Niger Delta crises that plagued the country until recently, in the spate of insecurity in the GoG and the discordant tunes of the stakeholder states. There is need for better articulation in her diplomacy within the sub-region particularly regarding the GoG. Nigeria recently embarked on foreign policy review. It is hoped that this review will marry domestic interests to foreign interests, particularly at the regional level.

Nigeria's foreign policy over the years pursued the complete eradication of colonialism and racist regimes in Africa, promoting peaceful co-existence in a number of African countries namely, Congo, Chad, Zimbabwe, DRC, Liberia, Sierra Leone, Ethiopia and Eritrea, Somalia and recently Sudan and has drawn world acclaim. Notwithstanding that it places Africa and its development at its centre, Nigeria's foreign policy sometimes places Nigeria on a collision course with some regional and continental partners and even world powers. Within and outside the sub-regions, issues of leadership role and national power continue to lead to unhealthy rivalry or resentment. Consequently, Nigeria-driven initiatives tend to suffer silent apathy subject to the degree and scope of resentment felt by the others. Cultivation and confidence building are therefore essentials to Nigeria's diplomatic strategies. The potential for a state obsessed with such resentment about leadership to become a willing tool in the hands of a major world power, which has an agenda detrimental to the interests of Nigeria, is a reality. This therefore emphasises the importance for Nigeria to include in her foreign policy aspects of niche diplomacy targeted at dispelling fear and suspicion from her regional sisters. This is more so as Nigeria's Foreign policy is also shaped by considerations for the commonality of circumstances with her immediate and near neighbours. Thus the associated risks of maritime insecurity; civil insurrection with the resultant internal displacement of people, and the influx of refugees from neighbouring countries, occasioning possibly, armed robbery and trafficking, human trafficking, unemployment and other economic impacts on her resources base remain a prime factor in shaping her diplomacy.

For many years, even with Africa as the centre-piece of her foreign policy, Nigeria had gone it alone mostly, bearing the brunt of singly driving events in the region. It is expected that in a

new foreign policy, the direction should be collaborative, exploiting collective efforts while weighing-in on her strong points as well as allaying the fears of her potential strategic partners and focused on development and security in a contemporary context.

3.2.5 NATIONAL DEFENCE POLICY

Nigeria's National Defence Policy (NDP) was signed in June 2006 by the then President Obasanjo as part of the government's overall public sector reform agenda. It was made as a Federal Government's short to medium term policy framework for defence.   The overall objective of the NDP is to protect of Nigeria's interests as mandated by the Constitution. However, in the face of current economic challenges, its impacts on defence budgets and consequently military capabilities, these define the scope of protection afforded national strategic interests. The degree of protection that can be provided is, therefore in keeping with her foreign policy. To this end, the stated objectives of the NDP (2006, 22) are as follows:

a.   Protection of Nigeria's sovereignty, citizens, values, culture, interest, resources and territory against external threats.

b.   Provision of defence as well as strategic advice and information to Government.

c.   Promotion of security consciousness among Nigerians.

d.   Response to requests for aid to civil authority.

e.   Participation in disaster management and humanitarian relief operations both at home and abroad.

f.   Protection of Nigerians wherever they may reside.

g.   Ensuring security and stability in the West African sub-region through collective security.

h.   Assistance to government agencies and levels of government in achieving national goals.

j.   Participation in bi-lateral and multi-lateral operations.

k.   Contributing to international peace and security.

Deriving from these objectives, the Armed Forces of Nigeria are tasked with (NDP, Opcit, 23):

a.   Protecting the sovereignty of Nigeria through surveillance and

control of Nigeria's land and maritime territory as well as airspace.

b.   Protecting Nigeria's onshore and offshore strategic assets.

c.   Co-ordinating National Search and Rescue Programmes

Ensuring security and stability in the West African sub-region through collective security (Serial 'g'), participation in bi-lateral and multi-lateral operations (Serial 'j') and contributing to international peace and security (Serial 'k'), when read together, convey a sense of the realisation of the need for emphasized security and the potential for collaborative efforts both of which could also be imputed for the maritime domain despite the lack of specific mention of the maritime environment in the whole NDP objectives. Clearly, the threat potentials of the

maritime domain were still considered peripheral as at when the NDP was crafted in 2006 even to Nigeria which had by become almost totally dependent on crude and gas exports.

3.3 INSTITUTIONAL FRAMEWORK

3.3.1 NIMASA

Maritime administration in Nigeria is handled by the Nigerian Maritime Administration and Safety Agency (NIMASA). ''NIMASA was created on the 1st August 2006 from the merger of National Maritime Authority and Joint Maritime Labour Industrial Council (former parastatals of the Federal Ministry of Transport)'' (NIMASA, Opcit). Two previous acts of Parliament, the Nigerian Merchant Shipping Act 2007 and the Coastal and Inland Shipping (Cabotage) Act of 2003 were merged to yield the NIMASA Act 2007. This Act empowers NIMASA as the primary regulatory maritime organisation in Nigeria with the following responsibilities:

   a   To pursue the development of shipping and regulate matters relating to merchant shipping and seafarers.

   b.   Administering the registration and licensing of ships.

   c.   Regulate and administer the certification of seafarers.

   d.   Establish maritime training and safety standards.

   e.   Regulate the safety of shipping as regards the construction of ships and navigation.

f.   Provide search and rescue services.

g.   Provide directions and ensure compliance with vessel security measures.

h.   Carry out air and coastal surveillances.

i.   Control and prevent maritime pollution.

j.   Provide direction on qualification, certification, employment and welfare of maritime labour.

k.   Develop and implement policies and programmes which will facilitate the growth of local capacity in ownership, manning and construction of ships and other maritime infrastructure.

l.   Enforce and administer the provisions of the Cabotage Act 2003.

m.   Perform port and flag state duties.

n.   Receive and remove wrecks.

o.   Provide National Maritime Search and Rescue Services.

p.   Provide Maritime Security.

q.   Establish the procedure for the implementation of conventions of the International Maritime Organisation and the International Maritime Labour Organisation and other international conventions to which the Federal Republic of Nigeria is a party on Maritime Safety and Security, Maritime Labour, Commercial

Shipping and for the implementation codes, resolutions and circulars arising there from.

The hub of NIMASA's operational capacity lies in the Long Range Identification Tracking (LRIT) devise sponsored by the American Government, the Regional Maritime Rescue Coordination Centers (RMRCC), and the Nigerian Maritime Resource Development Center (NMRDC) for maritime capactity development.

In collaboration with the NN and sequel to Article 4C of an MOU between NIMASA and the NN, a Maritime Guard Command was created. It comprises naval personnel and Agency staff with responsibilities for security patrol, of the Nation's waters, SAR, Pollution Control, Hydrography, enforcement of Cabotage Act 2003 as well as general maritime laws as contained in the NIMASA Act. Aerial patrols are also conducted with NIMASA's AW 139 helicopter. To achieve this, NIMASA sponsored the training of naval pilots who man the helicopters which also double in SAR roles. Thus the Agency established the structures and collaborative framework for effective air/sea/land patrols and surveillance. NIMASA's Marine Pollution Prevention and Marine Pollution Control divisions provide marine environmental monitoring and control.

3.3.2 NATIONAL EMERGENCY MANAGEMENT AGENCY

The National Emergency Management Agency (NEMA) is the Agency charged with the responsibility to manage disasters and civil emergencies in Nigeria. It was established via Act 12 as amended by Act 50 of 1999. Under the Agency, a Department of Search and Rescue is responsible for ''prompt and efficient coordination of search and rescue activities during

disasters. It also put(s) in place adequate preparedness measures towards effective and efficient management of disasters in the country''(NEMA, 2011). The functions of the Department include;

a.   Coordinating Search and Rescue activities for disasters in Nigeria.

b.   Ensuring the provision of adequate communication networks with a redundancy for in-country disaster management.

c.   Coordinating the activities of the COSPAS-SARSAT Nigerian Mission Control Centre (NMCC).

d.   Advising the DG on technical matters relating to acquiring specialized equipment.

e.   Public Safety and information during Search and Rescue Operations.

From inception, rescue zones and centres had been designated in accordance with international practice. Thus, NEMA has been structured to tackle disaster related issues through the establishment of concrete structures and measures. However, the sufficiency of the equipment and the level of coordination with associated agencies and stakeholders may still leave room for improvement and do not fall within the scope of this study.

Nigeria is a signatory to the SOLAS, hence Nigeria is obliged to provide Search and Rescue services for Seafarers that are in distress along its coast. During the 2000 Florence Conference in Italy on SAR, Nigeria was designated as one of the five Regional Maritime Rescue

Coordination Centres (RMRCC) in Africa. Other countries were South Africa, Kenya, Morocco and Liberia. In line with these, the then National Maritime Authority (NMA) in 2002 proposed to establish a Maritime Rescue Coordination Centre (MRCC) and Sub-centres (MRSC) in accordance with IMO COMSAR/Circular 18. IMO/ICAO directives on joint rescue coordination resulted in a collaboration between NIMASA and Nigerian Airspace Management Agency (NAMA) to designate space for 5 coastal geographically spread Rescue Coordination Centres.

Subsequently, three foreign companies were engaged to supply and install the appropriate GMDSS equipment. Based on these obligations, under NIMASA supervision, a disaster management plan was drawn and GMDSS Radio equipment installed in some of the proposed Rescue Coordination Centres around the country.

COSPAS-SARSAT

The COSPAS-SARSAT system consists of emergency radio beacons (distress beacons), equipment on satellites in low-Earth polar or in geosynchronous orbits, ground receiving stations also called Local User Terminals (LUTs), Mission Control Centres (MCCs), and Rescue Coordination Centres (RCCs). The system provides all year round surveillance and detection from transmissions from emergency beacons carried by ships, aircraft, and individuals. Use of the COSPAS-SARSAT system is free and it has become a major factor in maritime safety and security organisation. Nigeria's NEMA has established a COSPAS-SARSAT facility as part of its maritime safety and security portfolio which also includes SAR helicopters (NEMA, 2011). It relies on the NN for operations in the maritime environment

requiring ships and on the Nigerian Airforce for complementary aircraft roles. NEMA operates from six zonal centres that correspond to the geopolitical zones of the country. RCCs have been designated all round the country with those along the coast and the Abuja Operations Centre coordinating the maritime domain operations. Other State agencies perform various complementary roles to NEMA however; the integration of relevant agencies and stakeholders into the COSPAS-SARSAT network for optimal derivable value is yet to be achieved. Observers have noted that pre-planned response has been a major problem in the management of emergencies hence comprehensive, holistic strategies are required at local and national levels. The need for a disaster management policy that would amongst other streamline inter-agency coordination has also been identified (Ovosi, nd).

There is therefore the need for a national disaster management policy as well as orientation programme to achieve seamless inter-agency coordination if NEMA is to contribute effectively to maritime safety and security particularly in the highly dynamic maritime domain. Operations in the GoG therefore would also require the framework for trans-national inter-agency cooperation. Such cooperation would be a force multiplier to existing limited capacities.

3.3.3 THE PRESIDENTIAL IMPLEMENTATION COMMITTEE ON MARITIME SAFETY AND SECURITY

The Presidential Implementation Committee on Maritime Safety and Security (PICOMSS) was set up by the Federal Executive Council (FEC) in September 2003. It was set up to steer the co-ordination and integration of relevant national assets required for an integrated

maritime safety and security solution. PICOMSS was set up as an ad-hoc committee after the September 11, 2001, terrorist attack that led to the bombing of the World Trade Centre (WTC) in New York City and the Pentagon in the United States of America. After the attack, the IMO adopted the International Ship and Port Facility Security (ISPS) Code to detect and deter security incidents involving ships and port facilities. IMO had set July 1, 2004, as deadline for the IMO member-states to meet security specifications under the ISPS Code and to facilitate this; the Federal Government had set up PICOMSS to coordinate the attainment of the prescribed security status.

However, the bill proposing for the establishment of a maritime security agency has been the focal point of controversy in the last four years. The Agency is expected to be responsible for intelligence gathering and sharing among relevant security and maritime agencies. The MASECA bill has been passed by the House of Representatives (the lower house), but is still facing a lot of opposition from stakeholders particularly NIMASA and the Nigerian Navy which oppose the continued existence of PICOMSS and its intention to transform to another government agency through the MASECA bill. According to the provisions of IMO conventions and guidelines, NIMASA is presently the only agency recognised by the IMO to carry out maritime safety and security administration in Nigeria.

Another point of controversy with PICOMSS was its support for the creation of a coast guard. This proposal has not gone down well with again the NIMASA and the NN which argue that in the face of economic downturn being experienced the creation of a new maritime organization was ill timed. Both organizations further argue that the resources to be injected into the proposed coast guard, would go a long way to revamping the Navy by way of

providing additional platforms to meet her challenges and more over the new organization would still go through the infrastructural and capacity challenges presently confronting the Navy, hence, would not readily be able to address the pressing maritime security challenges resulting to wasteful duplication. All said and done, a major factor in favour of the Navy's case is the fact that Nigeria's maritime interests have in the last decade stretched way beyond her waters and being faced with the need to fill-in the maritime space void created by deficiencies in neighbouring policing capacities, Nigeria's priorities must weigh heavily in favour of a multi-role maritime organization with the reach and force to exert the necessary influence across the maritime environment of interest. This eventually will need to be a deciding factor for her policy makers. Operationally, PICOMSS has set up the COMARASS Project which involves the installation of 11 coastal maritime surveillance radars, 5 of which are already in progress. It is also supervising the compliance phase of the ISPS Code in the country. Some industry experts opine that the creation of the proposed MASECA will only swell the ranks of the controversies arising from inter maritime agency rivalry which would be unhealthy.

ISPS Compliance

The ISPS Code of the IMO is designed to create a common global benchmark between governments, maritime agencies, administrators of shipping and port facilities for cooperation. Also it is to facilitate efficiency of intelligence gathering and exchange within them. Furthermore, it hopes to instil confidence in maritime operations through the emplacement of adequate maritime security measures.

Of interest is Chapter X1-2 which relates to special measures to enhance maritime security. Regulation 6 of this Chapter has a mandatory provision for Ship Security Alert System (SSAS) The SSAS when activated shall initiate and transmit a ship-to-shore security alert to a competent authority designated by the administration. In the same context, Conference Resolution 10 on the early implementation of LRIT also urges contracting governments to take as a matter of high priority any action needed at national level to give effect to implementing and beginning the long range identification and tracking of ships. The IMO's requirement for the long range identification and tracking of ships is now in force in the maritime community. The new regulation applies to any vessel engaged in international voyage including passenger vessels, cargo ships of 300 gross tonnes and mobile offshore drilling rigs. The deadline for compliance was 31 December 2008. These systems will compliment national procedures towards achieving effective maritime domain awareness.

Paragraph 4.2 of Part B of Chapter XI-2 of the ISPS Code stipulates that the contracting government may identify a Designated Authority within the government to undertake the implementation of the best practices towards the attainment of maritime security. The contracting government is also responsible for keeping the IMO abreast of issues and measures in tandem with the dissemination of information to shipping and port industries. Among other responsibilities, the designated authority is to ensure an effective liaison and monitoring to achieve compliance with tenets of the ISPS Code. PICOMSS is the designated Authority for Nigeria. For effective implementation of the provisions of the ISPS Code, the country's qualifying facilities were delineated into four geo-functional Maritime Security Zones (MSZs) as follows: Lagos MSZ, Delta MSZ, Rivers MSZ and Calabar MSZ. Nigeria

has seventy five (75) Port Facilities, and all have approved Port Facility Security Plans (PFSP) making Nigeria ISPS compliant (NPA, 2011). The certification is achieved through collaboration between NIMASA and PICOMMS. More importantly is the development of National ISPs Code Guidelines, which is generally referred to as National Maritime Security Plan (NMSP). This is a comprehensive plan that embodies all the security plans, Port Facilities and ships alike. These plans are audited and reviewed periodically to ascertain the needs or otherwise for update as the security scenario demands.

3.3.4 THE NIGERIAN NAVY

3.3.4.1 THE ROLES OF THE NIGERIAN NAVY – POLICY FRAMEWORK

The provisions of the 1999 Constitution by virtue of Section 217, as well as section 4 of the Armed Forces Decree (AFD) 105 of 1993 as amended stipulate the roles and functions of the NN. Sub-section 4(a) further tasks the NN with enforcing and assisting in coordinating the enforcement of all customs laws, including anti-illegal bunkering, fishery and immigration laws of Nigeria at sea. Additionally, it is responsible for enforcing and assisting in coordinating the enforcement of national and international maritime laws ascribed or acceded to by Nigeria. Furthermore, the making of charts, coordinating of all national hydrographical surveys, promoting, coordinating and enforcing safety regulations within the territorial waters and EEZ are within her jurisdiction. It is apparent therefore that the NN roles which cover military, policing and diplomatic are primarily concerned with the protection of the nation's maritime interests and activities. Notably, also, the NN was the only institution charged with responsibility for maritime security by the Constitution, other related agencies evolved with contemporary developments. The principal roles assigned to the NN are as follows:

a.   **Military Role**.   The military roles include projection of force and balance of power functions.

b.   **Diplomatic Role**.   Diplomatic role includes negotiation from the position of strength, manipulation and prestige.

c.   **Policing Role**.   The policing role includes coastguard responsibility and duties including nation building functions.

Subsequently, the NN in fulfilment of these objectives is guided by the following amplified tasks as contained in the Armed Forces Act CAP. A20 (2004):

a.   **Military Tasks**.   The military tasks are:

(1)   Combat operations against the enemy forces and defence of own forces.

(2)   Evacuation operations, gunboat diplomacy and peacekeeping and peace support operations.

b.   **Diplomatic Tasks**.   The diplomatic tasks are:

(1)   Defence diplomacy.

(2)   Flag showing visits.

(3)   Combined naval exercises and exchange programmes with navies of other nations.

c.   **Policing Tasks**.   The policing tasks include:

(1)   Anti-piracy operations, fishery protection, drug interdiction and contraband operations, for example anti-smuggling and anti-bunkering patrols.

(2)   Oil and gas field protection patrols.

(3)   Maritime counter terrorism and counter insurgency operations.

(4)   Enforcement of maritime treaties and agreements under international law.

d.   **Naval Assistance to Civil Authority**. These include:

(1)   Humanitarian and disaster relief operations, non-combatant evacuation, assistance to refugees and peace support operations.

(2)   Search and Rescue (SAR) and salvage operations.

(3)   Ordinance and pollution control.

(4)   Hydrographic surveying.

These NN roles would ensure peace and security as well as sustained economic growth and development within the sub-region. It is within this framework that the NN role would include the defence of the extended sea area of the GoG region. Consequently, the capability of the NN would be assessed to ascertain how its disposition could augment the shortfalls of other navies within the GoG Region in a collaborative effort to the attainment of its roles in sub-regional defence of the GoG.

3.3.4.2 ASSESSMENT OF THE NN's STRUCTURE AND CAPACITY FOR MARITIME SECURITY

In assessing the capabilities of the NN in defence of Nigeria's EEZ and the GoG maritime environment, it would be necessary to evaluate its organisation, assets and concept of operations.

Nigerian Navy Force Structure

The NN is organised into 2 operational commands, a Training Command, a Logistics Command, a Sea Training Command and 2 autonomous support units. The operational commands are the Western Naval Command, (WNC) with headquarters in Lagos and the Eastern Naval Command (ENC) with headquarters in Calabar. The operational commands have their organic fleets.

The Training Command is responsible for all aspects of naval training and has its headquarters in Lagos. The Sea Training Command also with headquarters in Lagos is responsible for work-up of ships and the crew after a ship has undergone a refit. The autonomous support units are the Naval Dockyard in Victoria Island Lagos and the Naval Shipyard in Port-Harcourt. These two support units undertake repairs/refit for both NN and Civilian vessels.

Assets of the Nigerian Navy

The NN fleet is structured into classes and types of ships as shown in Table 3-1. In a bid to ensure that NN operational commands have a good mix of ships, the Fleet is allocated equally to both commands. The breakdown are, one Frigate, 2 Corvettes, 6 FACs, 2 MCMVs, 3 PCs, 4 Buoy Tenders (PCs), 8 IPCs, 2 LSTs, one survey ship and 6 helicopters.

TABLE 3-1: ASSETS OF THE NIGERIAN NAVY

Serial	Type of Ship/AC	Qty	Name of Ship	Year Procured	Remarks
(a)	(b)	(c)	(d)	(e)	(f)
1.	Frigate	1	ARADU	1981	N/Op (Refit Prog)
2.	Corvette	2	ERIN-OMI ENYIMIRI	1979	N/Op N/Op
3.	Fast Attack Craft	6	AGU DAMISA EKPE AYAM EKUN SIRI	1981 1982	N/Op (For decomissioning) DED DED DED DED DED

4.	Patrol Craft	6	HADEIJA	1974	N/Op
			MAKURDI		N/Op
			YOLA		N/Op
			BRASS		N/Op
			ZARIA		Op
			BURUTU	2008	Op
5.	Inshore Patrol Craft	8		1981	10% Operational
6.	MCMV	2	BARAMA	1988	N/Op
			OHUE		N/Op
7.	Landing Craft	2	AMBE/OFIOM	1980	N/Op
8.	Survey Ship	1	LANA	1976	Undergoing Repairs
9.	WESTLAND LYNX Helicopter	2	NAVAL AIR STN	1984	Undergoing Repairs

10.	A109 AUGUSTA Helicopter	4	NAVAL AIR STN	2002	Operational
11.	USCG Buoy Tender	4	OLOGBO NWAMBA KYANWA OBULA	2003	Operational
12.	Service Tug	4	Dolphin Rima Dolphin Mira Rudolf Apayi Joe	1983	Undergoing Repairs
13	Defender Class Boats	15		2005	Operational
14	Manta Class Boats	6		2007	Operational

SOURCE: Extracted from NN ORBAT - Operational States as at June 2011.

However, an in-depth analysis of NN combat assets as shown in Table 4.1 clearly indicates that currently, only 5 out of 22 major platforms representing about 22% are operationally available as compared to 13 out of 44 major platforms representing about 30 percent of its assets in . Most of the ships are aging and now require replacement for the NN to cope with emerging challenges of the maritime environment. Additionally, Osinowo's assessment with respect to policing the EEZ; that Nigeria and indeed other GoG states, he insists that based on the respective total numbers of naval vessels against the total coastline length, that none could provide a vessel for every 2000 sq nm of its EEZ. These obvious operational inadequacies have adversely affected NN's capability to effectively perform its roles in defence of Nigeria's EEZ and GoG maritime environment. To effectively cover this area, and maintain significant presence capable of offering deterrence, the NN needs specialised platforms suited for long range and extended duration operations in the domain and in the right numbers and combinations too. Therefore, sustained presence at sea which is essential for enforcement, and strategic deterrence would require dedicated platforms such as submarines, OPVs, additional frigates, Underway Replenishment Ships (URS), adequate logistics support and well-trained manpower. These essential requirements are currently lacking in the NN ORBAT.

NN Concept Of operation

The NN concept of operation is predicated on a Defence-in-Depth mechanism (Ekoko and Vogt in Oladimeji,1990:281). This mechanism has been conceptualised as three levels of overlapping perimeters of maritime defence. The levels are as follows:

a**.**   **Level One.** This level refers to coastal defence and in-shore operation. It entails intensive round-the-clock surveillance and early warning from up to at least 100 nautical miles into the sea. It includes all aspects of policing and military roles which involves the employment of ships such as the In-shore Patrol Craft, Patrol Craft, Missile-Carrying Fast Attack Craft and OPVs.

b.   **Level Two.** This level refers to naval presence in the EEZ for monitoring and sea control. It includes the presence of policing/protective forces such as Missile-Carrying Fast Attack Craft, OPVs Corvette Class Ships and Frigates to protect resources in the EEZ. It provides allowance for a possible sub-regional or regional coordination of policing of non-military nature in an indivisible sea area or overlapping EEZ for the purpose of controlling among others, poaching, pollution and dumping of toxic waste.

c.   **Level Three.** This is the furthermost level in the defence-in depth concept and is characterised by surveillance especially for intelligence gathering, occasional independent and joint exercises in the area, training cruises and alliance formation. The ships employed for operations in this level are as those in Level Two but accompanied by a URS for sustained operations and maritime patrol aircraft for over-the-horizon surveillance.

The essence of the maritime defence-in-depth concept is to extend the perimeters of defence as far as possible in order to ensure that the enemy faces higher intensity of resistance and suffers more losses as he gets closer to the coast. A diagrammatic expression of the concept is as shown in figure 3-2.

FIGURE 3-1: A DIAGRAMATIC EXPRESSION OF THE NIGERIAN NAVY CONCEPT OF OPERATTION
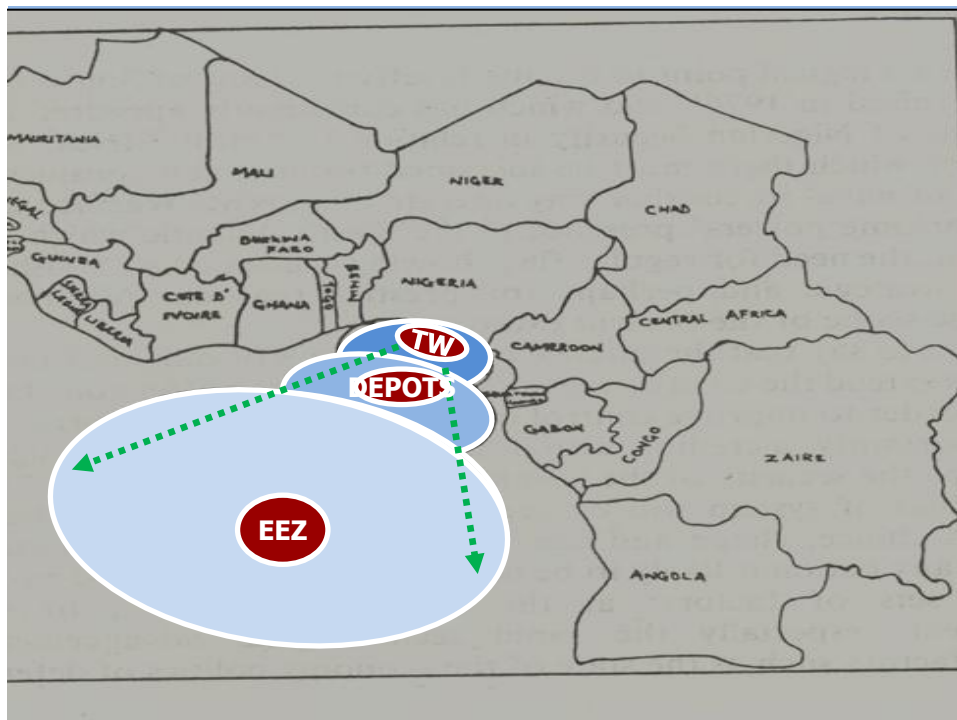
Source: Nigerian Defence Policy: Issues and Problems 1990

3.3.4.3 NIGERIAN NAVY MARITIME DEFENCE STRATEGY

The NN has articulated a naval strategy known as the Trident Strategy for its operations. According to Admiral PS Koshoni (rtd) a former Chief of Staff, its purpose is to outline the strategic roles of the Navy as contained in the Navy Act 1964. He believed that the future size and shape of the NN and its training pattern would be guided by the Trident Strategy. He went further to state that the effectiveness of the strategy will depend on the availability of funds.

The Trident Strategy specifies the following strategic roles for the NN:

a.   Sub-regional sea control in peace and in war in defence of

Nigeria's maritime interests.

b.   Effective coastal defence.

c.   Sealift in support of the Army and gun-fire support in amphibious operations.

The expected implications of these specified roles are that the NN should be positioned to operate in the full spectrum of naval tasks within the GoG. While the manpower projections for the implementation of the Trident Strategy went ahead, a planned acquisition process for a balanced fleet, backed by adequate logistics and training to fulfil the objective of the Strategy suffered series of setbacks. This is because the NN platform acquisitions, training patterns, and funding have not been guided by the Trident Strategy as originally proposed. This is also because the Strategy had not been adopted at the national level as part of a national maritime security policy; hence it lacked support from political authority. The resultants were mis-matches in the priority order of acquisitions for the NN where any. It has therefore become necessary for the NN to be adequately equipped for operations in the Gulf of Guinea and in particular the whole of Nigeria's EEZ as implied by the Trident Strategy.

Additionally, in the face of current realities a review of the strategy has become necessary. A look at the levels will reveal that the realistic component captured in the Concept ended at Level 2 which clearly defines operations up to the EEZ. Level 3 makes no such attempt thus leaving the scope of operations open-ended. However, it is apparent that this was done so to accommodate the third element in the consequential role tasks which is to provide the army sealift and support in extended theatres. Again the scope and limit of such theatres were not indicated. For an insight to resolving this we will borrow from the Chief of the Naval Staff, Nigerian Navy, Vice Admiral OS Ibrahim (2011) where he referred to the classification of navies by Morris and Ken Booth and identified the NN as an offshore territorial defence navy

and a contiguous navy respectively. Going by these categorizations which take into account the inventory and role capabilities of the assessed navies, the NN is definitely incapable of satisfying open-ended, distant operations as connoted in Level 3 strategic step of the Trident Strategy. True, the NN has performed well in the strategic sea lift role during its missions to Lebanon, Liberia and Sierra Leone and in collaboration with multinational partners in a collective security role. Furthermore, the task of sea control, apart from being obsolescent, history and present day circumstances preclude any such capacity for the NN in the foreseeable future. Consequently, the primary role evolving from the Concept should focus on and derive from the NDP to possibly include:

a.   Territorial sea control in peace and war in defence of Nigeria's sovereignty and the protection of her maritime interests.

b.   Effective maritime security and defence in the EEZ.

c.   Effective influence on the Sub-regional and regional sea domain including through joint and combined peace and security initiatives.

Within the last five years and in the face of emerging challenges, the NN embarked on building its institutional capacity for effective maritime security. One area of note is the establishment of several Forward Operating Bases (FOBs) strategically sited along the length of national coastline. The aim was to provide support for medium to long duration policing duties by the ships, reduce the lacuna in coverage of coastal area and reduce the reaction/response time of boats and ships to the vicinity of maritime threats. Six FOBs in all are in place, additionally, two other naval bases were established along the courses of major

tributaries to the Atlantic Ocean which serve high commercial traffic. Furthermore, eleven Fast Response Posts (FRPs) are proposed, five of which are already in place. The FOBs and their FRPs with their combinations of boats are to enhance physical surveillance to complement the total coastal coverage objectives. They are also to facilitate the desired levels for rapid response to maritime incidents. The establishment of these bases has positioned the NN ready to key into an integrated maritime surveillance network which would complement the efforts at maritime security. The NN, under Vice Admiral OS Ibrahim, determined to keep abreast of contemporary and emerging challenges has also embarked on a transformation programme aimed at improved and sustainable efficiency. It is notable that one of the objectives of the Programme is to ''Develop a fleet capable of sustaining continuous and effective presence in the EEZ''(NN, 2011, iv).

Under the Gulf of Guinea Energy Security System (GGESS) the NN set up a Regional Marititme Awareness Capability and Integrated Traffic Management System (RMAC-ITMS), a US led initiative for increased safety and security in the maritime domain. The system includes an Automatic Identification System (AIS) sited at two strategic coastal positions, Lagos and Bonny, with a central control. The NN is collaborating with NIMASA to ensure the resources from the RMAC are available to sister agencies. The project's applications include MDA, Regional Surveillance Data exchange, Vessel Traffic Advisory, Waterways Monitoring and Management, Natural Resources Area Surveillance and Post Incident Analysis and Reporting.

Nigerian Navy's Collaborative Security Operations In The Gulf Of Guinea And The Scope For Diplomacy

The NN has carried out a number of operations in line with its roles and responsibilities in the Gulf of Guinea. Apart from policing and coastal defence functions, the NN has been involved in sub-regional security operations in collaboration with sub-regional partners and regional diplomacy missions. Notable among these include the ECOMOG operations in Liberia (OPERATION LIBERTY) and Sierra Leone (OPERATION SANDSTORM) between 1990 and 1998. During the ECOMOG operations the NN was tasked to provide sealift and naval fire support for the Nigerian Army. Further tasks carried out included humanitarian evacuation and local sea control to deny rebel forces the use of the sea. The ECOMOG operations tasked the NN's sealift, sea control and amphibious warfare resources. Success in the operations was hampered by problems such as inadequacy of platforms, logistics supply vessels and absence of joint service doctrines. This inadequacy has been compounded by the eventual degradation of the resources tasked for ECOMOG operations as well as age. According to Ibrahim ''most of the ships are over 25 years old as they were commissioned into the Service of the NN in the early eighties. In fact, a sizeable number are well past their useful years and are billed for decommissioning''. Some recent additions to the Fleet which include; 4 Cat Class ships, 15 Defender boats, a 38m Manta and a Shaldag Class boats and 4 Agusta helicopters cannot sufficiently bolster the NN's operations. Being that Nigeria is technologically dependent, the reactivation of a virile fleet will be depend on the cooperation and support of technologically advanced partner nations who share Nigeria's interest in the challenges confronting the NN in the GoG. Considering the average vessel production lead

times of 5-8 years, and in the face of its urgent needs for platforms, the NN must resort to off-the-shelf acquisitions to meet her immediate and short term needs. These must also be along the lines of a CONOPS and fleet balance that capture offshore territorial defence and regional maritime capabilities.

Military forces at sea contribute to what has traditionally been known as naval diplomacy. That means the use of maritime forces as a diplomatic instrument in support of political objectives and foreign policy. The deployment of the RN Task force to the South Atlantic in 1982 was initially an example of naval diplomacy with its steady passage south providing a clear threat of military force to back-up the diplomatic negotiations being conducted as an attempt to avert actual hostilities. OPERATION SEADOG and OPERATION HARMONY around the Bakassi Peninsula are examples of the NN in a diplomatic role. OPERATION SEADOG was an amphibious exercise carried out in 1985 to demonstrate Nigeria's resolve and capabilities to defend her interest in the maritime border area with Cameroon. Also, doctrinally, there are several ways in which naval diplomacy can be brought to bear on international politics. When it is exercised in a general way involving deployments, exercising and routine operations in areas of interest, it is known as presence. A traditional way of demonstrating presence is by foreign port visits (otherwise known as Flag Showing) to impress upon local populations the state's interest and involvement in the region. There is no threat of force, instead the vessel and her crew act as ambassadors whose function is to make a favourable impression on the local population. At the height of NN operational readiness in the 1980s, several flag-showing visits were conducted to neighbouring countries in the GoG. These countries included Equatorial Guinea in 1986, Gabon and former Zaire in 1987. In

particular the visit to Equatorial Guinea was packaged with a Memorandum of Understanding involving the transfer of one NN Inshore Patrol Craft (IPC) and a temporary training team to Equatorial Guinea Navy. These diplomatic duties were indeed hallmarks that could be re-introduced and expanded to forge better relationships with other neighbouring countries. Another aspect of collaborative maritime security capacity building is the establishment of a Joint Maritime Security Training Centre for the Nigerian Navy which trains personnel from sister services too. This Centre is part of a British initiative to help build capacity in addition to existing training facilities. Over 200 NN personnel have received update-training from the USN for the 5 Offshore Patrol Vessels purchased by Nigeria from the USA under the Excess Defence Articles programme (Ibrahim, Opcit).

Since its inception in 1956, the NN has been performing its statutory roles within the limits of its fleet operational capabilities. However, most of the platforms have deteriorated mainly due to old age and inadequate maintenance. From the NN operational experiences and diplomatic activities, it is apparent that there is the need for more platform acquisition in order to meet its increasing responsibilities. As a corollary, maintenance facilities also require upgrading in order to improve the operational readiness of the available ships. It also lacks logistics vessels to extend the operational range and endurance of its vessels, and OPVs with organic helicopters for aerial surveillance. There is therefore the need to increase the number of platforms and improve on the standard of maintenance in order to increase their operational availability. It is also necessary to acquire flat bottom boats, logistics ships and OPVs for the reasons stated above. Beyond all these the NN needs to embrace a concept for collaborative security in the maritime domain beyond the territorial waters. It is not yet imaginable that the

nation would embark on an acquisition program to adequately match the expanding scope of her foreign and defence priorities, hence the way out, to bridge the gaps would be through regional security cooperation. The NN is the lead agency in Nigeria for maritime security. It has striven to position itself to meet present and emerging challenges in the domain. However, it is beset by a myriad of problems which include inadequate platforms for operations, unsuitable CONOPS for cooperative security collaboration.

3.4 MARITIME SECURITY MEASURES - MARITIME DOMAIN AWARENESS

A principal factor in the effectiveness of maritime security is obtaining knowledge of all activities, events and trends in the specific maritime domain referred to as Maritime Domain Awareness. MDA is considered a force multiplier and its ultimate objective is to provide early, accurate and timely information for the identification of threats in order to ensure adequate reaction time and proper course of actions. MDA on a national scale is an emerging concept in maritime domain management which is being widely embraced as a result of the spate of terrorism and maritime piracy. In its full scope, it involves the collection, analysis, interpretation and dissemination of large volumes of data, intelligence and information received from a network of participating agencies and organisations either national or multinational (Oyagha, 2010, 25). It is essentially a technical process with a large scope that makes it of necessity an inter-agency project. In Nigeria the stakeholders include the following; MOD, DHQ, the NN and the other Services, Ministry of Transport, Ministry of Petroleum Resources, Ministry of Agriculture, Ministry of Internal Affairs, NIMASA, Nigeria Ports Authority (NPA), Nigeria Customs and Excise Department, the Nigerian Police and Nigeria Drug Law Enforcement Agency (NDLEA) and among others. Since MDA is about

identifying threats early and distant from the shores, and the NN is presently the lead agency in this field, it must possess the capacity for intelligence gathering, fusion and dissemination capabilities in tandem with the existing structures in order to afford the ability for response to infringements. It is expected that the NN is partnering and making inputs into the Maritime Security Bill presently in the National Assembly. The desired levels of marrying of information and intelligence, the inter-agency exchange of information and with the private sector, sharing of common data bases which are key to MDA, much is yet to be achieved.

TABLE 3-2: SCOPE OF MARITIME INTER AGENCY COOPERATION

Serial	What/How	Where	When	Whom
(a)	(b)	(c)	(d)	(e)
1.	Implementation of the 1992 Maritime Operations Coordinating Board Act with an amendment making the CNS the Board Chairman as against CTOPS DHQ and include NIMASA, NPA, NIWA, Shippers Council as members.	National Assembly	Immediate	Executive/Legislators
2.	Burden Sharing – Collaboration and Cooperation between Maritime Stakeholders.	In Country	Immediate	All MDAs

	- Synergy of Efforts - Economy of Resources.			
3.	Holding Regular Conference and Seminars on Maritime Security	In Country	Immediate	All MDAs

FIGURE 3-2: CRITICAL ESSENTIALS FOR MDA

  a. Port Vessel Traffic Management Information system (VTMIS),

  b. Coastal VTMIS,

  c. Automatic Identification System (AIS),

  d. Long Range Identification and Tracking (LRIT)

  e. Radio/Radar/Telecoms System.

FIGURE 3-3: EXISTING MDA SURVEILLANCE CAPABILITIES

  1. MPAs

  2. UAVs   **PICOMSS**

  3. COMARASS Project – Installation of 11 Coastal

PICOMMS Radar stations, 5 stations already in progress.

  4. NN – RMAC ITMS System (United States assisted Project).

  5. NAF – MPA – Equipped with ATR 42 (Jointly manned by NAF and NN pilots.

  6. NIMASA – Regional Distress Centre at Kirikiri, Bonny and Bonny.

7.   SPSOs – Surveillance Radars and AIS System.

The Chief of the Naval Staff Conference 2009 identified the following desired objectives at Figure 3-4 for improved inter-agency cooperation with regards to effective MDA and identified serials a-e as critical essentials. These are a clear confirmation of the growing sensitivity to the need for interagency cooperation and coordination for maritime security in Nigeria. MDA in its strategic form has no borders, and there are provisions for partnership to build enviable capacities for MDA within the IMO and other well advanced countries (Peverett, 2010). There is therefore the need to demonstrate very strong political commitment and the will to ensure that Nigeria complies with the instrument of the Code towards enhancing MDA. The impetus to achieve this could attract the partnership from the IMO and other international stake holders in capacity building. A major foreseeable challenge will be the inhibitive cost of MDA projects which will be surmounted once the understanding and political will support MDA.

3.5 NIGERIA'S MARITIME SECURITY CHALLENGES

The Chapter examined the organisation for maritime security in Nigeria. There are challenges of developing but immature institutions, absent or unsuitable policy frameworks, lack of political will, insufficient coordination and lack of synergy across the spectrum of players concerned with maritime security. Inconsistency in policy formulation and implementation has been the bane of governance within the maritime sector. These issues above all undermine the potentials for effective maritime security in the country over and above the more traditional problems of low technology base, dearth of finance and capacity limitations. This

study believes that these more serious organisational issues are more complex, more difficult to and take longer to resolve than the traditional problems hence the traditional challenges must take a back seat in this perspective. Among the GoG states, Nigeria is a lead nation in terms of development thus the scenario in Nigeria is not alien to others, and is very likely to replicate in other GoG nations if not worse. Consequently, the likelihood of any single state in the region overcoming these problems on its own is bleak and not within immediate sight. If the very present threat situations in the maritime environment are to be addressed with the urgency they demand, then it is only logical that each state looks beyond its borders to identify complementary elements in sub/regional partners through cooperative maritime security arrangements.

CHAPTER 4

REGIONAL MARITIME SECURITY ORGANIZATION

4.1 INTRODUCTION

In order to examine the organisation for maritime security in the regions related to the GoG it would be necessary to look at the existing regional cooperation structures and determine to what extent they are prepared for or are already involved in regional maritime security. The key neighbourhood multilateral cooperation organisations in the West and Central African regions are the ECOWAS and ECCAS. These two are part of the AU's Regional Economic Communities (RECs) founded principally to drive economic integration and development in the sub-regions. However, in the face of emerging global paradigm shifts, these organisations are slowly but surely evolving to accommodate the various aspects that have come to be linked with development. Another multilateral initiative but which is specific to collective maritime concerns is the Maritime Organisation of West and Central Africa (MOWCA). Additionally, there are some bilateral maritime-based arrangements that are tied to economic development and resources administration in specific maritime environments such as the GGC and the Joint Development Zone (JDZ). An analysis of their respective suitability or otherwise for maritime security cooperation will now be carried out after identifying the challenges hence the need for effective security in the GoG.

4.2 MARITIME SAFETY AND SECURITY CHALLENGES IN THE GoG

FIGURE 4-1: GULF OF GUINEA (WEST AND CENTRAL AFRICA)

Source: www.3

From the map, 13 Sub-Saharan African Countries make up the GoG littoral states. These Countries are Liberia, Cote d' Ivoire, Ghana, Togo, Republic of Benin, Nigeria, Cameroun, Equatorial Guinea, Sao Tome & Principe, Gabon, Democratic Republic of Congo, Republic of Congo and Angola. A host of landlocked neighbours which depend on the sea for various interests, surround them. Safety and security of the sub-region's maritime domain have become a serious challenge to the respective governments. Insecurity in the maritime domain has caused annual financial losses to the tune of several billions of dollars which in turn have significantly constrained investment and economic prospects (SAN,2009). The increasing activities of piracy, illegal narcotics and arms trafficking, smuggling, pollution and wide scale exploitation of fish and fish resources are accountable for these. Poaching in particular cost the sub-region some $370 million annually, while smuggling activities also cost around $1.2 billion every year in lost revenue (FAO, 2011). As a result, countries in the region rank low in the development index ladder while ranking high on the United Nations Office on Drug and Crime (UNDOC) scales. These unfortunate patterns bring to the fore the critical inability of

countries to effectively police the vast maritime domain and ultimately questions the state of maritime governance policies, institutions and structures.

This state of affairs has been attributed to political and economic prioritization (Dietrich, 2003) that mostly relegates maritime safety and security issues to the background and a lost focus on how important maritime safety and security could contribute to poverty alleviation which the states so much need. ''Challenges in the maritime domain make it more difficult for countries in the Gulf of Guinea to attain these goals [Millenium Development Goals]'' (Quashie, 2009).

The absence of choke points, high quality and low sulphur content of the oil and open access participation should have been points for attraction (Moreno, 2009). Unfortunately the individual nation's efforts at curbing insecurity in their waters have been futile (McClanahan, 2011). In the same vein safety and security of shipping routes and facilities in the sub-region have not received adequate attention considering that the economies of the sub-regional states depend heavily on maritime transit/transport services. In 2003 about 247 million tons of dry/liquid bulk, containerised/general cargo, representing 4.8% of World cargo tonnage of 5129.4 million tons were handled in the region whereas 2009 saw a drop to 2.24% (352.2 million tons) of World cargo of 15,751.2 million tons as a result of insecurity (UNCTAD, 2010). Nations in the sub-region are struggling to fully comply with the standards for port security and safety outlined in the International Ship and Port Facility Security (ISPS) code, to which all countries are signatories. The lukewarm attitude to maritime security results to a few countries in the sub-region having ratified and institutionalized most maritime protocols domestically. Therefore it is easy to identify a lack of sustained political will for the enactment of enabling legislation, strengthening of relevant institutions, enforcement mechanisms, and devoting adequate financial and human resources to maritime safety and security. Again, port and surveillance infrastructure are not well developed; in the midst of

regional technological drawbacks, hence a high propensity for maritime incidents. With the discovery of more oil and gas in the sub-region, as well as other maritime resources, maritime traffic is bound to increase. Tackling this emerging scenario would require a wider and in-depth collaboration beyond national institutions, structures and navies.

4.3 REGIONAL COOPERATION ARRANGEMENTS IN WEST AND CENTRAL AFRICA AND SUITABILITY FOR MARITIME SECURITY ROLE

4.3.1 ECONOMIC COMMUNITY OF WEST AFRICAN STATES

FIGURE 4-2: ECOWAS ZONE
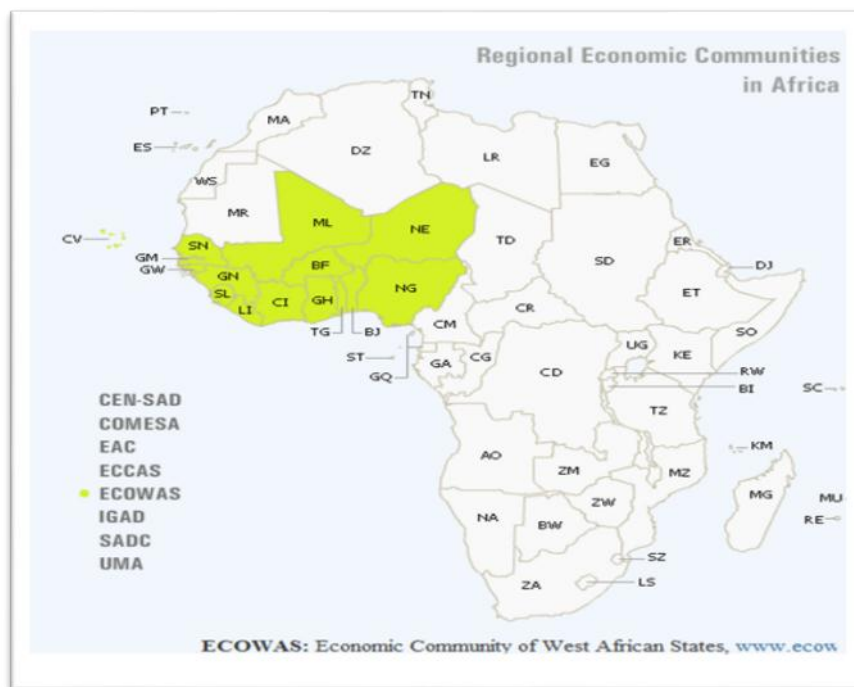
Source: The World Bank Group 2011

ECOWAS which comprises 15 states was established in 1975 to promote regional economic integration. Its aims and objectives as stated at Article 3, Chapter 2 of the ECOWAS Treaty reflect its economic focus.

A cursory look will show that none of these initiatives is specifically targeted at maritime security. Also, none of ECOWAS protocols addresses maritime security neither are any of its specialised agencies charged specifically so in spite of its membership of 12 coastal and one island states out of 16 members (ECOWAS, 2011). The closest is the Water Resources Conservation Unit (WRCU) which is focused on internal water resources. From its peace and security initiatives it is deduced that ECOWAS is focused landward. A further pointer to this, are the many protocols whose headings and contents specifically capture and address the 'land' component. The 1999 Protocol Relating to the Mechanism for Conflict Prevention, Management, Resolution, Peace-keeping and Security is presently the strongest document of the ECOWAS on security. Chapter X (Sub-Regional Security) Article 46 deals with Control of Trans-Border Crimes conveys the meaning of land borders with no reference to the maritime which is even more crime prone. This conveys the impression that the political think-tank of the sub-region perceive that threats to the sub-region emanate largely if not all from land and not the sea (Vrey, 2010). This view of security is apparently drawn from the history of the sub-region which is replete with internal and inter-state land-based conflicts. An acknowledgement of this continental ''lack of maritime awareness'' and its impacts on security was recorded by the East Africa Standby Brigade Coordinating Mechanism (EASBRICOM) Maritime Study Group Report (CHENS, 2010). Furthermore, Chapter XI (Cooperation with the OAU, UN and other international organisations) Article 52 (Cooperation) states ECOWAS' intent to cooperate with OAU, UNO and ''other relevant organisations'' in the implementation of the Mechanism. There is no room in this Article for cooperation with a sub-regional maritime security organisation as may presently exist except through amendment, more so as this Mechanism is specifically concerned with non-maritime conflicts. It can therefore be deduced that though ECOWAS at conception was a platform for sub-regional economic integration for development, it has evolved to capture the elements of collective security in a land-centric sense. It is still to accommodate the need for maritime

security as a critical factor to sub-regional security and development. Therefore the countries in ECOWAS need to ''place security cooperation in the [GoG] at the top of their agenda so as to build up consensus for the establishment of a multilateral maritime security cooperation framework in the foreseeable future.''(Wu, 2009, 12)

**Committee Of Chiefs Of Defence Staff And The ESF**

As part of measures to support peace and security, build confidence between states and to emphasize the special role of the armed and security forces in the integration process of the States of the West African Region a Committee of Chiefs of Defence Staff of ECOWAS (CCDS) was established courtesy of the ECOWAS Protocol on security mechanism. The Committee which comes under the ECOWAS Commission reports to the ministers of Defence and meets annually or extraordinarily. It makes strategic and operational inputs to the decisions of the Heads of State and Government. It also oversees the formation and deployment of forces in line with decisions. In this regard, the Committee is principally involved in the process and set-up of the ECOWAS Standby Force (ESF) a component of the African Standby Force (ASF) of the AU's African Peace and Security Architecture (APSA) project. The ESF which includes police and civilian components is conceived as a unit with sufficient capability and reaction speed to effectively support regional peace initiatives. The concept envisages a brigade sized outfit from contributions of member states comprising specially trained and well-equipped units of national defence forces, ready to be deployed at short notice. All member states have pledged a contribution of one battalion each. In order to enhance cohesion of troops and compatibility of equipment periodic training exercises as well as training exchange programmes in West African institutions are planned. In line with these, a Brigade Command Post (CPX) Exercise is scheduled for later part of 2011 (CCDS, 2011). No maritime component is planned yet and the focus of attention and efforts is towards land

based conflicts. Thus neither ECOWAS nor its organs and institutions are yet to be tailored for maritime security roles in the GoG.

4.3.2 ECONOMIC COMMUNITY OF CENTRAL AFRICAN STATES

ECCAS was founded in 1983 as a customs and economic union with the target to form an economic community. It was kept comatose by sub-regional conflicts of interest until its 2nd Extra-Ordinary Summit in Libreville in 1998. Since then it has evolved fast to catch-up on lost ground.

FIGURE 4-3: ECCAS ZONE
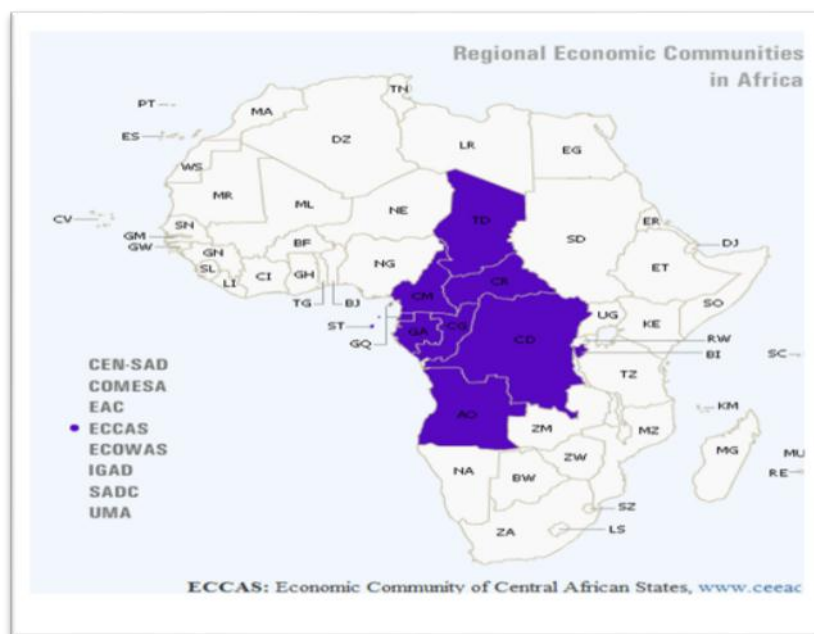
Source: The World Bank Group 2011

ECCAS presently comprises of 11 member states including states from the Great Lakes zone of Africa. Its set aims are to:

a.   Develop capacities to maintain peace, security and stability, which are essential prerequisites for economic and social development.

b.   Develop physical, economic and monetary integration.

c. Develop a culture of human integration.

d. Establish an autonomous financing mechanism for ECCAS.

ECCAS's institutions are:

a. The Conference of Heads of State and Government.

b. Council of Ministers.

c. Secretariat General.

d. Court of Justice.

e. Consultative Commission.

ECCAS has made advances in general peace and security initiatives particularly with respect to the conflicts in the Congo. it has done so in collaboration with various UN agencies. In 2009, four ECCAS member states, Cameroun, Equatorial Guinea, Gabon and Sao Tome and Principe inaugurated Exercise SECURITY MARITIME (SECMAR). This Exercise marked the humble beginning of the ECCAS maritime security mechanism which comprised of naval ships and surveillance equipment for the patrol of the GoG area under ECCAS. This step complied with the provisions of the Protocol Relating to the Security of Vital Interests in the Sea Area of the Gulf of Guinea of ECCAS, signed by all members of ECCAS at Kinshasa on 24 October 2009. Other peace and security initiatives within the Organisation include:

a. A non-aggression pact adopted in 1994.

b. A Council for Peace and Security in Central Africa (COPAX) charged with the promotion, maintenance and consolidation of peace and security in Central Africa. COPAX functions with three technical organs which Standing Orders were adopted at the 10th Ordinary Summit of ECCAS in 2002:

i. The Central African Early-Warning System (MARAC), which collects and analyses data for the early detection and prevention of conflicts.

ii. The Defence and Security Commission (CDS), a meeting of chiefs of staff of national armies and commanders-in-chief of police and gendarmerie from member states. This is the central planning and advisory committee for military operations. A Maritime Conference which targets this level of commanders, operators and sector stakeholders has been introduced and institutionalised so as to maintain the mobilization of this target group.

iii. The CDS decided in 2003 to create a brigade size peace-keeping force. The Central African Multinational Force (FOMAC), a non-permanent force consisting of military contingents from member states resulted which has now evolved to become the East African Standby Brigade as a component of the AU's APSA. Its purpose is to accomplish peacekeeping missions, security and humanitarian relief dubbed Kwanza Force. A maritime component is also in place to serve the objectives of the Protocol Relating to the Strategy for the Security of the Vital Interests at Sea.

ECCAS initiatives at maritime security include the set-up as follows:

a. The Regional Centre for Maritime Security of Central Africa (CRESMAC). This is the strategic analysis organ attached to the General Secretariat and is subject to the Council of Ministers of COPAX. It is located at Pointe Noire, Republic of Congo.

b. A Multinational Coordination Centre (CMC). This is the planning and execution organ and is located in the Military Command of each of four designated Pilot zones. The CMC is also subject to the Council of Ministers of COPAX.

c. A Maritime Operations Centre (COM). COM is the strategic and tactical organ and is found in all member states.

For a common basis of interpretation and execution, ECCAS has defined its maritime zone to be 3,307km from the boundary of Angola with Namibia in the South (Latitude 17deg 28 mins 27 sec S, Longitude 11deg45mins09secE) up to the boundary of Cameroun and Nigeria (Latitude 04deg43mins15secN, Longitude 08deg31mins41secE), about 1,224,912.9km approximately (ECCAS, 2010). The Maritime Zone is further sub-divided into three operational zones:

a. Zone A: Cameroun, Democratic Republic of Congo.

b. Zone B: Angola, Congo, Gabon.

c. Zone D: Cameroun, Equatorial Guinea, Sao Tome and Principe, Gabon.

ECCAS, in 2008, produced a draft for an approach to combat maritime crimes, SAR, and protecting sea routes as well as offshore oil resources and fisheries. It has with the setting up of these institutions focused on security aspects of its operations. Article 3 of the Protocol Relating to the Strategy for the Security of the Vital Interests at Sea specifically commits members to the exchange of information and regional control of the GoG through joint operations amongst others (ECCAS, 2009). The challenge of administering the security operations through appropriate legislation and law enforcement provisions will also need to be addressed. Perhaps it is this concern and the need to exploit areas of cooperation and coordination that a meeting of the Chiefs of Staff of National Armies of ECCAS Zone D and the GGC was held on February 12, 2011 at Point Noire, the Republic of Congo at which the operational plan of SECMAR 2 was signed (DHQ, 2011). The Plan envisaged joint forces of member states in order to implement strategies aimed at securing common vital interests of ECCAS and the countries of the GoG as well as synergy between ECCAS and ECOWAS member states. A Nigerian delegation was in attendance at this event and had also expressed Nigeria's willingness to participate in ECCAS collective efforts through exchange of information, joint patrols and harmonization of the legal framework.

Significant developments within ECCAS regarding collaboration in maritime safety and security include the reciprocal authorised free usage of their air and maritime space, incentives and waivers for naval ships of member states such as gratuitous service of water, electricity, anchorage, pilotage, airport and seaport assistance and medical care. Others include exemption from taxes for ships, military or civil airplanes involved in the mission of the Region. A proposed financing system of the mechanism includes a regional maritime security tax comprising percentages from taxes of ships, percentages from ship boarding charges and contributions of marine operators, international and national partners. Additionally, a general plan for compulsory installation of equipment and devices and for monitoring the maritime area, are in place. Most importantly, Zone D states presently conduct joint maritime security operations with each contributing a ship. However, their efforts are plagued by acute lack of ships, manpower capacity and critically, funding (Ndouany, 2011). The anticipated benefits of this novel concept are lost as effective maritime security is not attainable thus. The indices being common, this same picture is to be expected in other zones. Thus, in spite of a realistic structure by ECCAS the quest for functional maritime security regime is still not realised. ECOWAS if and when it starts is also likely to face similar scenario, therefore, any efforts at cooperative maritime security in the GoG must necessarily seek to address funding as a major factor. A mutually compensating regional maritime security cooperation arrangement enjoying international cooperation and support appears to be the way forward.

4.4 MULTILATERAL COOPERATION ARRANGEMENTS IN WEST AND CENTRAL AFRICA

4.4.1 MARITIME ORGANISATION OF WEST AND CENTRAL AFRICA

MOWCA was established under the Charter of Abidjan in 1975 as an inter-governmental, sub-regional institution to serve as a platform for maritime cooperation amongst its members.

It comprises 25 states of West and Central Africa from Mauritania to Angola with the aim of harmonising maritime and port policies and strategies amongst them. Its composition of 20 littoral and 5 landlocked countries presents a unique forum for addressing issues of maritime/transit transport, ports, maritime safety, security and marine environmental protection. Deriving its basis from the African Maritime Charter and originally focused on maritime transportation, in a bid to be more effective, it has evolved, through its Abidjan Maritime Charter of 1999 and the Convention on the Institutionalisation of the Maritime Organisation of West and Central Africa to become an umbrella body for promoting intra-regional maritime cooperation and maritime governance. Its structure consists of its Basic Organs, Specialised Organs, Regional Maritime Academies and dedicated Commissions.

MOWCA has established four operational patrol zones from Mauritania to Angola through its MoU for co-ordination purposes. It hopes to achieve its objectives of harmonising policies and maritime regulation through the instrument of national maritime administration mechanisms under an umbrella organisation to be called 'Association of Maritime Administrations'. By this means it hopes to effect regional compliance with UNCLOS, SOLAS, SAR Convention and ISPS. MOWCA also looks forward to emplacing a Port Management Association of West and Central Africa, a Union of African Shippers' Council and an Association of National Shipping Lines. Beyond these, there are plans also to pursue maritime capacity building and standardization of maritime practice as well as contribute to maritime governance through the affiliation of the Regional Maritime Academies with the IMO's World Maritime University and the coordination of maritime academies across the spectrum of member states.

Article 10 of the Convention on the Institutionalisation of the Maritime Organisation of West and Central Africa mandates the Organisation to ''establish and maintain close and permanent working relations with all international and sub-regional organisations which can help it attain

its objectives''. In this regard MOWCA has forged close working relations with the AU, IMO, World Bank, UNTAD, ECA and other stakeholders as development partners. Current initiatives being executed by MOWCA with support from the IMO include a Regional Maritime Fund, Regional Maritime Bank and the Facilitation of Transit Transport and the Sealed Grid System. Others more critical to maritime operations include the establishment of an Information and Communications Centre and the Integrated Sub-regional Coast Guard Network (ISCGN) (IMO, 2010). Under this plan, four coast guard coordinating centres covering all the maritime zones will be established. Two principal coordinating centres will be sited in Ghana and Angola for oversight of the maritime zones. Each maritime zone consists of five states. All these elements of the MOWCA vision constitute great drivers for regional cooperation in the maritime sector and which should ultimately translate to enhanced maritime security cooperation. However, the implementation within zones depends on the voluntary response by the individual states, whereas cooperation between states has not been a hallmark of the region, thus prospects remain bleak. The fact of MOWCA being principally at inception conceived for maritime transport management is a factor undermining its perception by the states with respect to maritime security and governance. Again majority of the member states lack coast guard forces, rather navies have been established in line with traditional threat perceptions. This has thus been a source of controversy slowing the implementation of the laudable concept of the Network. In order to make the desired impact in the GoG, MOWCA may need to consider working directly with the RECs; ECOWAS and ECCAS, and through their instrumentality exercise a more meaningful relationship with individual states which experience has shown are loyal and committed to their respective RECs. MOWCA could, through this way, facilitate the harmonisation of laws, institutions and relevant policies necessary for efficient co-operation and collaboration for maritime security in the GoG region.

4.4.2 MARITIME ORGANISATION OF WEST AND CENTRAL AFRICA AND REGIONAL MARITIME SECURITY CAPACITY

TABLE 4-1: SUB-SAHARAN AFRICA REGIONAL DEFENCE EXPENDITURE AS % OF GDP
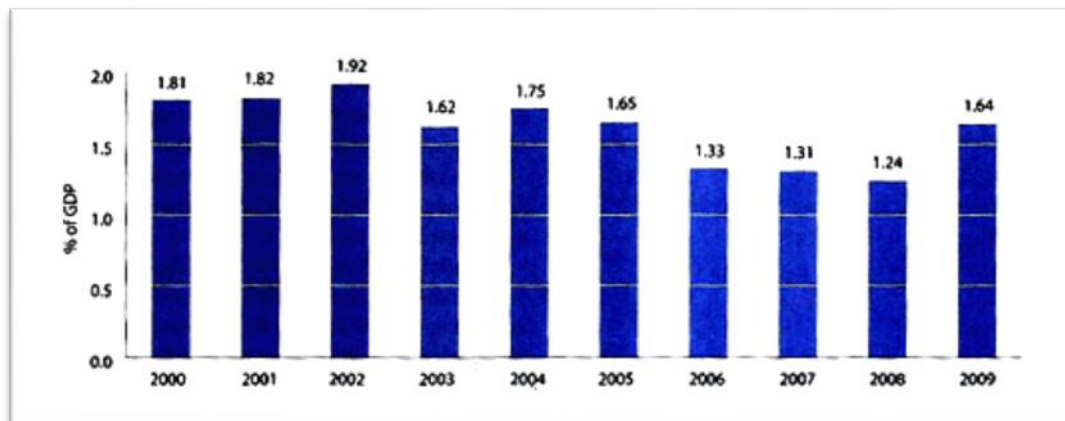
Source: International Institute for Strategic Studies, The Military Balance 2011

Credible and effective response capabilities are required to complement the surveillance capabilities that facilitate comprehensive MDA. The average percentage of GDP of Sub-Saharan Africa's regional defence expenditure over a ten year period is put at 1.609% and has continuously been declining from a high of 1.92% in 2002 (IISS,2011, 397) an indication of low capital capacity; in spite of the urgency to curb crises in the region. Consequently, the costs of establishing new coast guard outfits in poor economies and the political issues to be overcome relating to existing establishments will be too heavy for most members to shoulder at this stage. An amendment of the terminologies in the MOWCA MoU to accommodate navies would ease tensions and allow the project make desired progress. Establishment of coast guards should be left for a future time when the benefits from the Network have been realised and economies improved. The adjunct to this is 'are the navies in the GoG capable of this role? Following this closely will be 'if the states will be willing to cede some direction and control of maritime forces to MOWCA'?

Roles and Capabilities of GoG Navies

Booth (1977, 16-18) classified navies based on their perceived roles and geographical reach. Accordingly, he classified navies as Global, Ocean Going, Contiguous and Coastal Sea Navies. Furthermore, navies at the lower end of the scale can further be classified into coastal, constabulary and token navies by virtue of the composition of their fleet and capabilities (Till, Opcit, 114). Consequently, navies in the GoG could be categorised as shown in the following table:

Table 4-2: CLASSIFICATION OF GoG LITTORAL STATES NAVIES

Serial	Rank	Countries	Capacity
(a)	(b)	(c)	(d)
1.	Global Navies	None	Global expeditionary and force projection capabilities
2.	Ocean Going Navies	None	Expeditionary and Force Projection Capabilities
3.	Littoral/ Contiguous navies	Nigeria	Offshore defence capabilities that fall within the EEZ
4.	Coastal Navies	Ghana, Cameroon Angola	Primarily inshore territorial defence with limited offshore defence capability
5.	Constabulary Navies (Patrol and Coastal	DRC, Cote D'Ivoire, Benin rep, Gabon, Togo,	Limited capability for coastal and inshore operations; emphasis on constabulary functions.

SRL				
	Combatants)	Burundi		
6.	Token Navies	Equatorial Guinea, Guinea, Sierra Leone, Congo, DRC	Unable to patrol territorial seas effectively, impotent in the EEZ	
7.	No Navies	Sao Tome and Principe, Liberia, Chad, CAR	No maritime capability.	

Source: Extrapolated from the International Institute for Strategic Studies (IISS), The Military

Balance 2011

TABLE 4-3: NAVAL CAPABILITIES OF SOME GoG MEMBER STATES

SRL	COUNTRY	STRENGHT	PLATFORMS	COMMENTS
(a)	(b)	(c)	(d)	(e)
	ECOWAS			
1	Benin	200	2 x Patrol and Coastal Combatants (PB)	Navy
2	Burkina Faso	NIL		LLC
3	Cape Verde	100	3 x Patrol and Coastal Combatants (PCC 1, PB 2) 1 x MPA Squadron (Do-228, EMB-110)	Coast guard Air Force
4	Côte d'Ivoire	900	3 x Patrol and Coastal Combatants (PB 1, PBR 2) 2 x LCM	Navy
5	The Gambia	70	7 x Patrol and Coastal Combatants (PB)	Marine Unit
6	Ghana	2000	7 x Patrol and Coastal Combatants (PCO 2, PCC 4, PB 1)	Navy

7	Guinea	400	2 x Patrol and Coastal Combatants (PB)	Navy
8	Guinea-Bissau	350	2 x Patrol and Coastal Combatants (PB)	Navy
9	Liberia	50	8 x under 10t FLO craft	Coast Guard
10	Mali	50	3 x Patrol and Coastal Combatants (PBR)	Navy
11	Mauritania	620	12 x Patrol and Coastal Combatants (PCO 1, PCC 5, PB 6)	Navy
12	Niger	NIL		LLC
13	Nigeria	8000	1 x Principal Surface Combatants (FFGHM) 20 x Patrol and Coastal Combatants (FSM 1, PCFG 1, PCO 4, PCC 3, PBF 5, PB 6) 2 x Mine Warfare/Countermeasures (MCC 2) 1 x Amphibious (LST) 5 x Logistics and Support 6 x Naval Aviation (ASW 2, MRH 2, TPT 2)	Navy
14	Senegal	950	10 x Patrol and Coastal Combatants (PCC 5, PB 5) 2 x Amphibious (LCT)	Navy
15	Sierra Leone	200	1 x Patrol and Coastal Combatants (PB)	Navy
16	**TOGO**	200	2 x Patrol and Coastal Combatants (PB)	Navy
	ECCAS			
1	**ANGOLA**	1000	5 x Patrol and Coastal Combatants (PBF)	Navy
2	**BURUNDI**	50	3 x Patrol and Coastal Combatants (PHT) 1 x Amphibious (LCT) 1 x Logistics and Support	Marine Police

3	CAMEROUN	1300	11 x Patrol and Coastal Combatants (PCC 2, PB 7, PBR 2) 2 x Amphibious (LCU)	Navy
4	CENTRAL AFRICAN REPUBLIC	NIL		LLC
5	CHAD	NIL		LLC
6	CONGO	800	3 x Patrol and Coastal Combatants (PB)	Navy
7	DEMOCRATIC REP OF CONGO	6703	23 x Patrol and Coastal Combatants (PB 23 but 20 under 50ft)	Infantry & Marines
8	EQUATORIAL GUINEA	120	6 x Patrol and Coastal Combatants (PB)	Navy
9	GABON	500	3 x Patrol and Coastal Combatants (PCC 2, PBFG 1) 1 x Landing Ships (LST) 12 x Landing Craft (LCVP) 1 x Squadron MPA (EMB-111)	Navy
10	RWANDA	NIL		LLC
11	SAO TOME AND PRINCIPE	NA		NA

Based on Military Balance 2011, only Nigeria is considered to have the capability, albeit limited, to carry out continuous patrols up to the EEZ, whilst, Ghana, Angola and Cameroun possess the capability to function within their respective contiguous zones. The majority of the navies under the constabulary category have just 2 -3 coastal/inshore patrol boats, thus highlighting their extremely limited capacity for maritime security operations in a vast area like the GoG. Consequently, the overall capability of the GoG states clearly indicates an inability to police the GoG resulting in ill-governed maritime spaces, which has led to the high incidence of maritime crimes and insecurity in the GoG. Osinowo's (2010), quantitative

coverage index reveals that none of the GoG navies can provide a patrol vessel for every 2000 sq nm of their respective EEZ, when the least requirement is arguably a vessel for every 200 sq nm. This clearly demonstrates the acute policing deficiencies of the GoG navies, which is exacerbated by the limited maritime domain awareness capability and information sharing mechanism in the GoG.

However, according to Vogel (2009) on the controversy between navies and coast guards for the African maritime security mechanism, ''African states naturally have the best vantage point for planning how to address their maritime security challenges. Whether a maritime security force is considered a ''navy'' or a ''coast guard'' is secondary. Trelawny (2007) however identified the significant role of navies in an ICGN. More important, is the proper identification of threats and matching resources to meet those threats. It is against this backdrop that Ibrahim I (2009) called for cooperative security mechanisms at local and multi-national levels in the GoG, while Quashie (Opcit) reiterated the need for an international collaborative agenda for maritime security in the GoG. Ibrahim (2011) in identifying the challenges to operational availability of platforms in African states fingered limited capacity for ship maintenance and life extension as major culprits. His subsequent call for joint-venture acquisition programmes (in spite of constraints from jealously guarded sovereignty), may just be timely. With international support and a broad based funding programme, a feasible arrangement could be worked out in the interest of the GoG and all stakeholders. Another major problem facing MOWCA apart from its statutory maritime transport cast and in line with its present structure is the unlikely-hood that individual nations would be disposed to direct or indirect executive control of their naval forces by MOWCA as presently constituted. They are more likely to favour a group structure that permits them to retain and influence the decisions of maritime forces they contribute to a cooperative maritime security regime. Again, seeking the involvement of the RECs as a basis for the establishment, direction and administration of joint maritime security forces seems to be the way out of the present

impasse. The RECs already have mechanisms for the generation and application of sub-regional joint forces hence would be well suited to coordinate same under a MOWCA maritime security umbrella. This arrangement would strengthen MOWCA as a regulatory and supervisory organ as well as position it to fit into the overall AU maritime security architecture. In this context the ECCAS model of sub-regional maritime force would be useful. MOWCA therefore needs the authority and influence over the member states as well as adequate funding in order to make its initiatives a reality.

4.4.3 THE GULF OF GUINEA COMMISSION

In view of its leadership stance in Africa and the geo-strategic matrix of the GoG, Nigeria places in the forefront the provision of security within the region. However, she does not have the wherewithal to do this and neither does she consider it diplomatically sound to attempt to single-handedly take over the defence and security of the GoG. It is in this light that Nigeria has always adopted a collaborative approach. The challenges presented by the overlapping EEZ boundaries were of mutual concern to affected states. To that end, the GGC was established primarily to provide the platform for consultation among the members of the GoG for cooperation and development (Gomes, 2008). Membership of the GGC comprises eight countries namely Angola, Cameroon, Congo, Democratic Republic of Congo, Gabon, Equatorial Guinea, Nigeria and Sao Tome and Principé.

The GGC Treaty was ratified at Libreville, Gabon on 3rd June 2001 and it is necessary to examine some elements of it to identify its adequacy for the collective maritime security role. The provisions of the Treaty address prevention, management and resolution of conflicts that may arise from the delimitation of maritime borders. Other provisions include the economic and commercial exploitation of natural resources within the maritime boundaries, particularly in the overlapping EEZ of member states. Very critical is Article III (Membership) which limits membership of the Commission to sovereign states ''bordering the Gulf of Guinea''.

Articles IV, V and VI of the Treaty outline the Scope, Aims and Objectives of the Commission.

Essentially, the GGC's objectives at face value encompass regional cooperation for sustained economic growth and development of member States including security within the GoG. However, a further look reveals that within the Treaty are factors that form impediments to a successful maritime security role. Firstly, Article IV(i) captures the promotion of peace and security (assumed maritime security) in the GoG but when read together with Article III which limits membership to states **bordering** the **GoG** it primarily excludes any landlocked states notwithstanding any interests they may have in the GoG yet does not necessarily include coastal states up to Ghana, Cote d'Ivoire etc. As mentioned earlier, the scope and dimension of the GoG has been subject to varied definitions depending on the interests to be served. Apparently the lack of a precise definition of the subject maritime area within the Treaty leaves the definition used in the Treaty open to debate. However, its present membership could serve as a guide to the thinking of the founders. As the membership is presently limited to only those countries within the former Bight of Biafra thus the perception is that this thought was guided by the common objective stated at Article IV(ii) which refers to the harmonized ''exploitation of the natural resources of the Gulf of Guinea, in particular, in such specific endeavours as fishing and oil exploration, and the exploitation of other resources yet to be tapped in the area;'' Again, while it aims to be a forum for addressing problems affecting members on security matters such as issue of joint border patrol, immigration and similar matters (Art V (c)); this being an aspect of collective maritime security, it is obvious at the immediate preceding Art V (b) that is couched on the specific problem of ''border issues vis-a-vis delimitation of maritime borders and other conflicts arising in the overlapping Exclusive Economic Zones (EEZ);''. This was apparently because of the crises of ''mutual confidence and trust amongst member-states;'' (Art VI (a)) which was prevalent at the time of formation of the Commission.

The GGC is also faced with a number of problems that seriously inhibit its functionality, which further limit its capacity to perform in a collective maritime security role. Some of these which are organisational include inadequate funding, inadequate staffing and lack of a permanent secretariat (DHQ, 2010). Funding has been a major debilitating factor to the GGC. For instance the second ordinary session meeting of the Heads of States and Government scheduled for Angola on 28 November 2008 could not meet and when it eventually held in Malabo, Equatorial Guinea in February 2010, only 50 per cent of the Year 2009 budget of US $4 million had been met because only 4 members of the organization had paid some money to the Commission (GGC, 2010). The annual budget was shared equally between the 8 members hence an annual subscription of $500,000.00 to each member. Inadequate staffing manifests in lack of experts and consultants and the Commission had been constrained in its bid to build capacity due to budgetary constraints. The height of these organisational challenges is that after about 10 years of existence the Commission's secretariat is still a mirage. These problems of the Commission are not necessarily a reflection of the state of economy of the member states they are oil producing states essentially. Rather a glaring lack of commitment is accountable for this state of affairs. Similarly, the lack of synergy or information sharing mechanisms has grossly undermined any capacity to contain maritime crimes which are increasingly becoming trans-national in scope. Earlier talks of a Gulf of Guinea Guard appear comatose. The Commission in recent time initiated contact meetings with ECCAS on potentials for cooperation on maritime security. However, the GGC is unlikely to be a suitable vehicle for effective maritime security architecture in the GoG on account of its fundamental institutional challenges hence may be more effective in its primary role; but may partner with other sub-regional organisations for its maritime security needs.

4.5 AFRICAN PARTNERSHIP STATION AND OTHER MULTILATERALS CONTRIBUTIONS

APS is a US initiative to engender the spirit of cooperation and build maritime security capacity for navies along the West and Central coast of Africa to deal with maritime insecurity. It is a programme of the US Africa Command (AFRICOM) which has its administrative headquarters in Stuttgart, Germany. AFRICOM is a Department of State and Defense project focused on security and stability in Africa, in response to the heightened concerns for and the new strategic importance of the regions. The stated aim of APS is to ensure that ''African Partner Nations demonstrate improved regional cooperation and enhanced self-sustaining capability and capacity to stop trafficking, improve energy security, and counter piracy in their territorial waters, EEZ and littoral region''(Wray,2010). This is being achieved through military exercises, partnerships and assistance programmes with African military forces. Since its first deployment in 2007, the acceptance of the APS by partner states has increased significantly (Ward, 2010). This is apparent from the number of missions of US naval ships such as USS ELROD, USS FORT MCHENRY, USS ROBERT G BRADLEY, USS GUSTON HULL, USS LEYTE GULF, USS NASHVILLE, USS SAMUEL B ROBERTS as well as other Coast Guard cutters (Onyekwere, 2011). Partner West and Central African states have included Nigeria, Cameroun, Ghana, Senegal, Sao Tome and Principe, Equatorial Guinea, Gabon and Togo (Pham, 2008). A team of US Navy instructors conducted training of members of the Gambia Navy and other maritime stakeholders including the fisheries department, the Gambia Maritime Administration on MDA, fisheries protection and maritime law enforcement, medical emergency response at sea and basic inductor training (NetNews Publisher, 2011).

In October 2004 the first GoG maritime Security Conference was held at Naples, Italy, to ''address regional common interests, challenges and threats for the 17 navies that

participated'' (Global Security, 2009). The event which was hosted by NAVEUR provided the framework for the Gulf of Guinea Deployment in January 2005. This was an American deployment of the ship USS Emory S Land to the Gulf with about 1,400 sailors and marines to enhance security cooperation and give the sailors a hands-on on maritime security. Participants at the conference which also participated and had observers for the Deployment included Nigeria, Gabon, Ghana, Cameroun, Togo, Benin and Sao Tome and Principe. Also, 20 naval officers from Ghana, Gabon, Benin, Sao Tome, France, Spain, Portugal and the United Kingdom were embarked as sea-riders (Onyekwere, opcit). Thus the outcomes of the Conference have driven forward maritime security training cooperation as well as capacity building in the region.

Various GoG states also have bilateral agreements with key stakeholders for maritime security of their respective maritime domain. The United States is assisting Sao Tome and Principe build naval capability through a private military company, Military Professional Resources Inc (MPRI), while France and Cameroun have a long existing maritime security arrangement, which has currently become more significant due to the oil rich Bakassi Peninsula. MPRI is also involved in the five-year, $250-million Equatorial Guinea maritime security program which was announced on February 24, 2010 that would lead to the build-up of an integrated naval and air capability for that country (L3, 2010). Additionally, the current Regional Maritime Awareness Capability project in Nigeria, Sao Tome and Cameroon is being sponsored by the United States utilising the resources from the respective littoral states. Furthermore, increasing relations between Ghana and China on maritime security due to recent oil discoveries have developed into an agreement for the Ghanaian Navy to acquire two Chinese built 46metre naval offshore patrol boats. Under the same China-Ghana partnership, the Ghanaian Department of Fisheries will also receive two Chinese offshore patrol boats for fisheries protection (Day, 2010). Nigeria also benefitted from a UK and USA assisted training as part of efforts to build capacity in that sector. Clearly, the efforts of international

development partners have been disparate; focusing on individual states without regional coordination hence, have not impacted on maritime security in the region in a broad sense. The reason all these efforts have not materialised to desired maritime security in the GoG is that they do not galvanise the efforts of the GoG states. Furthermore, they do not address the more critical elements of provision of essential platforms, equipment and funding. The very absence of coordinated assistance through a common medium and targeted at common objectives will continue to diminish the impacts of these contributions and only generate more incoherence between the states.

4.6 CHALLENGES TO EFFECTIVE REGIONAL MARITIME SECURITY COOPERATION

The individual competences of the states of the GoG with regards to security in their respective maritime domains remain a cause for global concern. As shown earlier with the case of Nigeria, their institutional, policy and infrastructural capacities fall far short of the necessary levels required to meet contemporary and emerging maritime threats in the GoG and do not show any scope for significant improvement in the medium term. The way forward as has been severally suggested is through the instrumentality of collectiveness by exploiting maritime security cooperation within the existing frameworks. However, as the examination of the existing cooperation arrangements has shown, there are other issues ranging from the basis of the organisations to outright non-commitment which present challenges that dwarf the national ailments. The challenges to functional maritime security cooperation in the GoG are therefore factors associated with the frameworks of the cooperative mechanisms. These are in turn linked with the political but artificial prejudices and perceptions of colonial and neo-colonial coloration.

Neither the aims and objectives nor the protocols of ECOWAS contain anything significantly relating to the maritime not to mention maritime security. The only ECOWAS Specialised

Agency relating to water is the WRCU which is specifically for the coordination of inland water resources within member states. A cursory mention of landlocked and Island member states at Article 68 is the only indication to the presence of a maritime environment in the sub-region. Its efforts at sub-regional security have been focused on land conflicts and disputes. This is most significant when viewed against the background that 10 countries in ECOWAS are coastal states.

MOWCA has been able to bring the states of West and Central Africa together. It has also formed an effective liaison with international development partners. More importantly, its structure captures the spectrum of relevant national maritime institutions hence a solid basis for national relevance. However, its founding concept is limited to maritime transport issues. Its attempt to embrace maritime security faces a fundamental obstacle on the controversy between navies and coast guards. In the unlikely-hood of the GoG nations establishing coast guards in the short term, the legal and technical framework to enable navies perform instead, needs to be put in place. This should not be a big challenge as one of the main aims of the IMO Action Plan 2001 on Piracy is to ''promote greater levels of support from, and coordination with, navies.''(IMO,2011, 4) with one of the main objectives being ''...and promoting even greater levels of support from navies.'' (IMO, 2011, 6).

The constitution of the GGC is extremely narrow, to the exclusion of landlocked states and other West and Central African states that have a stake and interests in the GoG. Being principally formed to superintend the harmonious exploitation of oil and gas resources within a specific area, it has not received the support of some founding states neither from the larger GoG community, thus, its weak efforts at a maritime guard for maritime security are unlikely to make much progress.

Nigeria by virtue of her geographical endowments, large population, economic potentials and military capabilities is perceived as hegemonic by countries that make up the GoG in spite of

her foreign policy which has been Africa centred for 50years. Similarly, her huge economic investments in oil and gas in the GoG and its security, demand that she provides the desired leadership role in the region. A simplistic view of the military prowess of the contiguous states suggests that these countries are of no security threat to Nigeria. This is on account of the military balance of power in the region. Even with conflicts of interests, contiguity and capability or spill over effects of regional conflicts none of her nieghbourhod countries would be seen as posing any credible threat to Nigeria. However, when the situation is viewed from the wider constellation of powers surrounding them by adding the influence of 'big power support' then there might be a need to qualify the credibility of threat. This is because Benin has a technical military assistance agreement with France, Cameroon also with France, Equatorial Guinea with Spain and Sao Tome and Principe with Portugal and is also considered an associate member of EU (Adewuyi 2004:12).

The presence of strategic mineral resources in the GoG region, particularly oil and gas, being a source of energy worldwide, has rendered the region liable to high politics and this is a potential source of threat. It is common knowledge that USA would like to have unfettered access to global oil production. USA, UK, France, Portugal and other world powers already have huge economic investments in this region. China and India are also in the 21st Century scramble for the GoG. The contending interests which are largely non-charitable but economic tend to tear apart in multi-dimension the thin strings binding the countries of the region. In the globalized scenario where economics is at the front burner, countries of the region are hard put to resist the various offers that only palliate their circumstances in the short term.

The countries of the GoG have individually been exposed to different colonial experiences. These experiences define the character and legal significance of the bilateral and multilateral relations existing among them, which in turn have geopolitical and international implications.

Hence, a signature of the RECs is that they are formed largely around linguistic leanings derived from their colonial heritage. With about six different colonial blocs within the ECOWAS and ECCAS there is a large scope for disharmony however, the factors of common geography and geopolitical disposition translate into a heritage of common problems and mutual expectations which are best faced together (Ikioda, 2006). It is necessary to put in place processes to facilitate deeper cross-group interaction. That will be the basis of better regional cooperation that will be founded upon shared challenges and objectives and diminish the negative influences of colonial legacies, national interests and mutual suspicion.

Several bilateral and multilateral maritime security arrangements exist in the GoG that could serve as platforms to ensure good order at sea. Most, notable are the GGC, ECCAS, ECOWAS and MOWCA supported by the IMO and other international initiatives particularly the African Partnership Station. However, given that different interests and motives drive these arrangements, they do not provide the overarching and coherent collaborative effort required to deliver maritime security in the GoG. This has led to duplication of efforts and a lack of unity of purpose and lacklustre commitment towards a secure maritime environment for socio-economic activities to thrive in the region. An attempt to reduce this picture to statistics in order to make for enhanced appreciation of interpretation follows.

Table 4-4 STATISTICAL TABLE OF THE ORGANISATION FOR MARITME SECURITY IN THE GoG

SRL	COUNTRY	COLONIAL HERIT	REC	Geographic	GGC	MOWCA	MSP	MDA	OTHERS
1	Benin	F	ECOWAS	C	NO	YES	NO	-	CEN-SAD
2	Burkina Faso	F	ECOWAS	LLC	NO	YES	NO	-	CEN-

								SAD
3	Cape Verde	PG	ECOWAS	I	NO	YES	NO	-	
4	Côte d'Ivoire	F	ECOWAS	C	NO	YES	NO	-	CEN-SAD
5	The Gambia	E	ECOWAS	C	NO	YES	NO	YES	CEN-SAD
6	Ghana	E	ECOWAS	C	NO	YES	NO	-	CEN-SAD
7	Guinea	F	ECOWAS	C	NO	YES	NO	-	CEN-SAD
8	Guinea-Bissau	PG	ECOWAS	C	NO	YES	NO	-	
9	Liberia	A	ECOWAS	C	NO	YES	NO	-	CEN-SAD
10	Mali	F	ECOWAS	LLC	NO	YES	NO	-	CEN-SAD
11	Mauritania	F	ECOWAS	C	NO	YES	NO	-	
12	Niger	F	ECOWAS	LLC	NO	YES	NO	-	CEN-SAD
13	Nigeria	E	ECOWAS	C	YES	YES	NO	YES	JDZ/CEN-SAD
14	Senegal	F	ECOWAS	C	NO	YES	NO	-	CEN-

									SAD
15	Sierra Leone	E	ECOWAS	C	NO	YES	NO	-	CEN-SAD
16	TOGO	F	ECOWAS	C	NO	YES		-	CEN-SAD
	16	A = 1 E = 4 F = 9 PG = 2	16	C = 12 LLC = 3 I = 1	YES=1 NO=14	YES=16 NO=NIL		2	
1	ANGOLA	PG	ECCAS	C	YES	YES	SECMAR II	-	SADC
2	BURUNDI	BG	ECCAS	LLC	NO	NO	SECMAR II	-	
3	CAMEROUN	F	ECCAS	C	YES	YES	SECMAR II	YES	
4	CENTRAL AFRICAN REPUBLIC	F	ECCAS	LLC	NO	YES	SECMAR II	-	CEN-SAD
5	CHAD	F	ECCAS	LLC	NO	YES	SECMAR II	-	CEN-SAD
6	CONGO	F	ECCAS	C	YES	YES	SECMAR II	-	
7	DEMOCRATIC REP OF CONGO	BG	ECCAS	LLC	YES	YES	SECMAR II	-	SADC
8	EQUATORIAL GUINEA	SP	ECCAS	I	YES	YES	SECMAR II	-	

9	GABON	F	ECCAS	C	YES	YES	SECMAR II	-	
10	RWANDA	BG	ECCAS	LLC	NO	NO	SECMAR II	-	
11	SAO TOME AND PRINCIPE	PG	ECCAS	I	YES	YES	SECMAR II	YES	JDZ
	11	BG = 3 F = 5 PG = 2 SP = 1	11	C=4 LLC =5 I = 2	YES=7 NO=4	YES=9 NO=2		NIL	

SOURCE. ELUWA's Library

''In order to become a development zone, the Gulf of Guinea must be a haven of stability. It should be regarded as a global common good. To this end , countries in the region need to establish increased regional arrangements to safeguard peace,....The gains that the Gulf of Guinea would draw from country-wise efforts complemented by coordinated regional and international actions will spill over the rest of the African continent...'' (Mane, 2005). This observation rings true if the diversities between GoG states and their various cooperative organs must be streamlined. A single maritime security platform that subjugates national prejudices in favour of a clearly defined common objective while giving the assurance of collective strength to overcome unforeseen external threats is the principal requirement. To identify areas of possible paradigm shift, a detailed study of these organs in a statistical form is relevant to ascertain their relative suitability in the cooperative maritime security role. Nigeria's leadership in the West and Central Africa has been well established hence she is expected to drive the movement for regional initiatives. From the Table, Nigeria is the only ECOWAS and English speaking member of the GGC. All others are members of ECCAS and a mixture of other colonial lineage, thus within the GGC, the odds are heavily weighted

against her in spite of her leadership role in the organisation. In this vein also it will be extremely difficult for Nigeria to attempt to champion the cause of the GGC within the ECOWAS as a lone wolf, thus the GGC bears more relevance in terms of membership to ECCAS than ECOWAS in reality. To attempt to balance it out, Nigeria must push for an amendment of the GGC Treaty to accommodate other West African countries like Ghana which has new found oil reserves and also Chad though landlocked, but needs the GoG for export of its oil and gas resources amongst others. Most importantly, a serious maritime security mechanism that incorporates ECOWAS is not achievable through the platform of the GGC in the light of these. Worse still, the GGC is seriously handicapped for a maritime security role on account of its institutional and structural shortcomings.

The absence of a common platform for appropriate policies and common frameworks for institutions and legal instruments to support collaborative maritime security initiatives as well as ensure the emplacement of corresponding national equivalents is the plague to maritime security cooperation in West and Central Africa (Lamara, 2010). Therefore, maritime security architecture for the GoG involving the littoral and landlocked states which have vested interests in the maritime environment known as the GoG needs to be explored as a way forward. This will no doubt require versatile diplomatic initiatives that are all accommodating and supported by international actors, development partners and stakeholders. This may not be as difficult as some may be inclined to believe because in real terms there are more functional commonalities between the states of the West and Central Africa than the barriers derived from colonial heritage and geopolitics. Diplomacy will serve to accentuate the common grounds while seeking to engender realignments along lines of common contemporary interests.

CHAPTER 5

THE ROLE OF DIPLOMACY AND CONCLUSION

The study has identified the need for an umbrella organisation that cuts across the prejudices and focuses along functional lines of interests. The RECs and MOWCA have the widest representation of countries that cut across the various diversities. ECOWAS has a mixture of American, English, French and Portuguese countries; ECCAS has Belgian, French, Portuguese and Spanish while MOWCA contains a mixture of all. They therefore are more suitably positioned as platforms for effective cooperative maritime security arrangements. However, ECCAS has made the most significant advances with respect to sub-regional maritime security and maritime governance unlike ECOWAS and the GGC. MOWCA on the other hand has set up wide ranging structures for maritime governance but has run into a hitch with its maritime security programme. An effective maritime security regime in the GoG must seek to coordinate, harmonise and streamline the activities of these disparate bodies in order to give coherence to their actions. This of course would involve a wide range of compromises and trade-offs only achievable by robust diplomacy. The following model is therefore proposed.

FIGURE 5-1: COOPERATIVE MARITIME SECURITY MODEL FOR GoG
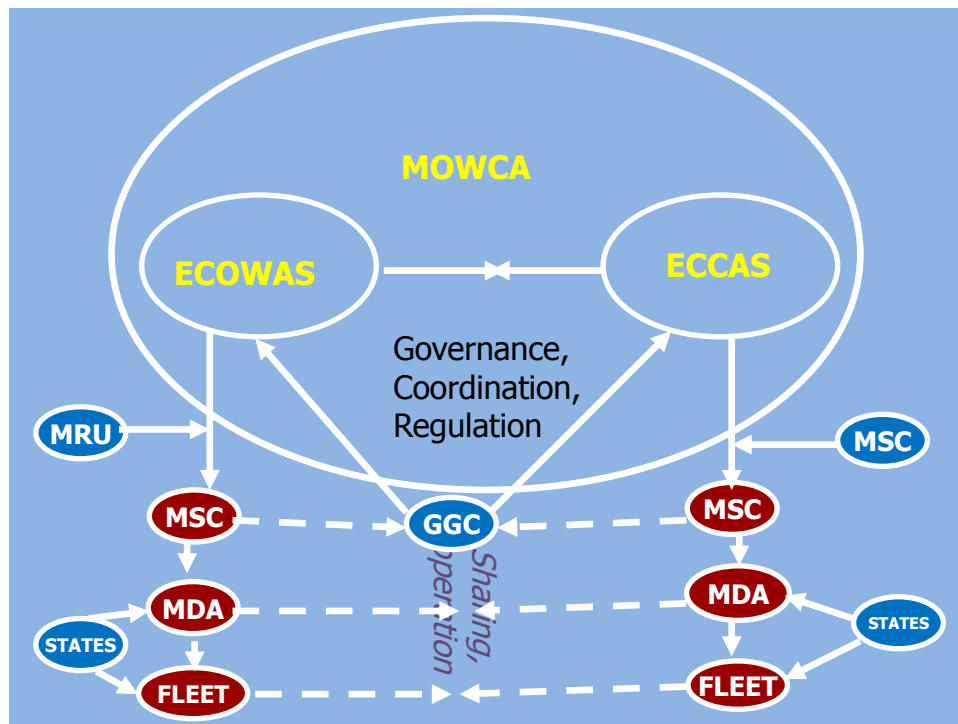
Source. ELUWA's Model

A realistic cooperative maritime security arrangement in the West and Central African sub-regions demands a platform of commonality that will subsume national and ideological differences. It would provide for structured cooperation in the region for the purpose of maritime security and governance. Currently, MOWCA presents the most realistic and functional platform through which the various national diversities could be brought under one umbrella. In spite of its limitations with respect to maritime security, its structures embrace across-board, are applicable to all and could through mutual commitment be modified to suit a maritime security coordination role. This model proposes MOWCA in the maritime security coordination role for West and Central African REC's. In that respect it could then relate directly to the two principal sub-regional groups ECOWAS and ECCAS which have the executive capacities for the administration and employment of national/sub-regional navies, agencies and paraphernalia necessary for an effective maritime security regime. All other sub-regional organisations like the MRU and GGC would need to streamline their maritime

security resources with their respective REC. This structure would make the MOWCA IMCGN more relevant and functional, with MOWCA being the coordination point for MDA and maritime policing in addition to its other maritime governance roles in the GoG. As a liaison between the RECs, MOWCA would provide the platform for arbitration of any potential points of conflicts between nations across the RECs. This arrangement would further galvanise maritime governance and security institutions causing individual states to place the maritime environment in its rightful position of prominence thus enhancing the attainment and maintenance of regional bench marks and standards. It would ensure compliance and accountability of the states through the mechanism of their respective REC. Through the RECs, MOWCA would acquire the necessary binding authority over member states. The RECs which are already structured in executive capacities would be responsible for the generation of common policy guidelines and the implementation after adoption. This model is envisaged to achieve/facilitate the following gains;

a. Inter-agency cooperation at national levels within and across the RECs.

b. Cooperation between navies (and coastguards) within and across the RECs.

c. Harmonisation and setting of benchmarks for instruments of maritime governance; policies, legislation and enforcement across the region.

d. Common framework for the development of MDA and the essential inter-phases across the RECs.

To achieve these ECOWAS needs to adopt a maritime security model of/or similar to that of ECCAS. The models would then need to be adjusted to inter-phase with the MOWCA maritime security structure. The following imperatives would also need to be considered;

a. More flexibility in the GGC through an amended structure to include states with interests in the GoG maritime environment including landlocked states while

maintaining its principal role as a commission for harmonious exploitation of resources in the GoG. Sequel to this, a more tangible relationship with ECOWAS and ECCAS respectively in order to eliminate the dichotomy and apathy within it presently should follow.

b.   A formal agreement for cooperation on maritime security matters between ECOWAS and ECCAS is needed. This would pave the way for their collective agreement with MOWCA.

c.   The inclusion and participation of landlocked states in the governance of the maritime zones.

For funding, the model will enable the institution of agreed levies and taxes within the maritime domain, as well as apportion the ratios between nations and the collective purse. Also both RECs and the international partners particularly the IMO would need to support the strengthening of the MOWCA Regional Maritime Fund and the Bank to serve as platforms for to sourcing and accessing IFCs towards a West and Central Africa Maritime Development Fund. This Fund could then support members on medium and long terms for the procurement of vessels dedicated to the regional maritime security structure. given the cuts in defence spending currently affecting naval services worldwide, the way forward for the GoG naval services is to seek a collective maritime security funding mechanism as aptly captured by Admiral Mullen when he observed that;

> *... no matter how large or small your navy or coastguard may be, we all face similar internal constraints like shrinking budgets, aging equipment,....our level of cooperation and coordination must intensify in order to adapt to our shared challenges and constraints. We have no choice in this matter because I am convinced that nobody -- no nation today -- can go it alone, especially in the maritime domain.*

The imperative for this support from the IMO and development partners weighs heavily in favour when viewed against the aggregate costs to the international community and the Coalition for sustaining the operations in the Gulf of Aden till date. It would therefore seem a better option on the cost-benefit analysis to empower the states within the GoG through regional organisations to strengthen their capacities hence prevent a future need for a second coalition intervention in the GoG.

Without doubt the attainment of these processes would require astute diplomatic manoeuvres within and outside the region. Diplomacy is acclaimed to be a tested tool for establishing relationships between states depending on how well articulated the objectives are. Unavoidably, Nigeria will have to take the lead once again with collaboration of some others like Ghana and CAR.

CONCLUSIONS

Maritime security in the GoG is essential not only to the states that are geographically and politically associated with it but to global stability and economics. Notwithstanding the various definitions given to the GoG, a functional definition of its constituent states must capture not only the littoral but landlocked states that have vested interests in that maritime domain. An effective maritime security architecture for the GoG must of necessity involve the collaboration of the principal RECs. Whereas no single state in the region, including Nigeria, presently has the capability to pursue a comprehensive maritime security programme, a cooperative maritime security regime between the states therein must factor in their diversities, hence seek to optimise their broadest commonalities which currently are represented by the RECs. A modified MOWCA can facilitate the collaboration of the REC's without the traditional fears of the states or the REC's. However, these changes would need to be managed through diplomatic initiatives and processes that would involve compromises and trade-offs between states, sub-regions and the various existing organs of cooperation. It goes

without saying that the concerted support of international development partners and stakeholders in the GoG is critical to the attainment of success.

RECOMMENDATIONS

The study recommends that Nigeria in collaboration with other states should push for the following diplomatic initiatives;

a. An expanded GGC to retain and adhere to its primary role of collective harmonious maritime resources exploitation management and administration.

b. The modification of MOWCA statutes to accommodate navies in its maritime security structure.

c. Creation of relevant maritime security architecture within the ECOWAS and subsequent harmonisation with that of ECCAS.

d. The establishment of a formal working arrangement between ECOWAS and ECCAS for maritime security cooperation.

e. The adoption of MOWCA as the body for coordination of maritime security in West and Central Africa.

f. Concerted regional efforts to key into the programmes of the IMO using the instrumentality of MOWCA with a view to projecting the regional requirements and harnessing international support for maritime security in the GoG.

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