



**GULF OF GUINEA
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AN EVALUATION OF THE YAOUNDÉ ARCHITECTURE

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1. EXECUTIVE SUMMARY



The Gulf of Guinea has been a piracy hotbed for about a decade, recording the most instances worldwide. In addition, the region is plagued by numerous maritime security threats, such as human trafficking, illegal drug trafficking, and weapon smuggling, and illegal, unreported, and unregulated (IUU) fishing that prevents secure, safe, and commercial use of the sea. The transborder personae of these crimes necessitate regional cooperation to confront, requisitioning the creation of the Yaoundé Architecture as a cooperative framework to do so.

The “Code of Conduct Concerning the Prevention and Repression of Piracy, Armed Robbery against Ships, and Illegal Maritime Activities in West and Central Africa”, also known as the Yaoundé Code of Conduct (YCoC), was adopted in 2013 the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), and the Gulf of Guinea Commission (GGC), at a summit on maritime security in the Gulf of Guinea. The objective of the Code of Conduct is to enhance cooperation among signatory states in the fight against transnational organized crime in the maritime domain through a regional framework known as the Yaoundé Architecture (YA).

By encouraging information sharing, coordinating operations through joint patrols, harmonizing legislation, and essentially acting as a platform for the implementation of the Code of Conduct’s provisions, the YA aims to improve collaboration. The YA is divided into various levels, from strategic to tactical, each with a different role in preventing illegal maritime activity in the region. The Interregional Coordination Centre (ICC), which coordinates and shares information among the Regional Maritime Security Centre for West Africa (CREMAO) and the Regional Maritime Security Centre for Central Africa (CRESMAC), makes up the strategic layer of YA. The maritime sphere is divided into five operational zones, each with a separate Maritime Multinational Coordination Center (MMCC). At the state level, Maritime Operational Centers (MOC) act as a hub for bringing together the different stakeholders in charge of state activity at sea.

It will be challenging to link the drop in piracy or any other crime to the YA due to the numerous actors involved in maintaining maritime security in the Gulf of Guinea. Therefore, to assess the Architecture’s progress, the report evaluated the progress made over the previous years in carrying out its fundamental mandates, such as information sharing, effort coordination, and strengthening regulations to meticulously address the maritime security challenges in the region. The YARIS network, an information-sharing tool, connects all layers of the security framework, enabling consistent cooperation, surveillance, expeditious information exchange, and uniformity of operation within the framework. This is supplemented by the Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and De-



confliction (GoG-MCF/SHADE), which promotes communication and information sharing among regional and international stakeholders.

The establishment of the Yaoundé Architecture has resulted in some successful maritime crime interventions in the region. These operations have demonstrated how the YA's key values—capacity building, joint operations, information sharing, and coordination across the naval forces of the region is vital in keeping maritime law and order. The Gulf of Guinea (GoG) states must enact national laws that allow for the prosecution of offenders to guarantee a long-lasting victory over maritime criminals. Even though there is still much to be done in this area, several of the code's signatories have made progress in developing and enforcing domestic legislation to prosecute maritime crimes, notably piracy and armed robbery.

Though the YA has made some strides since it was first developed, the architecture is yet to be fully actualized. The report found that, in addition to the economic effects of the Covid-19 pandemic on member states' financial contributions, a lack of political will is the primary obstacle to the Yaoundé Architecture's effectiveness. This has resulted in the underfunding of maritime agencies in member states, and the delay in implementing legal reforms in their judicial systems to accommodate maritime laws. These two are critical in the fight against maritime crime because they harmonize the collaborative efforts by bridging the capability gap between states and the legal loopholes in the region.

Making the Code of Conduct a legally binding agreement, as the report suggests, might solve the problem of political unwillingness in ensuring that the objectives of the framework are met. On the other hand, in the quest to sustain maritime security in the Gulf of Guinea, besides a repressive approach, cooperation on good governance measures should be encouraged among the GoG states to solve factors onshore that eventually spill over to maritime domain.



2. INTRODUCTION

Since 2012, the Gulf of Guinea (GoG) has been a hotspot for maritime piracy, accounting for about half (43 percent) of all piracy incidents and 95 percent of all maritime kidnappings in 2021 (Carlota & Jaime, 2022). However, according to the latest quarterly data from the International Maritime Bureau (IMB), nearly half of all pirate and armed robbery occurrences this year (41 percent) transpired in Southeast Asian waterways, mainly in the Singapore Straits. With only six events reported in the Gulf of Guinea in Q1 of this year, this data implies a drop in reported incidents in the Gulf of Guinea region (IMB, 2022).

IMB attributes the drop in recorded occurrences to the coordinated efforts of regional and international navies in combating piracy in the region's dangerous waterways, as implied by experts. Nonetheless, the threat of maritime piracy in the GoG persists, as evidenced by recent occurrences such as the boarding of the bulk carrier Arch Gabriel by pirates 260 nautical miles off the coast of Ghana in April (The Maritime Executive, 2022), and the 24 January hijacking of a tanker off the coast of Ivory Coast, following which all 17 crew members were kidnapped (DefenceWeb, 2022).

Piracy and violent robbery against ships are not the only threats to maritime security in the Gulf. The region is affected by a confluence of maritime security challenges, including illegal, unreported, and unregulated (IUU) fishing, human trafficking, and illicit drug and weapon smuggling. These threats in the Gulf of Guinea jeopardize the peaceful use of the sea for other maritime activities, undermine the exploitation of resources, and subvert regional security as well. In a nutshell, they obstruct the region's ability to effectively utilize its blue economy. Since blue crimes are transnational, cross-border collaboration is a must in combating illegal maritime operations (Ken & Chikodiri, 2015). This necessitates a multi-layered approach based on regional and international cooperation (Kamal-Deen, 2014). In the absence of regional cooperation, criminals are poised to take advantage of states that lack the resources to monitor and enforce the laws in their maritime domain (Ifesinachi & Maisie, 2020, p. 68).

Increasing law enforcement attempts to counter illicit maritime activities in one state might lead to the shifting of the crime to a nearby state because criminals are agile and versatile in their operations. This was observed in the region when counter-piracy moves by the Nigerian authorities compelled the pirates to alter their operations both geographically and methodologically. Subsequently, attacks became more common further out to sea or near the coasts of neighboring nations like Benin and Togo (Kemal & Yussif, 2020). Although the



Nigeria-Benin alliance in Operation ‘Prosperity’ has achieved headway against piracy and armed robbery at sea, it has also driven the crime to the waters of countries that lack requisite capacity, such as Togo in this case (Ifesinachi & Maisie, 2020). As a result, piracy incidents off the coast of Togo increased significantly during that period. Therefore, to be effective in combating illicit maritime crime, regional coordination across designated agencies of the Gulf of Guinea states must be done under a single overarching strategy that includes mobilization of national resources, intelligence and surveillance assets, and a common legal framework to improve law enforcement outcomes. Hence, the YCoC exemplifies and promotes this concept through the YA.

Although the Yaoundé Code of Conduct paved the way for the formulation of the YA in 2013, its conceptual and organizational framework emulated the ECCAS maritime security framework formed in 2009. In May 2009, the four most impacted ECCAS states (Equatorial Guinea, Cameroon, Gabon, and Sao Tomé and Príncipe) signed a technical agreement outlining cooperative measures to safeguard their regional maritime stability. Following that, the parties reached an agreement on a joint surveillance program (SECMAR 1). Thereafter, CRESMAC was established by the ECCAS in Pointe-Noire, Republic of Congo, in October 2009 (ICG, 2011, p. 14). The CRESMAC is the linchpin of the framework, allowing member states to pool their different military and civilian resources to build an integrated maritime security policy (Charles & Wullson, 2013, p. 24). To improve operational efficiency, the ECCAS secretariat divided its area of operation (AO) into three zones (A, B, and D), each of which is overseen by a Multinational Maritime Coordination Centre (MMCC). The interregional framework (YA), which will be examined in detail in this report, later adopted this structural hierarchy.

Following the global community’s alarm about the region’s maritime instability, the United Nations (UN) made the matter a priority when then-President Thomas Boni Yayi of Benin requested support in countering transnational maritime crimes in the region (Ken & Chikodiri, 2015, p. 57). This spurred the Security Council to act in 2011 and 2012, passing two consecutive resolutions. UNSC Resolutions 2018 and 2039 expressed concern about the threat posed by piracy and armed robbery at sea to the safety of seafarers, as well as the violence used by pirates in the Gulf of Guinea, and emphasized the “importance of finding a comprehensive solution to the problem of piracy and armed robbery at sea in the Gulf of Guinea”; by concerted efforts in cooperative regional maritime patrols that compliance with international law involving regional organizations such as ECOWAS, ECCAS, and theGGC (UN, 2011) (UN, 2012). Thus, the Resolutions serve as a signpost for regional cooperation in the fight against maritime piracy in the Gulf of Guinea.



In response to Resolution 2039, ECCAS, ECOWAS, and the GGC organized a Ministerial Conference on Maritime Security in the Gulf of Guinea on March 19 in Cotonou, Benin, as part of the drafting of a regional strategy (UNOWA, 2015). This thereupon set the stage for the June 2013 Summit themed ‘Maritime Security in the Gulf of Guinea’ in Yaoundé, Cameroon. Three strategic documents were endorsed at the end of the meeting: a political statement between ECCAS and ECOWAS regarding ‘Illegal Maritime Activities in the Gulf of Guinea’ signed by the 25 West and Central African states; a memorandum of understanding signed by ECOWAS, ECCAS and GGC on Maritime Security in West and Central Africa; and the signed Yaoundé Code of Conduct (Ifesinachi & Maisie, 2020, p. 68) (Daud & Sayed, 2017, p. 57).

According to Article 2 of the Code, signatory countries must collaborate to the fullest extent possible in the repression of transnational organized crime in the maritime domain, maritime terrorism, IUU fishing, and other illegal activities at sea, per their available resources, priorities, and respective national laws, as well as applicable international laws: by sharing necessary information, intercepting ships suspected of committing or attempting to commit the above-mentioned maritime crimes, and ensuring that those who commit or attempt to commit the above-mentioned crimes are caught and prosecuted (ECOWAS, 2013). This regional cooperation was actualized through the establishment of the Yaoundé Architecture, a regional framework to pursue the scope and purpose of the code of conduct.

Even though piracy and armed robbery at sea were significant factors in its formation, the YCOC also focuses on a wide range of unlawful maritime operations, including IUU fishing, maritime terrorism, narcotics and wildlife trafficking, and maritime pollution (Stable Seas, 2019, p. 1). Yet, the Yaoundé Architecture has been chastised for being too focused on piracy in comparison to other forms of blue crime, given the range of crimes it is obligated to fight (Yücel, 2021, p. 148). The YCOC has also emphasized the values of sovereign equality, territorial integrity, and non-interference in the domestic affairs of other states while carrying out the obligation of the framework. This is reported to have a negative impact on the framework by diminishing its authority (Kamal-Deen, 2014) (Ifesinachi & Maisie, 2020).

The Yaoundé Architecture’s goal is to simply enhance information sharing, coordinate actions, reinforce regulations, and help in complementing states with weaker enforcement capacities. Through this, it provides a platform for implementing the clauses of the Yaoundé Code such as joint patrols, partnership in the detection of maritime criminal acts, analysis, and dissemination of maritime crime information, and, to a lesser extent, advancement of multinational maritime professional training (Ifesinachi & Maisie, 2020, p. 77). The YA is



made up of the Interregional Coordination Centre (ICC), which connects CRESMAC and CRESMAO. The maritime domain is demarcated into five operational zones, each with its own MMCC. At the state level, Maritime Operational Centers (MOC) serve as the focal point connecting the stakeholders responsible for the action of the State at sea which might include various designated agencies in each country such as the Navy, Fisheries Agencies, Coast guards, customs, etc. (ICC, 2022).

Despite the great efforts and contributions made by the signatory states and their partners in implementing the YA, the presence and growth of piracy and other illicit activities in the Gulf of Guinea indicate that the multinational cooperation framework is flawed and that more work is required to attain the Code of Conduct's goals (Ifesinachi & Maisie, 2020) (Yücel, 2021). Hence, the purpose of this report is to assess some of the framework's achievements in the region thus far, as well as some of the significant impediments to its efficacy. First, an in-depth description of the framework's structure will be conducted, followed by an examination of its success or inroads registered so far. Afterwards, the paper examines some of the challenges and makes candid recommendations to address these.

3. THE STRUCTURAL ELEMENTS OF THE YAOUNDE ARCHITECTURE AND THEIR FUNCTIONS

It is critical to anatomize the structural elements and their myriad functions to comprehend the innards of The Yaoundé Architecture. Starting from the top of the structure, the YA encompasses the ICC, a synchronizing and information-sharing mechanism that connects CRESMAC with CRESMAO (GOGIN, 2022). The ICC was established in Cameroon in 2014, with a director appointed in compliance with the MOU between ECCAS, ECOWAS, and the GGC on Safety and Security in West and Central Africa's Maritime Region. The center's principal responsibilities include coordinating regional maritime safety and security responses, facilitating information exchange between state navies, promoting maritime legislation harmonization, and developing the capacity of civilian and military personnel in both regions (Pascaline, 2021). Most importantly, the ICC acts as a bridge between the two regional bodies in their efforts to combat maritime crime by bringing them together through uniformity and standardization of procedures.

It is important to note the value of information and intelligence sharing in attempting to secure states' territorial waters and EEZs through Maritime Domain Awareness (MDA),



particularly in the Gulf of Guinea, cannot be overemphasized, as it enables states to maximize the effective use of their limited resources and forces in patrolling their waters. One of the ICC's goals is therefore to encourage the exchange of information from all levels of the organization, including national, zonal, and regional maritime operations centers, by email, phone, and online chat, and compiling a weekly situational report for the region. The ICC utilizes the Yaoundé Architecture Regional Information System (YARIS) platform, which is supported by the European Union (EU), to share information amongst the YCoC's 27 maritime architecture centers, their collaborators, and stakeholders. The portal can be used as an instrument for maritime situation awareness as well as a medium for crisis coordination among the centers of the network (GOGIN, 2022). The ICC and its staff play a critical role in the YARIS operation and in the training of the various centers in operationalizing it.

Secondly, one of the ICC's key responsibilities is to harmonize maritime legislation across the board to make it easier to prosecute criminals and shut down legal loopholes in the region (DefenceWeb, 2020). This effort has been minimal so far because for example, Liberia, Togo, Nigeria, Gabon, Cabo Verde, and Senegal, are currently the only six members out of the 25 signatories with a legal framework against piracy (G7 ++ FoGG, 2022). According to reports, this is one of the main reasons for the region's lack of piracy-related convictions, despite successful arrests – efforts to expedite extraditions and to harmonize penalization for maritime crimes across jurisdictions would prevent them from obtaining impunity across coastal frontiers with relatively relaxed municipal laws (Adeniyi, 2015). Eventually, states' potential to combat maritime crime is compromised, and the YA's overall effectiveness is maligned as well because the efforts of the enforcement agencies such as navies, coast guards, and marine police of the region are meaningless if adequate national laws are not in place to prosecute pirates or other maritime criminals.

In addition to information sharing and coordination between the regional bodies, the ICC is also responsible for coordinating training and naval exercises with international partners and regional navies, such as the United States' Obangame Express exercise and the French Navy's Exercise for Maritime Operations (NEMO). It is also known to work with educational institutions to provide educational opportunities for maritime security personnel of the YA (DefenceWeb, 2020). According to the Head of Administration and Finance Division of the ICC, the regional bodies fund the Center's internal daily operations, which include salaries, utilities, and security. ECOWAS contributes 60 percent of the costs of the center, while ECCAS contributes 40 percent (A. Kebbeh, personal communication, June 17, 2022). The discrepancy



in contribution percentages is roughly proportional to the number of member states in each regional body.

The top echelon of the framework also includes the regional maritime coordination centers of the regional communities CRESMAC and CRESMAO. The centers are responsible for the implementation of the maritime strategies of their respective regional economic communities, ECOWAS and ECCAS. As a result, they are considered political and strategic entities in the YA, and they are subject to the command and directives of their respective regional bodies. In essence, the centers are set up to execute both the YA's objectives and their regional strategies, such as the ECOWAS Integrated Maritime Strategy (EIMS) and the ECCAS's Kinshasa Protocol. Since the YA and regional maritime strategies have similar grand strategic ends, this could create ambiguity and duplication in efforts. The CRESMAC is currently operational and multi-nationally staffed (CRESMAC, 2022), however, the CRESMAO does not yet have a multinational staff and is instead staffed by interim Ivorian personnel (ECOWAS, 2022).

The Regional Maritime Security Centers are responsible for coordinating and monitoring the operations of Multinational Coordination Centers (MCC) in different zones, as well as establishing and maintaining standard operating procedures within the same economic community, to fulfill their mandate according to their strategies. During law enforcement missions, however, they are not involved in the everyday activities of the vessels at sea (Yücel, 2021, p. 149).

Although CRESMAO is not yet fully staffed, the various member states' law enforcement agencies are already cooperating to ensure the safety and security of the ECOOWAS seas. According to Rear Admiral Konan, the center's acting Director at the time, this cooperation was demonstrated in 2018 when the Ghana Navy reported dubious ships suspected of bunkering oil in its waters near the Côte d'Ivoire border to its zonal center, Zone F in Accra, which forwarded the information to CRESMAO in Abidjan. The vessels were intercepted by the Ivorian authorities following a notification from CRESMAO (Dryad Global, 2020). According to the center, its mission is centered on four key programs: information sharing with actors and zonal centers, capacity building in terms of professional training, research and development, communication to reduce sea-blindness, and legislative harmonization. Moreover, the regional centers act as a hub for networking with international or regional interagency partnership cooperation, as well as agencies or stakeholders such as UNODC, Interpol, SWAIMS, and the maritime community via MOWCA (Boniface, 2019). In



brief, regional centers serve as access points and facilitators for regional maritime security cooperation and interagency engagement.

On the other hand, the CRESMAC based on the same model as its counterpart on the western part of the continent is also involved in multi-dimensional cooperation such as the Obangame Express exercises with the United States and NEMO with France, as well as engagement in meetings and seminars related to state action at sea organized by different stakeholders for capacity building. CRESMAC, unlike CRESMAO, has a reporting system in place for vessels operating in its territory. This mechanism allows for early notification of incidents and suspicious activities at sea to the regional center and its MCCs, as well as providing them with a real-time picture of their maritime domain (CRESMAC, 2022). This approach could be included in the portfolio of a well-developed CRESMAO to boost efficiency.

Finally, given the functions of the strategic level entities of the YA mentioned above, analysts also observed the degree of duplication and ambiguity around specific activities each (ICC and the regional centers) set out to undertake (Ifesinachi & Maisie, 2020). This amounts to service duplication rather than task diversification and specialization, resulting in inefficiency in a network structure such as the YA (Yücel, 2021).

The maritime security architecture's operational level is made up of zones coordinated by MMCC and involving various states. The MMCCs are engaged in day-to-day operations and are in charge of coordinating the national maritime operation centers (MOC) with the rest of the Architecture (Yücel, 2021, p. 153). The YA is divided into five operational zones: CRESMAC has zones A and D, whereas CRESMAO has zones E, F, and G. Zone A encompasses the coastal states of Angola, Congo, and the Democratic Republic of the Congo, with Angola serving as the host country. Zone D includes the coastal states of Cameroon, Equatorial Guinea, Gabon, and So Tomé and Príncipe, with Cameroon serving as the host. Zone E includes the coastal states of Benin, Niger, Nigeria, and Togo, with Benin serving as the host country. Zone F includes the coastal states of Ghana, Burkina Faso, Cote d'Ivoire, Guinea, Liberia, and Sierra Leone, with Ghana serving as the host country. Zone G includes the coastal states of Cabo Verde, Gambia, Guinea-Bissau, Mali, and Senegal, with Cabo Verde serving as the host country. (Margareth, 2021).

Thus far, Zone D is the most operational zone which has established MMCC manned by an international staff from its member countries. The zone, which was established in 2009, is regarded as a model for zone-level multinational cooperation in the Gulf of Guinea. Zone E has an internationally staffed functioning MMCC, with the member states Togo, Benin,



Nigeria, and Niger signing an MOU in 2018 for joint maritime patrols. The MOU was put into action in November 2021, with the states participating in a two-day joint patrol supported by the UN Office on Drugs and Crime (UNODC) and funded by the governments of Denmark, Norway, and Portugal (UNODC, 2021). It is vital to highlight that member states of Zone E have previously engaged in joint maritime patrols but were bilateral and multilateral agreements that were not under the purview of the YA. Zone F also has established its MMCC, however, is yet to conduct a joint patrol in its **AOR**. The zone's member states also signed an MOU for joint maritime operations in Accra in July 2019, but the plan is yet to be implemented (GOGIN Watch, 2019).

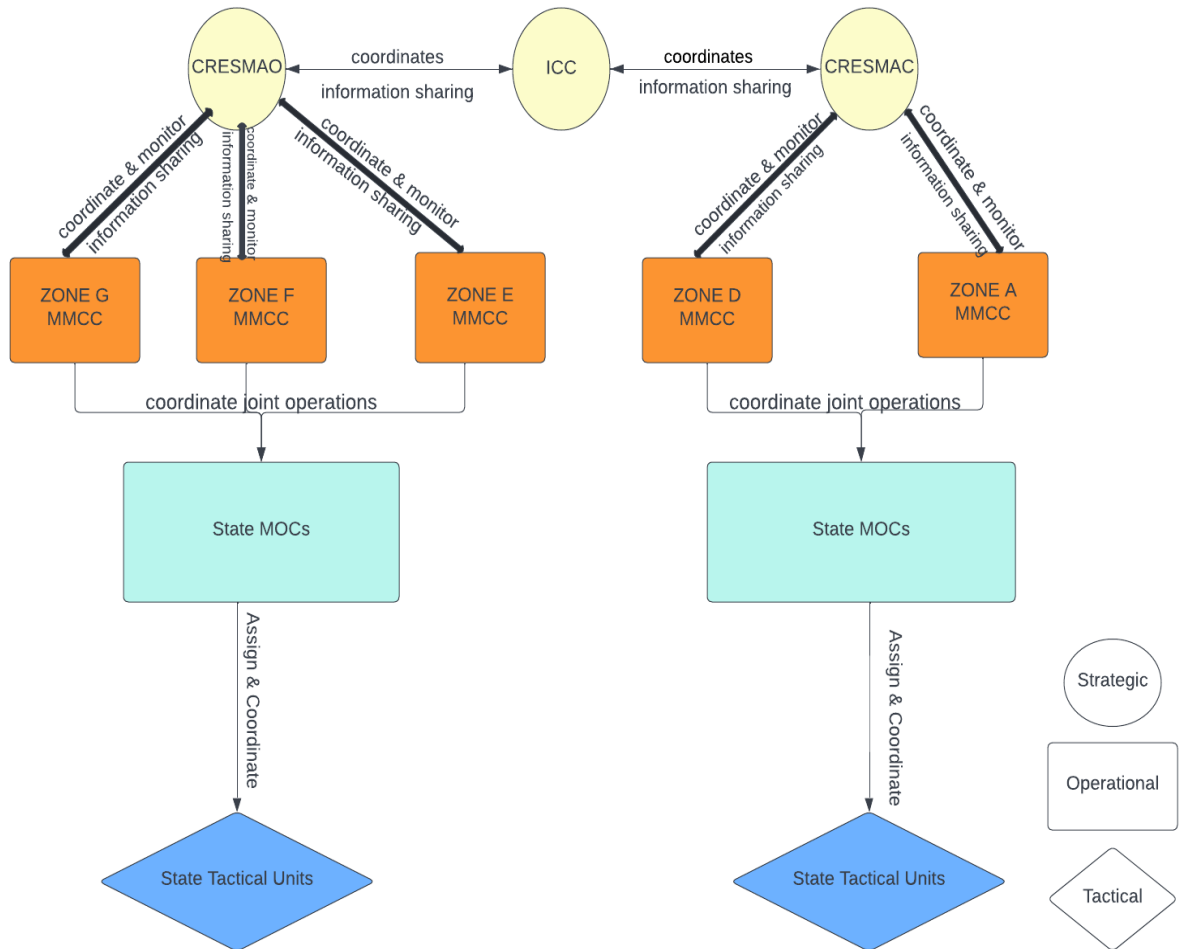
Finally, zones A and G are officially formulated but no MMCC has been established. Moreover, while Zone G has yet to be operationalized, Senegal and Cabo Verde collaborate closely and have agreements to patrol their waters with Gambia and Guinea-Bissau (Ifesinachi & Maisie, 2020, p. 81). Since a network is as strong as its weakest link, the urgency to activate Zones A and G to steer the architecture toward a full-fledged maritime security construct cannot be exaggerated. Zone D has proven to be a model of the zonal concept in the region, having carried out several successful joint maritime operations. As indicated by the zone's Chief of Multinational Center of Coordination, joint maritime operations have had a positive impact on the zone's navies, including standardization of operational procedures among ships of different nations, intelligence sharing among states, patrol flexibility because no border barriers obstruct patrol vessels, and reduced operational costs for individual states (Sylvestre, n.d.).

The last tier of the YA is the Maritime Operation Centers (MOC) of the member states. According to Konan, "member states are the pillars for construction and operation of the maritime security system in ECOWAS area" (Boniface, 2019). This statement reflects the importance of the 'state action at sea' concept in bringing to fruition the goals of the Yaoundé Code of Conduct. The operational hand of the Gulf of Guinea maritime strategy is the state vessels and personnel coordinated by an MOC. Each signatory is required by Article 11 of the YCOC to "designate a national focal point to facilitate coordinated, effective, and timely information flow" (ECOWAS, 2013). This has not been as productive as the Code of Conduct intended because not all Gulf of Guinea states have a functioning MOC, and regular information sharing is inadequate. (Ifesinachi & Maisie, 2020, p. 78). Countries like Guinea and Togo, for example, have established a maritime Prefecture to house their respective MOCs, which are staffed by operators from various maritime administrations. During a crisis, this interagency organization ensures the synergy of operations at sea (Mélanie, 2022 a) (Mélanie,



2022 b). Nigeria operates three MOCs, each operated by one of its three naval commands, as a result of its naval might and capabilities. (Mélanie, 2022 c)

FIGURE 3.1 STRUCTURAL DIAGRAM OF THE YA



Source: Designed by the Author



4. THE FRAMEWORK'S PROGRESS AND NOTABLE SUCCESSES TO DATE

Although maritime pirate incidences in the Gulf of Guinea have fluctuated since the inception of the YA in 2013, reaching an all-time high in 2020 (IMO, 2021), it dropped to its lowest in 28 years in the first quarter of 2022. This decline has been ascribed to the ongoing efforts and cooperation amongst authorities in the region, led by Nigeria with assistance from its international partners (IMB, 2022, p. 18). The collaboration between multiple Nigerian government agencies, regional governments, and both domestic and foreign stakeholders has been recognized by Dr. Bashir Jamoh, Director General of the Nigerian Maritime Administration and Safety Agency (NIMASA), as the cause of the drop (Osagie, 2022).

By acting as the basis for regional maritime security cooperation and as the medium for most of the extra-regional assistance, the Yaoundé Code has demonstrated its worth as a tool for international collaboration on maritime security (Ifesinachi & Maisie, 2020, p. 78). Notwithstanding, given the Yaoundé framework's long-sightedness, it is too early to assess its efficiency in relation to the number of piracy occurrences in the region over a short period. Instead, the accomplishments made over the past nine years in carrying out its basic mandates, such as information sharing, coordination of efforts, and reinforcing regulations to systematically address the maritime security challenges in the region, could be used to gauge its progress. Hence, this part of the report aims to present a view of the notable successes of the YA while focusing on key areas of its mandate which are information sharing, effort coordination, and reinforcing regulations.

The YaouYARIS platform was launched by the ICC and the EU's Gulf of Guinea Interregional Network (GOGIN) Project, and it became operational in September 2020. Presently, 95 percent of the maritime centers within the Architecture are now connected to the platform for information exchange that aims to encourage collaboration and coordination in times of crisis among the YA's maritime operational centers, thereby enhancing the campaign against maritime insecurity in the Gulf of Guinea (Isabelle, 2022) (Mboob, 2022, p. 84). All layers of the security framework, from interregional to operational centers of agencies within a state, are connected via the network. Nigeria, Guinea, and Togo inter alia are the most recent states to receive training and connect their maritime operational centers to the network (EU-GOGIN, 2022). These give them the ability to execute maritime security operations from a secured medium connected within a national YARIS network during both routine and emergency scenarios. Information sharing between the maritime operating centers of each



country (Zone D) was done using user emails and yahoo groups prior to the creation of the YARIS platform due to a lack of sophisticated and secure communication (Sylvestre, n.d.).

By functioning as an MDA tool alongside other human, material, and financial resources of the States of the Gulf of Guinea, the YARIS initiative has enabled consistent collaboration, monitoring, data transfer, early decision making, and uniformity of operation within the framework (Bell Bell, 2021). Similarly, the YARIS network has expedited information exchange between centers by eliminating the convoluted, traditional bureaucratic protocols for sharing information among states. As a result of the YARIS, a MOC in one country can coordinate a communication exercise with another MOC or ask a neighboring state for information on a suspicious ship without having to go through elaborate political procedures (Yücel, 2021, p. 150).

The Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and De-confliction (GoG-MCF/SHADE) was also initiated by the Nigerian Navy and the ICC in 2021 to supplement and expand information exchange and dialogue among maritime stakeholders in the region and beyond (Giulia, 2021). The forum's objective is to establish efficient operational counter-piracy cooperation between regional and international Navies, the maritime sector, and Yaoundé Code of Conduct's (ICC) reporting centers, with a focus on the operationalization of the YA (Osagie, 2022). Four primary points can be used to outline the goals of the GoG-MCF/SHADE and they are:

- strengthening naval operations against piracy and banditry, as well as relations between naval forces
- working in partnership with international industry and maritime stakeholders and encouraging regional cooperation
- optimization of the use of naval and air assets and the establishment of working groups with assigned tasks, with representatives of the national navies and
- widen the visibility spectrum with the acquisition of air assets by the national governments (G7 ++ FoGG, 2022)

The forum operates principally through plenary sessions, each of which aims to spark discussion and produce concrete steps required to enhance operational coordination between regional navies and stakeholders in the maritime sector of the Gulf of Guinea. The three Working Groups (WG) of the forum present significant recommendations following each session based on the discussions held in the plenary (GOGMI, 2022). Duplication of efforts is inevitable given the convergence of efforts by several stakeholders in the region. Thus, one of the key importance of the SHADE is to prevent this by incorporating all initiatives taken to deal with maritime crime in the GoG.



The creation of the Yaoundé Architecture has led to a surge in naval interventions in pirate attacks in the latter half of 2013, with visiting French, Nigerian, and Togolese naval forces all successfully foiling attempted hijackings of tankers. These measures had some success, as both the frequency of successful hijackings and tanker attacks decreased from their peak in 2011. Pre-emptive measures taken by regional states, such as the establishment of safe zones around the anchorages off Benin, Togo, and Nigeria, as well as other safety and security measures taken by ships to enhance situational awareness as adapted by best management practices also played a huge role (Chikodiri, 2015, p. 59). However, capacity building, joint operations, information sharing, and coordination among the naval forces of the region promoted, which are the core values of the YA have shown to manifest in some successful maritime crime interventions in the region.

Even though maritime exercises organized by the ICC and its partners, such as the *Obangame* Express and NEMO are for training and capacity-building purposes, they also double as a deterrent agent for maritime criminals. As Captain Oladipo observed, it often takes weeks after an exercise before a significant incident happens, indicating that these initiatives have been somewhat successful in slowing the rate of piracy (E. Oladipo, 2021). Coincidentally, one of the most successful and first-of-its-kind maritime rescue operations in the region occurred during a multinational maritime exercise. Navies from the United States, Ghana, Togo, and Nigeria tracked a seized tanker through the waters of five different countries with the help of six other countries in the region through information sharing, before a Nigerian naval unit boarded the MT Maximus and saved almost the entire crew. Considering that the arrest was made possible by an existing agreement between Nigeria and So Tomé Principe (AP-Lagos, 2016), it also demonstrated the value of bilateral or multilateral agreements and collaboration in addition to being one of the most well-coordinated and multinational-led maritime operations in the region.

Another significant instance of collaboration within the interregional maritime security framework is when the Ghanaian Navy discovered suspicious vessels that appeared to be bunkering oil in its seas close to the border with Côte d'Ivoire. The Multinational Maritime Coordination Centre Zone F in Accra received a report from Ghana on the situation, which was then conveyed to CRESMAO in Abidjan. CRESMAO notified the Côte d'Ivoire Navy, which intercepted and subsequently detained the vessels (Dryad Global, 2020). Similarly, a Togolese naval unit successfully boarded a hijacked ship at the Lomé anchorage, which resulted in an arrest and handover of suspects to the maritime police for an investigation (Ifesinachi & Maisie,



2020, p. 72). The accused were ultimately found guilty in a court in Lomé and given prison terms ranging from 12 to 20 years (Africa News, 2021). This case is meaningful because Togo has displayed its ability to orchestrate its national resources such as intelligence, naval capability, and judiciary in conducting such a successful operation (Ifesinachi & Maisie, 2020, p. 73). On the other hand, not much credit and attention are given to the YA when it comes to the fight against IUU in the GoG waters, however, joint operations in the ECCAS zone D have made some relevant headways against fishing infringement in that zone. (Sylvestre, n.d.) Apart from joint operations and regional coordination, the YCOC pushes for comprehensive state-level maritime enforcement capability through the empowerment of its maritime forces, the institution of a maritime strategy, and the enacting and implementation of relevant laws and regulations.

While substantial arrests and interventions are occurring, the Gulf of Guinea's success rate in prosecuting maritime offenders is relatively low. This is because only a few states in the region possessed a legal system that is sufficient to allow for the effective prosecution of piracy cases, according to a legal evaluation undertaken by UNODC across the region (UNODC, 2020). In light of this, Article 4 of the YCOC demands each state to enact national laws that guarantee the safety of ships and port infrastructure as well as the protection of the marine environment. According to data from the Division for Ocean Affairs and the Law of the Sea (DOALOS), only Liberia had legislation in place to prosecute armed robbers, hijackers, and terrorists at sea before the Yaoundé summit in 2013 (DOALOS, 2008).

The YCOC's signatories have, nevertheless, made headway in drafting and executing national laws to prosecute maritime crimes, notably piracy and armed robbery. Six states currently have anti-piracy laws in place: Senegal, Liberia, Togo, Nigeria, Gabon, Cabo Verde, and Liberia (G7 ++ FoGG, 2022). Leading to Nigeria and Togo being the first countries to secure a prosecution. The Suppression of Piracy and Other Maritime Offences (SPOMO) signed by the President of Nigeria in July 2019 gives effect to the provisions of the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) and the 1982 United Nations Convention on the Law of the Sea (UNCLOS), thereby making Nigeria the first nation in the Gulf of Guinea to proclaim a law against maritime piracy (Stable Seas, 2019, p. 20).

In conjunction with this, 16 coastal states are receiving assistance from international partners like the UNODC with their legal and regulatory frameworks. Nearly 2,000 judges, prosecutors, and law enforcement officials have also been trained (Julian, 2022). Also, states



within the framework have made noteworthy efforts to halt IUU fishing. By establishing regulatory frameworks and implementing improved port security measures to control fish products sourced illegally, Ghana and Sierra Leone are actively working to end IUU fishing. To discourage illicit fishing, other GoG nations are also implementing appropriate measures, which between 2016 and 2019 resulted in the detention of 45 vessels (Moss, 2020, p. 5).

5. CHALLENGES FACED BY THE YAOUNDE ARCHITECTURE

It is safe to state that, the YA has made progress in enhancing maritime security in the region through the collective effort of its member states and other stakeholders, but it is still a long way from meeting the YCOC's objectives. This section of the report aims to explore the challenges the YA encounters in pursuing its desired success.

The severely constrained capabilities of states are, first and foremost, one of the main obstacles to the operationalization of cooperative maritime security in the Gulf of Guinea. This fundamentally inhibits the operation of the YA, because state assets manned by personnel of the individual states are responsible for the execution of the operational missions. Most Gulf of Guinea states struggle to effectively prevent maritime crimes including piracy, armed robbery, and other illicit activities because of inadequate finance and lack of maritime personnel (Moss, 2020, p. 5). Besides the economic obstacles these countries confront in strengthening maritime capability, the states struggle with “sea blindness”, which is the failure to recognize the crucial role the sea and naval power play in securing their strategic security and economic prosperity. This is evident in the hugely contrasting funding and manpower of their respective armed forces compared to their navies. To cite an instance, Angola which has the longest coastline in the region, has a Navy with approximately 1,000 personnel – less than 1 percent of its total military personnel (Global Firepower, 2022).

Despite this, several states, notably Nigeria, which has a navy with 25,000 troops and nearly 200 platforms, have made progress in increasing their naval assets and manpower (Kingsley & Joseph, 2017). The Yaoundé Architecture, however, does not guarantee that states with fewer resources get support because the framework does not address this capability gap. For this reason, each state is completely in charge of its maritime enforcement. In a situation where pirates have demonstrated their ability to assault vessels 240 nautical miles (NM) from the shore, the fact that only Nigeria can respond to blue crime occurrences 120 NM away is



troubling (Yücel, 2021, p. 150). The solution to this conundrum lies in increased naval capability; but it is also essential that states develop ironclad strategies and policies to coordinate and manage their already limited maritime capital. The Code of Conduct calls on the signatories to put in place several measures at the national level, such as creating a national maritime security committee to coordinate efforts between the various state departments. It also calls on states to develop and implement appropriate national maritime security policies (ECOWAS, 2013, p. 6). Nevertheless, very few countries in the region have an integrated marine strategy that is completely implemented. Only Nigeria currently employs a functional strategy, even though countries like Ghana and Côte d'Ivoire have developed an integrated maritime strategy (Moss, 2020, p. 3; GoGMI, 2020).

Secondly, it is generally acknowledged that considerable legal reforms at the national level are necessary for the YA to be implemented successfully through addressing regional legal deficits and advancing a unified legal system. This can be done by ratifying and implementing international conventions and regulations regarding maritime crime, and by passing domestic laws to penalize these offenses. The implementation of the latter by the GoG states is grossly inadequate because only 7 out of the 25 signatories have a national legal framework to deal with maritime piracy. Although most of the countries in the Gulf of Guinea have national fisheries legislation of some sort (FAO, 2022), thus far only eleven GoG states are party to the Agreement on Port State Measures (PSMA), which is the first binding global convention specifically targeting IUU fishing. Its purpose is to halt, discourage, and deter IUU fishing by restricting the use of ports and the landing of catches by IUU fishing vessels (FAO, 2016). The Gulf of Guinea's national responses to fisheries governance is insufficient, as shown by the PSMA's ratification status, therefore more efforts must be made to safeguard the region's resources.

On the other hand, The United Nations Transnational Organized Crime Convention (UNTOC), a key framework addressing most of the crimes pertaining to the sea, must be urgently implemented by nations in addition to combating maritime piracy and IUU. Yet, no country in the Gulf of Guinea has completely implemented all UNTOC obligations, according to a report by Stable Seas (Ifesinachi & Maisie, 2020, p. 15). In brief, the absence of some key maritime legislations ultimately compromises the states' capacity to combat maritime crime, which inadvertently hinders the framework.

Furthermore, the Covid-19 pandemic was one of the strategic challenges that impeded the progress of the framework due to its adverse implications for the already struggling economies of the region, affecting the financial contributions of member states. In like manner,



the lack of adequate international staff at the coordinating centers, such as ICC and CRESMAO (A. Kebbeh, personal communication, June 17, 2022), reflects a political reluctance on the part of member states to strengthen the cooperation. The absence of multinational staff in the centers is a strategic setback for the YA because this personnel would have encouraged multinational training exercises and would have assisted in interacting with national authorities at the strategic and operational levels to support the implementation of zonal agreements (Moss, 2020, p. 4). In the end, the present situation of the Yaoundé Architecture, which has not yet been fully implemented since Zones A and G are not yet operationalized, signifies the lack of political will by member states.

The lack of political will is in part caused by the Code of Conduct's non-binding status, which lays no explicit legal obligations on its signatory nations. Article 17 of the YCoC does require member states, within three years of the signing date of the Code, to take adequate measures to integrate the agreement into national legislative frameworks; however, no tangible efforts have been put in place to achieve this. Nevertheless, a recent event hosted by NIMASA, and the Inter-Regional Coordination Center saw the release of a communique advocating for the Yaoundé Code of Conduct (YCC) to be transformed into a binding multilateral agreement for greater coordination and the benefit of the member countries (Eromosele, 2021).

6. CONCLUSION AND RECOMMENDATIONS

This report endeavored to provide a pragmatic analysis of the Yaoundé Architecture, the framework for maritime security cooperation in the Gulf of Guinea. Following a general assessment of the region's maritime security profile and the need for a regional framework to address these concerns, a descriptive analysis of the framework's operating centers and their roles from a strategic point of view was proffered. Since the framework's inception, maritime security dynamics in the region have been largely unpredictable; however, cooperation among regional law enforcement agencies has led to some significant accomplishments in addressing maritime criminality in the region.

The report revealed that while the YA has made notable progress toward achieving some of its primary objectives, including the development of a modest information-sharing and maritime domain awareness tool (YARIS), with some successful joint patrols, there are still a few obstacles preventing it from reaching its full potential. The weak enforcement capacities



of the member states i.e., inadequate naval assets and impotent judicial systems, cripple the operational faculty of the regional structure. From a strategic standpoint, the MMCCs and Regional Centers' insufficient financing and lack of multinational staff reflect the reluctance of the political leadership of the regional governments' in putting the code of conduct into action. Due to this lack of political will, after almost a decade since the YA's inception, two of the five zonal centers that were intended to operate have yet to do so, making the YA an incomplete organization.

Considering the overall structure and concept of the architecture as prescribed by the code of conduct, the YA should act as a bastion for regional maritime security cooperation if holistically implemented. Zones A and G must be operationalized, and there must be an enactment of national maritime laws that are compliant with and consistent with the provisions of the YCoC. Making the Code of Conduct a binding agreement is a salient first step to addressing the issue of the states' lax approach to ensuring that the prerequisites are met for the framework's implementation. Subsequently, enhancing and modifying the Yaoundé Code of Conduct to go beyond some of its limitations could significantly deter marine criminals in GoG waters.

Again, the incredibly permeable nature of maritime borders is often taken advantage of by maritime criminals such as pirates and IUU perpetrators. Since law enforcement agencies are not allowed to go beyond their state jurisdiction, maritime criminals frequently operate between state borderlines to avoid being pursued further. In the absence of a hot pursuit agreement, this is detrimental to any law enforcement joint effort, particularly in the Gulf of Guinea where states' patrol outreach is extremely poor. In this case, the report strongly recommends that this (hot pursuit) clause be included in the Code of Conduct to increase the operational flexibility and lethality of the regional naval forces.

In a wider context, the YA is a suppressive approach to combating crime in the GoG and this makes it a single solution to a multidimensional problem. As a result, this framework must not be perceived as the lone answer to this issue. Several factors such as adverse socio-economic conditions, bad governance, instability, and unemployment in coastal communities tend to have a cyclical effect on maritime crime, especially piracy and armed robbery. Thus, it falls upon regional bodies to come together to formulate viable approaches to addressing the underlying governance concerns, which will accord a long-term solution to maritime insecurity in the Gulf of Guinea.



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