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Situation of piracy and armed robbery at sea in the Gulf of Guinea and its underlying causes

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to paragraph 16 of Security Council resolution [2634 \(2022\)](#), in which the Council requested the Secretary-General to report, within five months and on an exceptional basis in advance of the 10-year anniversary of the Code of Conduct concerning the Repression of Piracy, Armed Robbery against Ships and Illicit Maritime Activity in West and Central Africa (Yaoundé Code of Conduct), on the situation of piracy and armed robbery at sea in the Gulf of Guinea and its underlying causes, including any possible and potential linkages with terrorism in West and Central Africa and the Sahel, on the United Nations support and contributions, and on any recommendations for further supporting and enhancing national efforts and regional and international cooperation towards combating piracy and armed robbery at sea in the Gulf of Guinea.

2. The report covers the period from 1 January 2021 to 31 August 2022 and highlights major trends and developments on the subject. The report is based on information and inputs provided by the United Nations system, including the Counter-Terrorism Committee Executive Directorate, the Department of Political and Peacebuilding Affairs, the United Nations Regional Office for Central Africa (UNOCA), the Office of Counter-Terrorism, the United Nations Office on Drugs and Crime (UNODC) and the United Nations Office for West Africa and the Sahel (UNOWAS), as well as by subregional and regional organizations, including the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), the Gulf of Guinea Commission and the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa. In addition, the Secretariat consulted with Member States and was provided information by Benin, Brazil, Cameroon, China, Côte d'Ivoire, Equatorial Guinea, France, Gabon, Germany, Ghana, India, Ireland, Japan, Nigeria, Norway, the Russian Federation and the United Kingdom of Great Britain and Northern Ireland.

3. The report contains an assessment of the situation and impact of piracy and armed robbery at sea, including its possible links with terrorism, and examines the political, legal and operational activities that have been undertaken by Member States, regional and subregional organizations, the United Nations system and its partners to combat piracy and armed robbery at sea in the Gulf of Guinea. It is acknowledged



that there has been a decrease, since April 2021, in instances of piracy and armed robbery at sea in the region, and the report concludes with observations and recommendations on ways to further enhance national efforts and regional and international cooperation to sustain the gains made. Overall, the report underscores the importance of concerted global action to ensure the full and meaningful operationalization of the Yaoundé Architecture, particularly in the context of the tenth anniversary, in 2023, of the Yaoundé Code of Conduct.

II. Major developments, trends and considerations regarding piracy and armed robbery at sea in the Gulf of Guinea

A. Reported incidents and characteristics

4. The nature and incidence of piracy and armed robbery at sea in the Gulf of Guinea has evolved over time. In June 2021, the UNODC Global Maritime Crime Programme traced the emergence of piracy and armed robbery at sea in the Gulf of Guinea to around 2005, when militant groups in the Niger Delta region of Nigeria attacked oil and gas infrastructure. At that time, piracy incidents classified as “boarding and robbery” constituted 70 per cent of reported incidents, with more than 70 per cent of all the vessels attacked being oil and gas support vessels. From 2005 to 2009, only approximately 15 per cent of reported piracy incidents in the region were “kidnapping for ransom” piracy cases. The situation evolved from 2010 to 2015, as some pirate groups mixed kidnapping and hijacking, primarily targeting tankers loaded with refined products in instances of so-called “petro-piracy”. Owing to several factors, such as the global fall in oil prices, the instances of hijacking of tankers decreased over time and there were almost none by 2016.

5. From 2016 to 2021, the pirate groups in the region altered their patterns, shifting their focus towards “kidnapping for ransom” piracy. According to a study under the UNODC Global Maritime Crime Programme, which synthesized data from other sources over a three-year period (2018–2020), “kidnapping for ransom” piracy peaked in 2020, with approximately 140 individuals reportedly abducted at sea. The pirate groups operated indiscriminately, targeting vessels of all types, including fishing vessels, and increased their activities further afield. Several cases at the time were reported beyond 200 nautical miles from shore.

6. Against this backdrop, in the reporting period, there were positive developments as the number of cases of piracy and armed robbery at sea, including kidnapping for ransom, decreased from 123 in 2020 to 45 in 2021. According to data from the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa, in the first three months of 2021, the number of incidents of maritime crime remained consistent with previous years, with 20 incidents of piracy reported. However, since April 2021, the number of incidents of maritime crime, including piracy and armed robbery at sea in the Gulf of Guinea, has dropped. For instance, in the second and last quarters of 2021, only nine and eight cases of maritime crime were recorded by the Interregional Coordination Centre, respectively. This trend has continued in 2022, with the Interregional Coordination Centre reporting a total of 16 incidents of maritime crime between January and June. The trend has been corroborated by the International Maritime Organization (IMO) Global Integrated Shipping Information System, which contained data on 13 incidents of piracy and armed robbery at sea in the Gulf of Guinea between January and June 2022.

7. The reduction in piracy incidents in the Gulf of Guinea is underpinned by a series of factors, including the positive impact of piracy convictions in Nigeria and Togo in

July 2021, as well as the deterrent effects of increased naval patrols by the Nigerian Navy, coupled with improved cooperation with regional counterparts. The deterrence effect has further been amplified by the deployment of non-Gulf of Guinea navies, including through the continuous presence of naval assets under the European Union Coordinated Maritime Presences concept, namely from Denmark, France, Italy, Portugal and Spain, as well as the regular patrols of navies from Brazil, Canada, India, Morocco, the Russian Federation, the United Kingdom and the United States of America.

8. Besides the decreasing number of cases, there has also been a noticeable shift in the geographical location of piracy incidents from West Africa to Central Africa. UNODC reported an observed shift in 2020 and 2021 from ECOWAS to ECCAS regional waters. Similarly, according to the figures of the Interregional Coordination Centre, 62 per cent of incidents of maritime crime reported in the Gulf of Guinea in the fourth quarter of 2021 occurred in ECCAS waters. This represents a significant shift when compared with the fourth quarter of 2020 when approximately only 20 per cent of incidents reported in the region were in ECCAS waters. Essentially, although pirate groups remain primarily based in the Niger Delta region of Nigeria, they seem to have shifted some of their activities to the waters off Equatorial Guinea, Gabon and Sao Tome and Principe, in part for operational reasons, including evading the increased patrols by Nigerian naval assets. Nevertheless, there is insufficient evidence to imply a more permanent prevalence of pirate groups outside their usual hub of operations in the Niger Delta.

B. Costs and impact of piracy in the Gulf of Guinea

9. The effect of piracy and armed robbery at sea in the Gulf of Guinea is multifaceted, with the region incurring direct, indirect and opportunity costs as a consequence of maritime insecurity. Interlinked with the other significant governance, security and socioeconomic challenges confronting the Gulf of Guinea States, piracy and armed robbery at sea threaten to hamper the long-term and sustainable development of the region.

10. The direct costs of piracy in the Gulf of Guinea are those immediately linked to incidents of piracy and counter-piracy activities, including naval expenses, ransoms paid and the value of stolen oil and cargo. For example, in studies published in June and November 2021, UNODC estimated the annual amount of ransom paid for the release of abducted seafarers at about US\$ 4 million and the combined financial loss caused by instances of piracy in the Gulf of Guinea to be about US\$ 1.925 billion per year. Piracy in the Gulf of Guinea also leads to a sequence of indirect costs, including financial damages to coastal economies caused by the threat of piracy and by the imposition of counter-piracy measures. In this respect, the indirect costs to the region include reduced shipping traffic to high-risk areas and the increased cost of shipping insurance premiums, with the latter raising the import bill and hampering the export competitiveness of both coastal and inland States, and decreased fishing activity.

11. With respect to the opportunity costs, the financial resources that are dedicated to counter-piracy initiatives, totalling about US\$ 524 million annually in recent years, undermine investments in other areas, with implications for the long-term sustainable economic development of the region. The opportunity costs may also include the loss of competitiveness of regional ports and disrupted efforts of regional States to diversify their economies by exploiting the full potential of their blue economy and integrate global value chains.

12. With several States in the Gulf of Guinea threatened by other forms of transnational crime, including drug smuggling, trafficking in persons and money-laundering and the risk of an expansion of terrorism and violent extremism from the

Sahel, the significant costs incurred by the region to address piracy and armed robbery at sea may also hamper efforts at national and regional levels to address these other governance and security challenges effectively and comprehensively.

13. With respect to the gender dimension, piracy and armed robbery at sea in the Gulf of Guinea has had a series of direct and indirect effects on women and girls, as well as men and boys. In addition, given the increasing role of women in coastal West Africa in artisanal fishing and their dependence on the fisheries sector for livelihoods and nutrition, there is a growing perception that women are disproportionately affected by illegal, unreported and unregulated fishing. While it has been reported that globally only about 2 per cent of women constitute the global seafarers' workforce, there is no specific data for the region on the representation of women in the sector. In general, sex-disaggregated data on perpetrators and victims of piracy and armed robbery at sea, particularly within coastal communities in the Gulf of Guinea, is scarce.

C. Underlying causes of piracy and armed robbery at sea in the Gulf of Guinea

14. Several multidimensional factors contribute to piracy and armed robbery at sea in the Gulf of Guinea. These include widespread poverty – with the region now home to about 242 million people living below the United Nations extreme poverty threshold of US\$ 1.90 of income per person per day; and high underemployment and unemployment, especially among the region's youth. These and other factors, such as inadequate access to public services and a perception by segments of the population, particularly in coastal communities, that Governments are unable to fully meet developmental priorities, as well as address governance challenges and achieve the Sustainable Development Goals, collectively contribute to rendering communities susceptible to recruitment by pirate and other criminal groups.

15. Climate change has had a discernible impact on the livelihoods of coastal communities in the Gulf of Guinea, altering, among other things, the migration patterns of fish stocks away from the coastline. Combined with illegal, unreported and unregulated fishing, this has had a significant negative impact on marine ecosystems and curtailed local fishing communities' access to fish stocks. As was illustrated in the Niger Delta, the effects of environmental degradation – such as those linked with the operations of oil and gas industries – on the socioeconomic conditions of communities fuel discontent and grievances that are exploited by pirate groups. The combined impact of climate change, illegal, unreported and unregulated fishing and the environmental degradation of delicate ecosystems has destabilized and impoverished local populations by curtailing their access to their primary sources of income and nutrition. Coupled with other governance and security concerns, this increases the risk of coastal communities being drawn into illicit and criminal activities, including maritime piracy and armed robbery at sea, as a means of survival.

III. Possible and potential linkages with terrorism in West Africa, Central Africa and the Sahel

16. Coastal West Africa is facing a growing risk of a spillover of the terrorist threat from the central Sahel towards the Gulf of Guinea, as illustrated by the terrorist attacks against government security forces in Benin and Togo since 2021. As central Sahelian countries remain reliant on coastal States and their port infrastructure for importing and exporting goods to and from the rest of the world, extremist and terrorist groups operating in the region are likely to further seek ways to establish a presence in littoral States or form ties with transnational criminal networks to advance their interests.

17. To date, however, there is no empirical evidence of any operational, organizational and/or ideological links between extremist, terrorist and pirate groups in the Gulf of Guinea. Extremist and terrorist groups operating in West Africa, Central Africa and the Sahel primarily operate away from the coastline and do not appear to have developed the requisite capacities to establish a long-term presence in coastal areas. Nevertheless, some nationals from littoral countries have reportedly been recruited by extremist groups to operate in Burkina Faso and Mali.

IV. Efforts to combat piracy and armed robbery at sea in the Gulf of Guinea

A. Existing international, regional and national legal and policy frameworks

18. There are a number of international, regional and national legal and policy frameworks for addressing piracy and armed robbery at sea in the Gulf of Guinea. The United Nations Convention on the Law of the Sea remains the main legal framework for addressing piracy in the Gulf of Guinea, particularly in the absence of adequate legislation at national levels. The principle of universal jurisdiction under the Convention allows any State, on the high seas, or in any other place outside the jurisdiction of any State, to seize a pirate ship or a ship taken by piracy and under the control of pirates and arrest the persons and seize the property on board.

19. To date, however, less than one third of the Gulf of Guinea countries have enacted legislation that criminalizes piracy to the full extent set out in the Convention. So far, only Cabo Verde, Liberia, Nigeria, Senegal and Togo have criminalized the acts of piracy and established universal jurisdiction over piracy, in accordance with articles 101 and 105 of the Convention. The five countries are thus able to prosecute piracy suspects regardless of the geographical location of the incident, the flag of the vessels involved and the nationalities of the suspects or victims. Other countries, namely Angola, Benin, Cameroon, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Ghana, Gabon and Sao Tome and Principe, are in the process of harmonizing their legal frameworks with the provisions of the Convention. Of note, UNODC assisted Cabo Verde, Liberia, Nigeria and Senegal in implementing the appropriate amendments to their legal frameworks to criminalize acts of piracy and established universal jurisdiction over piracy in accordance with articles 101 and 105 of the Convention.

20. Other applicable international and continental instruments include the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, the 2050 Africa's Integrated Maritime Strategy, which was adopted by the African Union in 2014, and the 2016 Charter on Maritime Security and Safety and Development in Africa. To date, the Charter, in which State parties are called upon to harmonize their national laws with the relevant international legal instruments such as the United Nations Convention on the Law of the Sea and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, has been ratified by only 3 out of the 15 States required for its entry into force.

21. At the subregional level, the 2009 ECCAS Protocol on the Strategy for Securing the Vital Maritime Interests of the Member States of ECCAS in the Gulf of Guinea is aimed at protecting natural resources, artisanal maritime fisheries zones and maritime routes and combating illicit naval activities. Of note, at its fifty-third meeting, held in Yaoundé from 30 May to 3 June 2022, the United Nations Standing Advisory Committee on Security Questions in Central Africa invited ECCAS member States to set up their interministerial authorities in charge of maritime security to serve as national focal points for the implementation of the Protocol. At that meeting, the

Advisory Committee further called upon ECCAS member States that had not yet adapted their legal framework to act to criminalize piracy and to establish universal jurisdiction to facilitate the prosecution and trial of pirates arrested at sea. In this context, Gabon, with support from UNODC, is expected to adopt a revised penal code, in line with the United Nations Convention on the Law of the Sea, by December 2022.

22. In 2014, ECOWAS adopted its Integrated Maritime Strategy. On 3 July 2022, at its sixty-first ordinary session, the Authority of Heads of State and Government adopted the ECOWAS Supplementary Act on the Conditions of Transfer of Persons Suspected of Having Committed Acts of Piracy and their Associated Property and/or Evidence. The Supplementary Act provides a legal framework for ECOWAS member States that do not have the requisite national legislation to transfer arrested piracy suspects and associated evidence or property from the sea to another member State that does have the required national legislation for trial. The Supplementary Act includes human rights provisions on the treatment, prosecution and trial of suspected or transferred persons, including in ensuring that no transferred person is subjected to the death sentence for the acts of piracy. In the case of a failure to fulfil those human rights obligations, States parties and individuals can file an application with national and regional courts, including with the ECOWAS Court of Justice and the African Court on Human and Peoples' Rights. In June 2013, member States in and around the Gulf of Guinea signed the Yaoundé Code of Conduct to facilitate cooperation and information-sharing at the regional level to prevent and prosecute piracy and other illegal activities in the waters of the Gulf of Guinea.

23. With UNODC support, Nigeria has developed and endorsed a national maritime strategy and implementation plan, while Ghana has developed a draft national integrated maritime strategy and implementation plan. In both cases, these strategies are consistent with existing multi-State regional and interregional maritime strategies. Related to this, the Nigerian Maritime Administration and Safety Agency has developed a draft national maritime security coordination strategy with IMO support, to implement the security elements of the country's national maritime strategy.

B. Piracy convictions

24. In 2021, two convictions for piracy were secured for the first time in the West Africa region. On 5 July 2021, eight defendants arrested in May 2019 by Togolese forces for piracy on the *G-Dona I* were convicted in the Criminal Court of Lomé. On 23 July 2021, in Nigeria, under the Suppression of Piracy and Other Maritime Offences Act 2019, 10 persons involved in the hijacking of the Chinese fishing vessel *Hailufeng II* in the Exclusive Economic Zone of Côte d'Ivoire were convicted of piracy by the Federal High Court in Lagos. Cases of piracy have yet to be brought in the Central Africa region.

25. It is important to note that one of the main obstacles to the effective suppression of piracy in the Gulf of Guinea derives from the fact that several States in the region have not effectively integrated the crime of piracy and its universal jurisdiction in their domestic law as set out in the United Nations Convention on the Law of the Sea.¹ This constrains the ability of States to arrest suspects beyond their territorial waters and subsequently prosecute them to a state of "legal finish" for acts of piracy. This limitation, however, does not apply to instances of armed robbery at sea, as national legal frameworks suffice to prosecute such crimes, which occur within the territorial waters of the State in question.

¹ Additional information on the elements of national legislation on piracy under the United Nations Convention on the Law of the Sea is available in IMO, "Piracy: elements of national legislation pursuant to the United Nations Convention on the Law of the Sea, 1982", LEG 98/8/1, contained in the annex to the circular letter available at www.un.org/Depts/los/piracy/circular_letter_3180.pdf.

C. Operationalization of the Yaoundé Architecture

26. The adoption of the Yaoundé Code of Conduct resulted in the creation of an interregional maritime security mechanism, the Yaoundé Architecture, to optimize maritime cooperation across the Gulf of Guinea. The nerve centre of the Yaoundé Architecture is the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa. Based in Yaoundé, the Interregional Coordination Centre was established in September 2014 and operationalized in February 2017. It is responsible for enhancing coordination, mutualization and systems interoperability, as well as the implementation of the respective regional maritime strategies of the Central African and West African common maritime space. The Interregional Coordination Centre consists of five divisions, namely: Political Affairs and International Cooperation; Information Management and Communications; Training and Practice; Legal Affairs and Judicial Cooperation; and Administration and Finance. Linked to the Interregional Coordination Centre are the Regional Centre for Maritime Security in West Africa based in Abidjan, the Regional Centre for Maritime Security in Central Africa based in Pointe-Noire and several Multinational Maritime Coordination Centres that implement the respective maritime strategies in the ECCAS and ECOWAS space and ensure regional coordination and cooperation.

27. As operational centres, the Regional Centre for Maritime Security in West Africa and the Regional Centre for Maritime Security in Central Africa are tasked with coordinating information-gathering, analysis and dissemination of processed information between themselves and the Multinational Maritime Coordination Centres, as well as with international partners that are active in their respective areas of the Gulf of Guinea. The Regional Centre for Maritime Security in Central Africa became operational in 2014, and the Regional Centre for Maritime Security in West Africa was declared formally operational in 2022.

28. The Multinational Maritime Coordination Centres are mandated to monitor maritime activities and share actionable maritime security-related information with relevant stakeholders at the inter-zonal level. There are five Multinational Maritime Coordination Centres, comprising zones A and D, which are under the Regional Centre for Maritime Security in Central Africa and ECCAS, and zones E, F and G, which are under the Regional Centre for Maritime Security in West Africa and ECOWAS. The Multinational Maritime Coordination Centres in zones A and G, under ECCAS and ECOWAS, respectively, are yet to assume operations.

29. To enhance information-sharing strategies and the formation of naval task groups for joint patrols in the ECOWAS region, joint memorandums of understanding are further in place within the Multinational Maritime Coordination Centres in zones E (Benin, Nigeria and Togo) and F (Côte d'Ivoire, Ghana, Guinea, Liberia and Sierra Leone). Although the Multinational Maritime Coordination Centres in zones E and F, respectively, conducted a joint patrol in 2021, no naval task group has been established so far, reportedly owing to a lack of adequate material and logistical difficulties. In addition, even though its Multinational Maritime Coordination Centre is not currently operational, in 2021, joint patrols were conducted in zone G, led by the Senegalese Navy.

30. In the ECCAS region, the countries in zone D (Cameroon, Equatorial Guinea, Gabon and Sao Tome and Principe) have had an operational memorandum of understanding since 2009. As a result, since 2014, vessels from the navies of Cameroon, Equatorial Guinea and Gabon have regularly engaged in joint patrols. However, owing to the vastness of the maritime area, routine patrols are conducted by individual vessels and joint interdictions are carried out only at the onset of a crisis.

31. At the national level, the Maritime Operational Centres of each country, which are embedded within the national navy or coast guard, communicate maritime incidents to all relevant national stakeholders and the Multinational Maritime Coordination Centre for effective zonal coordination. The Maritime Operational Centres are moderately equipped with maritime domain awareness tools and would benefit from further investments.

32. Overall, the zonal, subregional and interregional coordination arrangements have been working with improved efficiency over time. However, issues relating to inadequate staffing of the Maritime Coordination Centres, lack of appropriate equipment and logistical support, and issues pertaining to the timeliness and effectiveness of information continue to impede the full operationalization of the Yaoundé Architecture almost 10 years on. Added to this, the operationalization of the Architecture at the ECCAS level is hampered by several factors, such as the absence of a dedicated bureau within the ECCAS Commission to address issues of maritime security and coordinate regional and national maritime security initiatives. However, there appears to be significant political will at the level of the ECCAS Commission and member States to address the impediments. In general, there is a need for the signatory countries to the Yaoundé Code of Conduct, through their respective regional-political structures (ECCAS, ECOWAS and the Gulf of Guinea Commission), to provide further strategic guidance to achieve the full potential of the Architecture.

33. While the funding for the different structures of the Yaoundé Architecture emanates from a multiplicity of sources, about 40 per cent is primarily the responsibility of ECCAS, ECOWAS and the Gulf of Guinea Commission. International partners, including the United Nations system, have provided financial, technical and material support to various levels of the Yaoundé Architecture. However, the lack of predictable and sustainable financing has equally hindered the full implementation and operationalization of the Yaoundé Code of Conduct and Architecture. In addition, implementation is constrained by the lack of clarity on the division of labour between the various regional structures.

34. The Group of Seven Group of Friends of the Gulf of Guinea, which was established in 2013 to support the implementation of the Yaoundé Architecture, provides a forum for the harmonization and delivery of international assistance to enhance the effectiveness of the Architecture. The Group's support is multifaceted and given through each member's international assistance infrastructure, which may be bilateral or multilateral, or in partnership with other Group members. In addition, in April 2021, the Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and Deconfliction operational forum was created by the Nigerian Navy, the Nigerian Maritime Administration and Safety Agency and the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa. The forum is aimed at enhancing the exchange of information, cooperation at sea and the deconflicting of operations between the ships of the navies of the Gulf of Guinea States, those of international partners, the marine industry and the centres of the Yaoundé Architecture.

D. National and regional capacity-building and cooperation efforts

35. At the national level, signatory States to the Yaoundé Code of Conduct are updating and implementing their respective national maritime strategies, albeit with varied levels of progress. In this context, several States in the Gulf of Guinea have undertaken to restructure and retool their maritime law enforcement entities and navies to bolster their enforcement capabilities (see annex I). However, efforts in this respect have been limited owing mostly to the financial constraints of a number of signatory States.

36. To enhance coordination and cooperation between their relevant national maritime agencies, Benin, Ghana, Nigeria and Togo, with the assistance of UNODC, have each successfully developed harmonized standard operating procedures on matters such as evidence collection at sea and chain of custody. The effective implementation of these harmonized standard operating procedures is expected to facilitate and enhance coordination of the national maritime security operations in each country, as well as investigation and prosecution of acts of piracy and armed robbery at sea.

E. International contributions

37. The international community continues to actively support regional and national efforts to combat piracy through a host of initiatives, including through frequent naval patrols in the Gulf of Guinea (see annex II), such as in the context of the European Union Coordinated Maritime Presences concept, which was launched in January 2021.

38. To assist in the development of regional maritime security capabilities, two major international regional exercises, the United States-led Obangame Express and the French-led Grand African Nemo, are held annually to build the capacities of maritime law enforcement agencies on joint operations, coordination and cooperation. Other maritime exercises and naval assistance, such as Operation Junction Rain, the Africa Maritime Law Enforcement Partnership and Megalops, are also organized at the bilateral and multilateral levels.

V. United Nations support and contributions

A. Political and technical support for the operationalization of the regional maritime security architecture

39. The Presidents of the ECCAS and ECOWAS Commissions, together with the Executive Secretary of the Gulf of Guinea Commission, held a virtual meeting on 18 March 2021 to assess the situation and identify avenues for strengthening the regional response to maritime security and safety in the Gulf of Guinea region. During the meeting, which was jointly facilitated by UNOCA and UNOWAS, participants acknowledged the need for ECOWAS, ECCAS and the Gulf of Guinea Commission to revitalize regional cooperation on maritime security and outline future steps to collectively strengthen coordination. In this respect, participants agreed to define and establish a well-sequenced plan to support the operationalization of regional coordination mechanisms such as the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa.

40. In line with their good offices mandate, UNOCA and UNOWAS coordinated their high-level advocacy with member States, regional actors and the broader international community to mobilize political support and resources for the implementation of the Yaoundé Architecture and other related initiatives on maritime security in the Gulf of Guinea. On 30 June 2021, the Peacebuilding Commission convened its first virtual meeting on piracy in the Gulf of Guinea to mobilize increased international attention, encourage stronger coordination among relevant stakeholders and enhance support to further implementation of the Yaoundé Code of Conduct. The Commission underlined the need to address associated human security challenges, including providing livelihoods opportunities for youth populations, as well as strengthen support to national and regional efforts. The Special Representative

of the Secretary-General for Central Africa and Head of UNOCA and the Special Representative of the Secretary-General for West Africa and the Sahel participated in the meeting and briefed the Peacebuilding Commission on relevant efforts in their respective subregions.

41. UNODC provided technical assistance to the key institutions of the Yaoundé Architecture, as well as to ECCAS and ECOWAS, including by embedding experts. For example, in the reporting period, legal and training experts were engaged and deployed to provide support at the Maritime Operational Centres, Multinational Maritime Coordination Centres, the Regional Centre for Maritime Security in West Africa and the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa.

B. Support for policy and legal frameworks

42. UNODC and IMO have assisted a few States in the region, notably Ghana and Nigeria, to formulate their respective national maritime strategy and implementation plan, as well as a national maritime security coordination strategy, as applicable. At the subregional level, UNODC provided technical support to ECOWAS in the development of its Supplementary Act on the Conditions of Transfer of Persons Suspected of having Committed Acts of Piracy and their Associated Property and/or Evidence.

C. Investigation and prosecution

43. In the reporting period, UNODC supported the Gulf of Guinea States in strengthening the operational and investigative capacities of maritime law enforcement agencies to effectively deter, detect and interdict piracy, as well as to effectively collect evidence at sea, draft written statements and submit police case files to prosecution with increased level of admissibility in court. In this context, UNODC, in collaboration with the International Criminal Police Organization (INTERPOL), conducted simulated trials based on a mock crime scene investigation on vessel.

44. In Togo, UNODC provided translation services during the *G-Dona I* trial process to facilitate the court's proceedings. In Nigeria, UNODC embedded legal advisers within the Office of the Director of Public Prosecution to build the substantive and procedural skills of the prosecutors handling maritime crime cases, including of those who prosecuted the *Hailufeng II* piracy trial.

D. Capacity-building, coordination and cooperation

45. UNODC and the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa jointly established a network of training focal points comprising all ECCAS and ECOWAS member States. In partnership with the Interregional Coordination Centre, UNODC developed a training matrix to strengthen the coordination of maritime law enforcement training in West and Central Africa, as well as prepared the Yaoundé Architecture Training Organization to rapidly meet emerging maritime security challenges. The training matrix offers a compilation of all training needs that regional maritime law enforcement entities may require to perform their duties. UNODC has also deployed experts to the Training Department of the Interregional Coordination Centre to continue to update the matrix.

46. UNODC supported the operational capacity of maritime law enforcement agencies to develop intelligence-led operations and patrols. In this respect, it collaborated with maritime domain awareness providers, such as the Copernicus Marine Service, Global Fishing Watch, Skylight and Yaris to support joint sea exercises of the Multinational Maritime Coordination Centres in zones E and F and Senegalese-led patrols in the waters belonging to countries in zone G. Furthermore, UNODC supported the establishment of visit, board, search and seizure training centres in Nigeria and Ghana to improve deterrence capacity. The centres offer bilingual training for maritime law enforcement agencies on interdiction and evidence collection within ECOWAS zones E and F. UNODC also supported member States in the strengthening of national law enforcement coordination between various institutions with statutory mandates in the maritime domain.

47. IMO supported efforts to enhance communication at the Multinational Maritime Coordination Centre in zone F in the ECOWAS region, including the provision and installation of high-frequency radio sets with data-sharing capability to all national Maritime Operational Centres. This is expected to enhance the ability of the Multinational Maritime Coordination Centre in Accra to communicate and share data with the five zone F Maritime Operational Centres and to coordinate an effective security response by the navies, coast guards and other appropriate civilian agencies.

48. The Office of Counter-Terrorism continued to implement a Global Counter-Terrorism Investigations Programme, which supports Member States in developing and implementing comprehensive investigative strategies to address crime and counter-terrorism. The Programme, which contains a subproject on “Kidnapping for ransom”, assisted Member States in building capacity to prevent, investigate and counter maritime kidnapping for ransom. In this regard, from 25 April to 13 May 2022, a training course on managing and leading an investigation and negotiations in cases of kidnapping for ransom was held in Accra with representatives from Ghana, the Niger and Togo.

49. IMO provided technical assistance in West Africa and Central Africa on the implementation of chapter XI-2 of the International Convention for the Safety of Life at Sea and the International Code for the Security of Ships and of Port Facilities, including the delivery of a security needs assessment for Togo and support to the European Union West and Central Africa Port Security project. IMO also supported efforts to coordinate the significant progress made by the Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and Deconfliction platform, especially the important input from the shipping industry, with the naval activities of the Group of Seven Group of Friends of the Gulf of Guinea. The IMO Regional Maritime Security Adviser continued to provide expert advice and guidance to the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa.

E. Crime prevention

50. Preventing and mitigating the difficulties faced by coastal communities through criminal activity prevention initiatives that are focused on piracy is important for containing the threat posed by organized crime groups along the Gulf of Guinea coastline. In that connection, support was provided through the UNODC Global Maritime Crime Programme to the Bayelsa State Government in Nigeria to develop, adopt and implement a community-based crime prevention strategy, as well as action plans for three pilot communities in the State (Ayamasa, Ikebiri 1 and Otuan) that are severely impacted by piracy and other maritime offences.

VI. Observations

51. The recent decrease in instances of piracy and armed robbery at sea in the Gulf of Guinea is a welcome development. Some significant progress has been made in both the gradual operationalization of the Yaoundé Architecture and in the strengthening of regional maritime law enforcement capabilities. The enhanced coordination efforts among regional stakeholders, as well as between the region and international partners in addressing piracy and maritime security in the region, is equally commendable. Nevertheless, continued efforts at all levels are required to consolidate the gains and prevent a reversal. I therefore call upon the Gulf of Guinea States, subregional and regional organizations and international partners to sustain their efforts, tackle the root causes and remain vigilant with respect to any developments that may upend progress made in curbing piracy and armed robbery at sea in the Gulf of Guinea.

52. Further to the above, particular attention should be devoted to better understanding how the dynamics evolving on land impact the maritime security environment in the Gulf of Guinea. Law enforcement successes and increased naval patrols may have driven criminal groups to invest in other forms of maritime and riverine criminality, such as illegal oil bunkering and theft, likely viewed as less risky and more profitable.

53. States in the Gulf of Guinea bear the primary responsibility for countering piracy and armed robbery at sea and, in this respect, have demonstrated considerable political will towards operationalizing the structures of the Yaoundé Architecture. Nevertheless, more action is needed. In this regard, I call upon the Gulf of Guinea States to effectively translate the provisions of the Yaoundé Code of Conduct into their respective national frameworks, by strengthening their maritime security enforcement capabilities and implementing their respective national maritime security strategies. The United Nations system, including through entities such as UNOCA, UNODC and UNOWAS, remains available to provide assistance in areas such as good offices, advocacy, legal reforms, capacity-building and coordination, as may be required by Gulf of Guinea States.

54. Related to the above, I note that the full operationalization of the structures of the Yaoundé Architecture remains hampered by the lack of sufficient human, technical, logistical and financial resources. To effectively address this, further policy impetus and sustainable funding are required. I encourage the Gulf of Guinea States and key regional structures, namely ECCAS, ECOWAS and the Gulf of Guinea Commission to mobilize the much-needed resources to steer the Yaoundé Architecture as the most appropriate regional framework to coordinate and strengthen counter-maritime crime efforts in the Gulf of Guinea.

55. I acknowledge the role that international partners, the maritime industry, non-governmental and civil society organizations have played in contributing to the decrease in instances of piracy in the Gulf of Guinea. I urge them to maintain their active support to the States of the Gulf of Guinea in countering the threat posed by piracy and armed robbery at sea and addressing the root causes on land.

56. Re-emphasizing the primary responsibility of the Gulf of Guinea States for countering piracy and armed robbery at sea in the region, I urge all international partners engaged in relevant activities in the region, bilaterally or as part of a coordinated effort, to continue to strengthen information-sharing and operational deconfliction in order to optimize the effectiveness of their assistance and reduce the risk of duplication of effort. International partners are encouraged to increase their financial contributions for the retooling and purchasing of key equipment for national maritime law enforcement entities.

57. The forthcoming tenth anniversary of the Yaoundé Code of Conduct offers an opportunity for the signatories, together with the relevant regional structures (ECCAS, ECOWAS and the Gulf of Guinea Commission), to undertake a comprehensive review of the status of implementation of the Yaoundé Architecture to identify challenges, define the most optimal use of available resources, and outline a strategic vision for the next decade. The United Nations, through the Special Representative of the Secretary-General for West Africa and the Sahel and the Special Representative of the Secretary-General for Central Africa, stands ready to assist the key stakeholders in this endeavour.

58. The criminalization of acts of piracy and the establishment of universal jurisdiction remain necessary to address the threat posed by piracy to the long-term security and development of the Gulf of Guinea. It is vital that all Gulf of Guinea States continue their efforts to update their legal frameworks, in line with the United Nations Convention on the Law of the Sea, and any other complementary international and regional legal frameworks, such as the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Charter on Maritime Security and Safety and Development in Africa.

59. I commend the adoption by member States of ECOWAS of the Supplementary Act on the Conditions of Transfer of Persons Suspected of Having Committed Acts of Piracy and their Associated Property and/or Evidence. I call upon all ECOWAS member States to effectively implement the Supplementary Act to strengthen regional maritime security efforts. The United Nations remains available to continue to provide technical support in the development and implementation of such transfer mechanisms.

60. Although no firm evidence suggests any potential or possible linkages between terrorist and pirate groups, the increasing risk of a spillover of the deteriorating security situation in the Sahel to Gulf of Guinea States calls for enhanced monitoring of any events that may suggest such linkages. In addition, the Office of Counter-Terrorism, UNODC and the other United Nations Global Counter-Terrorism Coordination Compact entities will intensify their support in assisting regional and national stakeholders' efforts to prevent and combat terrorism and transnational maritime crime.

61. A multifaceted approach is crucial for tackling the problem of piracy and maritime crime in the Gulf of Guinea. To this end, national, regional and international efforts must actively take into account the underlying social, economic and environmental challenges that underpin the recruitment of individuals into organized crime. This requires a holistic approach, in line with the Sustainable Development Goals and the 2030 Agenda for Sustainable Development, that actively makes provisions for the urgent needs of highly vulnerable coastal populations, as well as addressing the root causes of that vulnerability, including youth unemployment and lack of alternative livelihoods, coupled with the effects of climate change, and other governance and security challenges. It also entails incorporating a preventive focus in counter-piracy efforts to strengthen the resilience of local communities to violence and crime. In addition, to ensure that these efforts effectively address the potential and actual impact of piracy and maritime crime on women, girls, men and boys, it must be underpinned by robust sex-disaggregated data.

62. In the light of the above, I encourage the Governments of the region, together with the private sector and civil society, with the support of international partners, including the international financial institutions, to develop their blue economy as an integral element of any comprehensive strategy to counter maritime crime. The development of the blue economy will provide littoral communities with

opportunities for sustainable economic growth, which should reduce their vulnerability to recruitment by criminal networks.

63. Furthermore, measures to address maritime crime in the Gulf of Guinea cannot be limited solely to instances of piracy but must also include issues such as drug trafficking, trafficking in persons and illegal, unreported and unregulated fishing. Regional States, political structures and international partners should therefore strive to incorporate these elements of maritime crime into their maritime security strategies and investments in the Gulf of Guinea. The United Nations stands ready to provide support to efforts to develop blue economies and strengthen the livelihoods of coastal communities, including through the formulation and implementation of United Nations Sustainable Development Cooperation Frameworks.

64. The United Nations Secretariat will continue to provide information and raise awareness about the situation of piracy and maritime insecurity in the Gulf of Guinea, including in its reporting obligations to the Security Council through UNOCA and UNOWAS. In this regard, I urge all Member States and regional and subregional organizations to keep the Secretariat updated about the counter-piracy activities that they are undertaking in the region.

65. I wish to express my sincere gratitude to the States of the Gulf of Guinea, the regional and subregional organizations, the entities of the Yaoundé Architecture, regional military and naval forces, the private sector, non-governmental organizations, civil society and all international partners for the contributions that they have made to countering piracy and armed robbery at sea in the Gulf of Guinea over the past decade. Without that commitment and those contributions, the progress achieved to date in combating piracy and armed robbery at sea would not have been attainable.

Annex I

Contributions of States signatories to the Yaoundé Code of Conduct to countering piracy and armed robbery at sea in the Gulf of Guinea

1. The information contained in the present annex has been provided by Member States pursuant to Security Council resolution [2634 \(2022\)](#).

2. Benin unveiled a National Strategy for Maritime Protection, Safety and Security in 2013. In the light of the evolution of the situation, the Strategy was updated in July 2021 with the document currently under consideration by the Council of Ministers. Of note, the initial Strategy has evolved into a broader strategy document on the blue economy, which is no longer limited to the security aspect, the idea being to link it to the National Development Plan 2018–2025. Benin has ratified most of the international legal instruments that impose obligations and responsibilities with regard to maritime safety and security. The legal framework for combating maritime crime in Benin is aimed at prohibiting, preventing and repressing all forms of crime in the country's maritime spaces, namely, maritime piracy, armed robbery at sea, illegal, unreported and unregulated fishing, marine pollution, drug trafficking, illegal immigration and trafficking in persons, prosecuting the perpetrators of these crimes and punishing anyone found guilty of them. In Act No. 2018-16 of 28 December 2018 on the Criminal Code of Benin, the country's maritime spaces were formally included in the territory of the Republic (art. 11). In addition, without expressly using the term "maritime piracy", the Criminal Code has finally provided for the constituent elements of maritime piracy and, more importantly, has provided for a penalty of criminal imprisonment (arts. 204 and 210). Henceforth, maritime piracy within the meaning established in the United Nations Convention on the Law of the Sea is punishable under Beninese law. Better still, by creating the Court for the Prosecution of Economic Offences and Terrorism through the adoption of Act No. 2018-13 of 2 July 2018 amending and supplementing Act No. 2001-37 of 27 August 2002 on the organization of the judiciary in Benin, the question of territorial jurisdiction in the maritime area was settled. Five courts of first instance are located on the coast and therefore competent to adjudicate on maritime matters. These are the courts of Cotonou, Porto-Novo, Abomey-Calavi, Ouidah and Comè. In addition, the power of the national navy to police at sea is governed by the Code of Criminal Procedure. Henceforth, the commanders of national navy vessels are empowered to exercise control and coercion measures. In addition to criminal investigation officers, the commanders of the ships of the French Navy and their deputies are authorized to draw up official reports of offences. Their reports are valid until proven otherwise. They immediately transmit the official reports to the competent prosecutor (Special Prosecutor of the Court for the Prosecution of Economic Offences and Terrorism). To date, only one case of maritime crime has been investigated by the Court for the Prosecution of Economic Offences and Terrorism, relating to the attack on the container ship *Tommi Ritscher* in the harbour of Cotonou during the night of 18 to 19 April 2020.

3. At the national operational level, Cameroon has strengthened the fleet of its national navy and increased the capacity of its personnel by taking advantage of bilateral and multilateral partnerships to improve interoperability. Cameroon has also tightened up its maritime space by focusing on vulnerable points, such as oil fields, anchorage areas and transit zones. Cameroon also hosts the Multinational Coordination Centre of zone D based in Douala, Cameroon, which covers the maritime areas of Cameroon, Gabon, Equatorial Guinea and Sao Tome and Principe.

4. As Côte d'Ivoire is a signatory to regional and subregional initiatives, its approach to strengthening its maritime security and contributing to that of the Gulf of Guinea has been primarily inspired by the Yaoundé Code of Conduct and the ECOWAS Integrated Maritime Strategy, adopted at Yamoussoukro in March 2014, as well as the Security Sector Reform it initiated in 2011. These reflections led in 2014 to the adoption of a National Strategy for State Action at Sea, in synergy with the regional maritime safety architecture and placed under the authority of the Prime Minister. Côte d'Ivoire has also strengthened its institutional, legal and operational frameworks for State action at sea (adoption of a maritime code, a law on fishing and aquaculture, an environmental code and a plan to combat maritime pollution), including the drafting of a bill on the fight against maritime crime (maritime piracy, armed robbery, drug trafficking, illegal fishing, etc.), including the use of the police force at sea. Alongside its efforts to bolster its enforcement capabilities, through the acquisition of patrol vessels and its participation multinational maritime security exercises, Côte d'Ivoire also currently hosts the headquarters of the Regional Centre for Maritime Security in West Africa and the Interregional Maritime Security Institute. Côte d'Ivoire also plays an active role in the Group of Seven Group of Friends of the Gulf of Guinea. Although acts of piracy and armed robbery are part of the maritime threats to Côte d'Ivoire, the most common and worrying acts of maritime crime in Ivorian waters concern illegal, unreported and unregulated fishing, drug trafficking and the illicit trans-shipment of fuel at sea.

5. Equatorial Guinea is proposing to hold an international conference on piracy in the Gulf of Guinea to analyse the issue in depth, adopt a resolution, identify and make available the means of support necessary to address the issue of maritime piracy.

6. The Government of Ghana remains resolute in its commitment to retooling the Ghana Navy to enhance surveillance and security presence on its water bodies. In the first quarter of 2022, Ghana procured four new patrol boats for its Navy as part of its drive to retool it to address maritime security challenges, including piracy and armed robbery at sea. Contracts have been signed for the acquisition of more patrol boats and two offshore patrol vessels to augment the existing fleet and extend the reach of the Navy beyond the Exclusive Economic Zone into the high seas. The capacity of the Navy's Special Boat Squadron has increased considerably to deal specifically with piracy and armed robbery, as well as other violent crime incidents at sea. The Navy is also in the process of establishing forward operating bases along the coast of Ghana to reduce the response time of maritime forces in the interdiction of piracy and armed robbery cases at sea. With the support of the United Nations Office on Drugs and Crime (UNODC), three legal, strategic and operational documents are being developed and when adopted will enhance the roles and responsibilities of maritime forces in dealing with piracy and armed robbery against ships, as well as other maritime criminal acts. The first document is the national legal reforms incorporating provisions of the United Nations Convention on the Law of the Sea and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation to deal with the existing gaps in the piracy laws of Ghana. The second one is the National Integrated Maritime Strategy, which has six strategic objectives and is designed to deal with the development of a thriving blue economy; strengthening the framework for maritime governance; ensuring the safety and security of the country's maritime domain; promoting capacity-building, research and knowledge-sharing; protecting the marine and coastal environment; and developing a dynamic regional and international cooperation. The third document is the harmonized standard operating procedure, which seeks to encourage synergy between maritime law enforcement agencies and address the overlaps in the roles of these agencies that can lead to duplicated efforts in dealing with maritime crimes. In addition, UNODC has been conducting capacity-building for prosecutors and the judiciary on the law of the sea and has simulated trials to sharpen the skills of these professionals to deal with

the issues of piracy, armed robbery at sea and other maritime crimes. Currently, 20 prosecutors from the Ministry of Justice and the Attorney-General's Department have been undergoing virtual training in the law of the sea and techniques for prosecuting maritime cases.

7. The efforts of Nigeria to enhance the security of the Nigerian maritime environment include its recapitalization of naval platforms; conduct of maritime security operations; improved cooperation with maritime stakeholders and maritime security operations and enhanced regional collaboration. The current Nigerian Navy fleet renewal programme has attained modest successes involving both local and foreign construction of vessels with the ongoing local construction of a 42m seaward defence boat at the Naval Dockyard Limited in Lagos and 21 riverine patrol boats at the SeWA West Africa Limited yard in Port Harcourt, Nigeria. Recent acquisitions include the acquisition of *NNS Kada*, a landing ship transport, from Albwardy Damen shipyard in the United Arab Emirates, and *NNS Lana*, a hydrographic survey vessel, from OCEA shipyard in France.

8. Furthermore, the Nigerian Navy seeks to strengthen ongoing discussions with original equipment manufacturers to commence local shipbuilding within the country as a sustainable means of guaranteeing fleet availability and technological transfer. The Integrated National Security and Waterways Protection Infrastructure, also known as the Deep Blue Project, was inaugurated in 2021 to secure Nigerian waters up to the Gulf of Guinea and tackle incidences of piracy, armed robbery at sea and other crimes at sea. The project is the first integrated maritime security strategy in West and Central Africa. It includes a Command, Control, Communication, Computer and Intelligence Centre for intelligence-gathering and data collection; 16 armoured vehicles for coastal patrol; 600 specially trained troops for interdiction, known as the Maritime Security Unit; two special mission vessels; 17 fast interceptor boats; two special mission aircraft for surveillance of the country's Exclusive Economic Zone; three special mission helicopters for search and rescue operations; and four uncrewed aerial vehicles.

9. Nigeria has engaged in various operations to adequately tackle piracy, armed robbery at sea and other emerging threats to the peaceful use of the maritime domain. These include naval operations River Sweep, Awatse, Tsare Teku, Calm Waters and Swift Response. These efforts are supported through effective maritime domain surveillance using the maritime domain awareness infrastructure. The Nigerian Navy currently has 24 maritime domain awareness centres comprising the Regional Maritime Awareness Capability and the Falcon Eye systems. The result of these efforts is reflected in the increased number of hours spent on patrol by Nigerian Navy ships compared with previous years. For instance, over 71.05 per cent of Nigerian Navy operational ships were cumulatively at sea for 32,258 hours between January and December 2021 against a total of 27,758 hours covered in 2020. Cumulatively, 64 vessels involved in piracy, armed robbery at sea and other illegal operations were intercepted from January 2021 to August 2022.

10. Nigeria has developed an efficient operational synergy among its maritime security agencies and stakeholders through inter-agency collaboration. One positive outcome of such collaboration was the launch of the harmonized standard operating procedures on arrest, detention and prosecution of vessels and persons in the maritime environment of Nigeria in January 2017. Since its launch, Nigerian maritime agencies engage regularly with the Office of the Honorable Attorney General of the Federation on modalities for its implementation. The effectiveness of the harmonized standard operating procedures as a legal instrument for the administration of maritime crimes in Nigeria has also been further boosted by the Suppression of Piracy and other Maritime Offences Act of 2019. The Act, which has already been put to the test with its first conviction in 2021, demonstrates the Government's resolve to enforce

maritime law within the region and serves as a strategic deterrent to the commission of various criminalities within the Nigerian maritime environment and in the Gulf of Guinea. Notably, 20 pirates have been convicted to date under the Act.

11. Considering the transnational and migratory nature of contemporary maritime crimes, Nigeria collaborates with regional navies and international partners to boost maritime law enforcement across national maritime boundaries to improve security in the Gulf of Guinea. In line with the Yaoundé Code of Conduct for inter-navy cooperation between ECOWAS and ECCAS States, the Nigerian Navy, in concert with other regional navies, has instituted measures to check migratory crimes. To this end, the Nigerian Navy and navies of ECOWAS zone E and the Gendarmerie of the Niger recently endorsed a memorandum of understanding for combined patrol of their shared maritime domain.

12. In addition, the Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and Deconfliction platform, which has brought together regional and international navies, shipping organizations and reporting centres, contributed significantly to curtailing piracy in the Gulf of Guinea. The Forum was co-chaired by Nigeria and a representative of the Interregional Coordination Centre for the Implementation of the Regional Strategy for Maritime Safety and Security in Central and West Africa in Yaoundé. There have been recorded successes through this medium of synergy, including the rescue of *MT Maximus* from an attempted hijack by pirates in June 2016, as well as the arrest and handover of the pirate vessel, *MT Dejikun* to Nigeria by Benin.

13. In recognition of the centrality of collaboration for successful maritime security operations, particularly in the fight against piracy and armed robbery at sea, Nigeria has continued to emplace measures to enhance collaboration and cooperation with other maritime nations and international maritime agencies. Accordingly, it holds regular international conferences and conducts sea exercises with navies of other nations and significant maritime stakeholders for capacity-building and intelligence- and information-sharing. These consultations have deepened stakeholders' understanding of emerging security situations and the need to enhance collaboration.

14. In 2022, the Nigerian Navy participated actively in the Obangame Express exercise, the Iron Water exercise, the Edi-Diana exercise and the Allied Atlantic exercise. These exercises and operations, aimed at fostering international/regional cooperation and synergy of efforts in tackling the challenges in the Nigerian maritime environment, were partly responsible for the foreign warships that visited Nigeria in 2022. Particularly, in 2022 alone, the Nigerian Navy has received visits of warships from Canada (*HMCS Goose Bay* and *HMCS Moncton*), Spain (*MV Serviola*), Italy (*Luigi Rizzo*), Cameroon (*CNS Dipikar*), Ghana (*GNS Ankobra*), France (*BH Borda*), Brazil (*União*), United States (*USCGC Mohawk*) and India (*INS Tarkash*). These visits culminated in combined exercises and operations that were aimed at curbing piracy and other illegal activities in the Nigerian maritime environment. The Nigerian Navy also had regular interactions with other maritime stakeholders, particularly maritime law enforcement agencies in the Gulf of Guinea under the auspices of the harmonized standard operating procedures on arrest, detention and prosecution of vessels and persons in the maritime environment of Nigeria.

15. Togo has adopted measures to counter piracy since 2010. Its efforts are guided by its Decree No. 2014-113 of 30 April 2014 on the action of the Togolese State at sea. The cardinal principles of this action remain the coordination and pooling of resources. Coordination implies placing the actions of the various administrations involved in the Decree under the effective authority of a single body, namely the High Council for the Sea at the strategic level and the Maritime Prefecture at the operational level, with a view to making their actions more coherent and therefore

more effective in the fight against maritime crime. It pools its resources, in particular the national navy, the maritime police force and the harbour master's office, to support the service of other administrative bodies without nautical resources, such as the directorate of maritime affairs, the directorate of fisheries and the directorate of the environment, in order to carry out their missions of surveillance and control of the seas. To address the rise in piracy and illicit trafficking at sea, on 11 March 2016, Togo adopted Act No. 2016-004 on the fight against piracy, other illicit acts and the exercise by the State of its police powers at sea. The Act is aligned with the international commitments of Togo. It stipulates that, in the exercise of police powers at sea, representatives of the State shall receive warrants for reconnaissance, visit or search to identify legally bound vessels and, where appropriate, to carry out flag searches and verification of documents on board. It should be noted that the perpetrators and accomplices of the crimes identified can be prosecuted and tried before Togolese courts. In this context, the Criminal Code of 2015 was amended in 2016 by Act No. 2016-027 of 11 October 2016. Under the terms of article 1068 of the Criminal Code, "national courts are competent to hear and punish acts of piracy committed beyond the outer limit of the territorial sea, regardless of the nationality of the perpetrators and regardless of the flag of the ships or platforms involved". This provision is also favourable to the use of the principle of universal jurisdiction on the high seas granted to any State and that of exclusive jurisdiction over vessels flying the Togolese flag. Togo is also a party to the Charter on Maritime Security and Safety and Development in Africa, adopted on 15 October 2016 at the African Union Extraordinary Summit of Heads of State and Government on Maritime Security and Safety and Development in Africa, which outlines a new African maritime safety and security architecture and the means to develop the continent's blue economy.

16. At the operational level, Togo can be cited as a good performer in the fight against piracy. Its national naval forces foiled a pirate attack in its territorial waters that led to the arrest and trial of nine defendants by the Lomé Court of Appeal on 5 July 2021. This was possible owing to the material resources deployed by its national navy, notably the two rapid transfer craft for commandos that it received in November 2020 thanks to French military cooperation. As the exercise of judicial police at sea requires harmonization to enable the recording of offences at sea and the prosecution of offenders, in May 2022, the document containing the harmonized standard operating procedures was validated in Lomé thanks to the support of UNODC within the framework of the European Union Support to West Africa Integrated Maritime Security regional project. With the adoption of that document, the implementation in Togo of harmonized and standardized operational procedures on the arrest, detention and prosecution of persons involved in maritime crime, as well as the surrender and collection of evidence, is now a reality.

Annex II

Contributions of non-signatory Member States of the Yaoundé Code of Conduct and other entities to countering piracy and armed robbery at sea in the Gulf of Guinea

1. With respect to efforts by non-Gulf of Guinea States to combat piracy and armed robbery, it is important to recall the participation of Brazil in cooperation initiatives and joint operations with countries in the region. Brazil maintains a wide range of cooperation programmes with several West African countries, which include the training of foreign naval officers. These programmes include Angola, Cabo Verde, Cameroon and Sao Tome and Principe, among others. Brazil also has a history of cooperation with Namibia, since 1994, to assist in the establishment and training of the Namibian Navy.

2. In addition to international exercises and joint operations, such as Obangame Express and Grand African Nemo, Brazil has also intensified the Guinex joint operations and cooperation initiative to assist countries of the region in ensuring maritime security. Operation Guinex conducts training exercises and joint operations with navies from several countries in the Gulf of Guinea, both on land and at sea. For two consecutive years, a Brazilian Navy frigate has been sent to the Gulf of Guinea as part of the Operation Guinex. The Group of Seven Group of Friends of the Gulf of Guinea is also an important forum for non-Gulf of Guinea States to work cooperatively on issues related to the Yaoundé Architecture. In 2019, Brazil became a full member of the Group of Friends and has been supporting its activities.

3. China is highly concerned about maritime security in the Gulf of Guinea. China has provided support, within its capability, to regional countries through bilateral and multilateral channels to enhance their capacity in maintaining maritime security and has supported the international community in increasing its attention and input in this regard. In September 2018, the President, Xi Jinping, announced eight major initiatives in collaboration with African countries at the Beijing Summit of the Forum on China-Africa Cooperation, including “peace and security cooperation”, making it clear that China will support countries in the Gulf of Guinea region in their efforts to maintain regional security and combat terrorism.

4. In December 2021, at its Eighth Ministerial Conference, the Forum on China-Africa Cooperation adopted the Dakar Action Plan (2022–2024), in which the Forum emphasized that it would further promote the implementation of the China-Africa peace and security plan, and the Dakar Declaration, in which China stressed its readiness to support African countries in countering terrorist threats and combating piracy. In July 2019 and July 2022, the China-Africa Peace and Security Forum held two meetings, at which China and Africa further coordinated policy positions and aligned visions and actions on peace and security cooperation. In May 2022, the Chinese army held the first webinar on the Gulf of Guinea security situation, which was attended virtually by the leaders of the naval forces or coast guards of 19 countries around the Gulf of Guinea, as well as the head of the Interregional Coordination Centre. Participants had in-depth discussions on the theme of maritime security in the Gulf of Guinea from the perspective of maritime community with a shared future. China also donated vessels, ship repair facilities and spare parts to regional countries, sent experts to assist in operation and maintenance and invited officers and soldiers from regional countries to study naval command and technical courses in China. China repeatedly sent naval vessels to visit countries in the Gulf of Guinea region, conducted professional exchanges and anti-piracy joint maritime exercises with the navies of regional countries and participated in international maritime conferences organized by regional countries.

5. France has had an almost continuous naval (via the Corymbe mission) and land (via pre-positioned forces in Senegal, Côte d'Ivoire and Gabon) military presence for over 30 years. The French Navy deploys a combat ship in the Gulf of Guinea almost permanently (at least 48 weeks per year). Its missions are to guarantee maritime security by being ready to assist any ship in difficulty; to assist in the operationalization of the Yaoundé Architecture, through cooperation and permanent contact with its centres and units; and to participate in the development of the capabilities of regional partners (joint African Nemo and Sagne patrols, annual regional exercise Grand African Nemo, bilateral exchanges).

6. The pre-positioned forces, which are more land-based, are involved in partnerships along the same lines as above (securing the coastline). Military partnerships have over time been developed through the training of the cadets of regional States in French schools (such as the Naval School) or regional training bodies supported by France (for example, the Interregional Maritime Security Institute and the Tica Naval School). France also deploys 14 cooperating officers and finances equipment and infrastructure for regional partners. The philosophy behind the military partnership actions taken by France is to allow for the gradual build-up of regional partners, in a manner adapted to their needs and taking into account their local specificities.

7. More broadly, France takes part in the various structures of dialogue and coordination for security in the Gulf of Guinea (Group of Seven Group of Friends of the Gulf of Guinea, Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and Deconfliction platform, meetings and symposiums). Specifically, it co-organizes the annual Gulf of Guinea Chiefs of Naval Staff Symposium with an African partner. France is a stakeholder in the European Union Coordinated Maritime Presences concept, whose creation it supported. Through this tool, the objective is to allow for better coordination of the military resources of European Union nations among themselves, as well as a better distribution of capacity-building actions by avoiding duplication of effort. A regional coordinator for the Gulf of Guinea has been appointed by the European Union to promote the Coordinated Maritime Presences concept to coastal States, to steer the implementation of European aid and to work on improving the legal framework (local management of pirates). Deliveries of equipment to the navies of coastal countries were taken over by the European Peace Facility in 2022. Today, as the largest contributor to the Coordinated Maritime Presences, France promotes this cooperation model and supports its development.

8. Furthermore, France participates directly in certain European programmes (such as the Seaport Cooperation Project and the European Union West and Central Africa Port Security project) or supports them (including the Gulf of Guinea Interregional Network, the Support to West Africa Integrated Maritime Security programme and the Programme for Improved Regional Fisheries Governance in Western Africa). France and the United Kingdom of Great Britain and Northern Ireland host the Maritime Domain Awareness for Trade – Gulf of Guinea centre, a Franco-British structure (supported by the Maritime Information Cooperation and Awareness Centre in Brest and the Maritime Trade Information Centre in Portsmouth) as the nodal point for maritime domain awareness and the first level of alert in the event of a maritime event. Through it, in accordance with the best practice recommendations for West Africa, civilian ships are assured of always having a contact person capable of calling for assistance, whether regional or international. The Maritime Domain Awareness for Trade – Gulf of Guinea centre, which was set up in response to a request from the maritime industry, contributes to the development of the Yaoundé Architecture through various forums and recommendations on maritime security. Lastly, France cooperates with all its allies on a bilateral basis to develop mutual knowledge of the

area of operations and new security initiatives (Brazil, United Kingdom and United States of America).

9. The support of Germany for increased capacity and collaboration of affected States and regional organizations mainly takes the form of participating in related activities under the umbrella of the European Union, both within its internal and external security mechanisms. Between 2002 and 2022, Germany has significantly increased its activity, with a sharp increase over the past years. Bilaterally, Germany supports the Indian Ocean Rim Association (which also has several African member States) as a dialogue partner, and with a two-year programme for capacity-building activities in priority areas, including maritime safety and security and disaster risk management.

10. As part of the Group of Seven presidency, Germany has taken on the co-chairmanship of the Group of Friends of the Gulf of Guinea, together with Côte d'Ivoire. Both Co-Chairs will place a strategic emphasis on supporting resilience and the rule of law in the context of maritime security, protecting marine resources and biodiversity, as well as boosting coordinated regional responses and aligning international initiatives with regional needs and plans. Germany also supports regional maritime security efforts by aiding member States investigations and prosecution of piracy and armed robbery cases through the forensic police laboratory and centre of excellence in Abidjan, Côte d'Ivoire. Germany also offers its expertise to regional security forces via training and the sharing of the best practices of the German Federal Police. Germany will contribute €2.5 million to the International Counter-terrorism Academy in Jacquelineville, Côte d'Ivoire, in 2022.

11. India participated in the informal deliberations of the Group of Seven Group of Friends of the Gulf of Guinea in August 2020 and was invited to join in November 2020. India participated in its first plenary meeting, which was held virtually from 1 to 3 December 2020 (the United States and Gabon were the Co-Chairs for 2020). In 2021, India participated in the plenary held virtually from 23 to 25 June 2021 and in the plenary held from 24 to 26 November 2021 in Dakar, with representation by the Embassy of India in Dakar (the United Kingdom and Senegal were the Co-Chairs for 2021). The plenary scheduled in Berlin on 5 and 6 July 2022 was the first plenary under the Co-Chairs for 2022, Germany and Côte d'Ivoire. India also participated in the most recent plenary, held virtually on 6 July 2022. The Indian Navy deployed a naval ship in the Gulf of Guinea for a period of 41 days from 4 September 2022. The ship was actively involved in efforts to combat piracy and armed robbery and also participated in training and awareness-raising workshops in the region. The Information Fusion Centre – Indian Ocean Region at Gurugram, near New Delhi, is integrated with the Yaoundé Architecture, through a third-country Liaison Officer stationed in New Delhi, and contributes effectively to maritime domain awareness in the area.

12. Considering that the majority of the incidents are happening in the territorial waters of the littoral States, Japan places importance on enhancing the maritime law enforcement capacity of those States. Japan has been contributing to the international initiatives and structures aimed at combating piracy and armed robbery at sea in the Gulf of Guinea as described below.

13. In 2014, Japan contributed US\$ 1 million to the International Maritime Organization (IMO) West and Central Africa Maritime Security Trust Fund for the implementation of maritime security projects in the Gulf of Guinea. In 2015, Japan contributed approximately US\$ 5 million to the Regional Academy of Maritime Science and Technology in Abidjan for the procurement of equipment. In 2019, Japan contributed US\$ 0.4 million to the United Nations Development Programme (UNDP) for its project to train 94 maritime law enforcement officials of Gulf of Guinea States

at the Kofi Annan International Peacekeeping Training Centre, with a view to enhancing their capacity to counter maritime crimes. In 2020, Japan contributed US\$ 0.26 million to UNDP for its project to train 38 officials of Gulf of Guinea States engaged in maritime policies at the Martin Luther Agwai International Leadership and Peacekeeping Centre, with a view to enhancing their counter-piracy capacity. In 2021, Japan contributed US\$ 0.38 million to UNDP for its project to provide training courses on maritime regulations and counter-piracy to officials of Gulf of Guinea States engaged in maritime policies at the Martin Luther Agwai International Leadership and Peacekeeping Centre. In 2022, Japan granted approximately US\$ 2.2 million to Nigeria for the procurement of a high-speed patrol boat. Since 2001, the Japan Coast Guard, in collaboration with Japan International Cooperation Agency, has held regular training courses for African maritime law enforcement agencies, in which Gulf of Guinea States have been participating since 2017.

14. The Russian Federation is continuing to strengthen international anti-piracy cooperation and ensure the security of merchant maritime traffic, including in the Gulf of Guinea. For example, in October 2021, the Russian Federation Naval Forces conducted a voyage to that region by a detachment of ships, during which an attempt to hijack the merchant vessel *Lucia* was prevented. The successful operation of Russian mariners was discussed in detail during the third plenary session of the Gulf of Guinea Maritime Cooperation Forum, held on 16 November 2021, and was highly commended by the organizers and participants, including the owners of the said vessel. The Russian Federation notes the activities of the Global Maritime Crime Programme, overseen by the United Nations Office on Drugs and Crime (UNODC), which has made a notable contribution to joint efforts to normalize the situation off the Horn of Africa in terms of a sustainable end to the piracy threat. The Russian Federation has consistently provided financial assistance to coastal States in the Gulf of Guinea to enhance the combat effectiveness and equipment of the region's maritime security structures. To date, the annual voluntary Russian contribution to the Programme fund has financed relevant technical assistance to Equatorial Guinea, Gabon, Ghana and Nigeria.

15. At the summits held in L'Aquila in 2009 and Muskoka in 2010, Group of Seven leaders committed to support maritime security capacity development in Africa, extending previous commitments to support the capacity development of security authorities in several African countries. To support the implementation of the Yaoundé Architecture, the members of the Group of Seven created the Group of Friends of the Gulf of Guinea in 2013. This support takes many forms and is executed through each member's international assistance infrastructure. The Group of Friends therefore functions as a forum for the harmonization of activities in order to enhance the effectiveness of the Yaoundé Architecture, together with States of the region as rotating partners and Co-Chairs. In the paragraphs below, the individual contributions of the Group of Seven members to maritime security in Africa are described.

16. In 2018, Canada and Côte d'Ivoire co-chaired the Group of Friends of the Gulf of Guinea meeting in Abidjan. Among other things, the meeting mobilized support for the harmonization of legislative frameworks in the fight against maritime piracy and the strengthening of inter-State cooperation. Canada also engaged in maritime security capacity-building in Africa. Since 2017, the Canadian Coast Guard has supported several African countries in improving regional capabilities in information- and resource-sharing, incident response and the development of harmonized standard operating procedures. Furthermore, the Royal Canadian Navy participated in international training events in West Africa and Tunisia (Neptune Trident 17-01, Obangame Express 19 and Operation Edifice).

17. Since 2019, Canada has supported a project addressing the threat of people smuggling by sea. It is aimed at providing practical training and cooperation support

to participating States in order to respond to crime committed at sea under a sound rule of law framework. The project is part of the Anti-Crime Capacity-Building Programme of Canada and is carried out by the Canadian Coast Guard and UNODC. The activities will complement the existing efforts under the UNODC Global Maritime Crime Programme in the Obangame Express and Cutlass exercises. For the project phase 2021–2023, Canada has allocated Can\$ 2.8 million to the project.

18. Italy conducts capacity-building initiatives with the aim of preventing and combating piracy in the Gulf of Guinea as part of the Gabinia naval campaign. This materialized in December 2021 with the launch of the visit, board, search and seizure support and evidence collection training programme, funded by the Italian Ministry of Foreign Affairs and International Cooperation, in collaboration with the UNODC Global Maritime Crime Programme. The training programme is aimed at supporting the application of maritime legislation in the fight against piracy in the Gulf of Guinea and consists of training activities for the benefit of the military navies of Ghana and Nigeria. Italy also took part in the Obangame Express 2021 operation in collaboration with the European and United States navies and the coastal countries of West Africa and the Gulf of Guinea that are involved in the Yaoundé Architecture.

19. The United Kingdom has contributed over £9.0 million to maritime-security-focused capacity-building projects in East Africa, West Africa and Central Africa since 2011, working both bilaterally and with multilateral partners. This has included support for the IMO Djibouti Code of Conduct and the West and Central Africa trust fund, as well as supporting other IMO and UNODC projects. With East African piracy suppressed, the United Kingdom has transitioned to support wider maritime security issues impacting regional stability and economic factors. In 2021, the United Kingdom has predominantly focused its efforts on the Gulf of Guinea as the global piracy hotspot. Ongoing efforts in the region include working with UNODC on the passage of anti-piracy legislation in Nigeria, and training of federal prosecutors, as well as capacity-building with the Nigerian Navy. In 2021, the United Kingdom and Senegal co-chaired the Group of Friends of the Gulf of Guinea, delivering tangible initiatives to support the implementation of the Yaoundé Architecture, and integrating industry and civil society. The United Kingdom also supported regional capability-building with a focus on Ghana and Nigeria, including through deploying training teams into the Maritime Operational Centres. The Royal Navy patrol vessel *HMS Trent* undertook training and exercising with regional governments, with priorities determined by the capacity-building needs of regional partners.

20. The United States provided training and equipment to African coastal countries and cooperates with international partners to support maritime training, exercises and operations. In East, West and Southern Africa, the United States has provided more than US\$ 40 million since 2019 to increase regional cooperation and share actionable information on maritime crimes, including through increased maritime domain awareness. The Initiative on Maritime Security and Terrorist Travel assists affected countries to increase capacities and draw on recommended good practices for countering terrorist travel and related activities in the maritime domain. The initiative provides information and access to subject matter experts through ongoing workshops. The United States also supported efforts that aided in the drafting and passage of new legislation to combat piracy in Nigeria and Togo, and similar legislation is with the parliaments of Benin, Ghana and Côte d'Ivoire for review and adoption.

21. Furthermore, United States-funded projects have provided training to prosecutors and investigators in the aforementioned countries to investigating and prosecuting piracy crimes. The United States is also launching a Port State Control project, which will provide training, mentoring and support for improving Port State Control functions in selected countries. In addition, the United States chairs the

operational working group under the Group of Seven Group of Friends of the Gulf of Guinea and chaired the Group of Friends together with Gabon in 2020. Under the Africa Maritime Security Initiative, the Government of the United States provides support to Angola, Djibouti and Senegal to build sustainable partner nation capacities to address illegal maritime activity occurring in the coastal waters of Africa.

22. The European Union has reinforced its engagement to enhance capacities of coastal States and pertinent organizations to fight illicit maritime activities in Africa. In the Gulf of Guinea, two European Union initiatives are ongoing. The Support to West Africa Integrated Maritime Security programme has provided legal reform and capacity-building in tackling and prosecuting piracy and maritime crime in 12 countries. The Support Programme for the Maritime Safety and Security Strategy in Central Africa has provided support to review national legal frameworks, while also strengthening maritime law enforcement and response capacities of States in the Central Africa region. In the western Indian Ocean, the European Union carries out the Regional Maritime Security Programme, in partnership with European Union Naval Force Operation Atalanta and UNODC, which supports capacity-building for the entire piracy prosecution pathway in Kenya, Mauritius and Seychelles. Also, two regional maritime centres were set up to enhance maritime domain awareness through information-sharing. In addition to the Regional Maritime Security Programme, two regional initiatives were launched in 2019–2020, focusing on enhancing maritime law enforcement and judicial capacities of coastal States and regional institutions, as well port security and safety standards and norms. In 2021, the European Union launched the Coordinated Maritime Presences concept pilot case, which is aimed at synchronizing naval deployments in the Gulf of Guinea, promote information-sharing among European partners and support the Yaoundé Architecture. The Coordinated Maritime Presences concept has recently been turned into a permanent concept in the Gulf of Guinea, and is being extended into the north-west Indian Ocean, including the Horn of Africa.
