Offshore Maritime Security Interdiction Models In The Gulf Of Guinea: An Exclusive Economic Zone Analysis

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Sections

1. Review of current legal regime controlling armed robbery and piracy in the Gulf of Guinea
2. Current management practices for coastal zone surveillance in the region.
3. Scenario modeling of the sector and recommendations for improved protection of the exclusive economic zone
Review of current legal regime controlling armed robbery and Piracy in the region

- Global Maritime security gained momentum since the September 11th 2001 terrorist attacks with the maritime community accepting there is need for international maritime security requirements. Consequently, the International Maritime Organization (IMO) adopted new international maritime security requirements in December 2002 (new Chapter XI-2) under the 1974 SOLAS Convention, and a new International Ship and Port Facility Security (ISPS) Code.
Inaugurated on June 24-25, 2013 in Yaoundé, Cameroon, where twenty-five heads of state and senior representatives from the Economic Community of Central African States (ECCAS) and the Economic Community of West Africa (ECOWAS) member states agreed upon a cooperative maritime strategy that focuses on regional solutions to regional Problems, the Code of Conduct for West and Central Africa (also known as the Gulf of Guinea Code of Conduct) signed in Yaoundé acknowledged the economic and geo-political importance of the maritime domain, which is critical to the continued development and future of Africa.
Area of coverage of the code:

- The Gulf of Guinea Code of Conduct covers the full range of regional threats within the maritime domain: piracy; armed robbery at sea; illicit drugs, arms and human trafficking; illegal fishing; and environmental pollution.
UN RESOLUTIONS ON THE GULF OF GUINEA

- UN Security Council adopted
- Resolution 2018 (UNSCR 2018) On October 31, 2011, expressing its deep concern about the threat that piracy and armed robbery at sea in the Gulf of Guinea pose to international navigation, security and the economic development of states in the region.
the UN Security Council adopted Resolution 2039 (UNSCR 2039) on February 29, 2012 welcoming the initiatives taken by States in the region and regional organizations, including ECCAS, ECOWAS, GGC and the Maritime Organization for West and Central Africa (MOWCA) to enhance maritime safety and security in the Gulf of Guinea. Brownfield and Knopf (2015)
SECURITY COORDINATION CENTERS IN THE REGION

- UNSCR 2039 further encouraged the States of the Gulf of Guinea, ECOWAS, ECCAS and GGC to develop and implement transnational and trans-regional maritime security coordination centers covering the whole region of the Gulf of Guinea,
Brownfield and Knopf (2015)

Maritime Zones

- **Coast/Baseline**: Limited law-enforcement zone, 12 nautical miles (nm) to the 24 nm limit.
- **Territorial Sea**: Sovereignty extends to the water column, to the airspace above, and to the seabed and subsoil.
- **Exclusive Economic Zone (EEZ)**: 200 nm from the baseline, or 100 nm beyond the 2,500 meter isobath, whichever is greater.
- **Continental Shelf**: Deep seabed area.
- **Contiguous Zone**: To a maximum of 350 nm from the coast/baseline, or 100 nm beyond the 2,500 meter isobath, whichever is greater.
- **High Seas**: To the outer limits of the EEZ.

Sovereignty
- Sovereign rights over natural resources of the water column and the seabed and subsoil.
- Sovereign rights over natural resources of the seabed and subsoil.
Current Management practices for Coastal Zone Surveillance in the region

- Collaborations with international navies of the world like United States in the areas of equipment and training in maritime security operations. Effective use of regional search and rescue operations of individual states. eg Nigerian Maritime Administration and Safety Agency (NIMASA)
Maritime Security Cooperation and Awareness (MSCA)

- Focuses on information sharing among participating states via a layered approach beginning from domestic regulations at the territorial waters and extending to the regional and lastly the global maritime commons/domain
SECURITY LEVELS UNDER ISPS CODE

- Security Level 1
  - The level for which minimum appropriate protective security measures shall be maintained at all times
- Security Level 2
  - Means the level for which appropriate additional protective security measures shall be maintained for a period of time as result of heightened risk of a security incident
- Security Level 3
  - Means the level for which further specific protective security measures shall be maintained for a limited period of time when a security incident is probable or imminent, although it may not be possible to identify the specific target
Required certifications in current regime

- International Ship Security Certificates (ISSCs), Interim ISSCs,
- Statements of Compliance (SoC) for Port Facilities,
- Certifications for Port Facility Security Officers (PFSO),
- Approvals of Port Facility Security Assessments (PFSAs), and
- Port Facility Security Plans (PFSPs),
- Certifications for Recognized Security Organizations (RSOs).
Risk based modeling of security: Risk- based methodology for security assessment do consist of a five- steps namely: hazards identification, risk assessment, risk management with alternative options, cost- benefit analysis and decision making.
Event Tree Analysis ETA and Fault Tree Analysis FTA

- May be applied to maritime security in relation with the ISPS Code by categorizing and grading scenario-risks according to their overall threat potentials using a rating scale system from 1 for minor to 3 for severe as adopted in the ISPS provisions of MARITIME SECURITY levels.

- UNCTAD/SDTE/TLB/2005/4
RISK MANAGEMENT

- Under risk management actions are taken in view of the outcome of risk assessment. The standard practice is to reduce the probability of an incident (pre-accident intervention) or at minimize the probability of fatalities if the accident occurs (post-accident intervention).

- Often combined with Cost Benefit Analysis CBA

- UNCTAD/SDTE/TLB/2005/4
REGULATORY RISK ASSESSMENT

- May occur at the National level as a reactive policy created by governments on an ad hoc basis to assess their security framework.
- At the international level we have such examples as:
  - the IMO/ILO framework on port-security assessment (PSA) and the 2003 OECD study on maritime security regulatory assessment exercises.
THREATS
VULNERABILITIES
CONSEQUENCES
The above three areas form the major focus of any security assessment at the regional level. Standard is in tandem with both US and the EU.
A good database of undesirable consequences must first be built prior to assessment. Then the scenario leading to the undesirable consequence is then defined by the probability of its occurrence.

Thus the risk is then assessed by three factors: threat, vulnerability and consequences. Formula representing risk is shown below:
IAMU (2013)

Maritime Safety Risk

\[ R_{MarSaf}^{S_i} = F_i \cdot C_i \]

Maritime Security Risk

\[ R_{MarSec}^{S_i} = P_i \cdot C_i = T_i \cdot V_i \cdot C_i \]

**APS**
- active preventive strategies

**PPS**
- proactive protective strategies

**RPS**
- reactive protective strategies
Conclusion: Beyond Blue border surveillance to Information supported surveillance

- Aims at ending the fragmented approach of ‘Blue Border’ Surveillance which stems from a perceived lack of coordination between the predominant actors of maritime security such as coast guards, aeroplanes and helicopters.

- Information supported surveillance should be adopted by players in the Gulf of Guinea considering such is the state of affairs in the European Union. Gulf of Guinea nations must work together to take the security level of the region to a new level.
REFERENCES

- UNCTAD/ SDTE/ TLB/ 2005/ 4
Mark 7: 47-51
And when even was come, the ship was in the midst of the sea, and he alone on the land.
And he saw them toiling in rowing; for the wind was contrary unto them: and about the fourth watch of the night he cometh unto them, walking upon the sea, and would have passed by them.
But when they saw him walking upon the sea, they supposed it had been a spirit, and cried out:
for they all saw him, and were troubled. And immediately he talked with them, and saith unto them, Be of good cheer: it is I; be not afraid. And he went up unto them into the ship; and the wind ceased: and they were sore amazed in themselves beyond measure, and wondered.
BIBLE KJV