ISS INSTITUTE FOR SECURITY STUDIES

POLICY BRIEF 96 | FEBRUARY 2017

Reviving the AU's maritime strategy

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Recommendations

1 The AU must help define the term 'blue economy'. A core definition will help clarify objectives and responsibilities, and map the way forward. It will also position the blue economy at the centre of Africa's economic and social transformation under the framework of Agenda 2063.

2 Establish an office or department of maritime affairs. A specialised body of experts would support the work of all AU stakeholders involved in the blue economy, and help the AU Commission implement Agenda 2063.

3 Determine the future of the strategic task force. All AU member states and the regional economic communities (RECs) must be encouraged to nominate representatives to participate in this decision-making process.

4 Present a reviewed 2050 Africa's Integrated Maritime Strategy (2050 AIMS) and draw up a road map for its implementation. This will secure necessary support and funding by detailing implementable activities and how they are linked.

Summary

Despite having drawn up several key maritime strategies, the African Union (AU) is failing to implement them owing to lack of resources and expertise. This inertia must change in 2017, else the AU risks marginalising maritime security work. This policy brief is based on the assumption that long-term, coordinated and sustainable development will lead to improvements in security, economic development and governance in the African maritime domain – a process in which the AU must take the lead. It offers four recommendations, which, if pursued, will enable the AU to advance beyond this impasse and immediately revitalise its maritime activities and the institutions involved.

INCREASINGLY AWARE OF the major challenges facing Africa's maritime security – piracy being the foremost challenge for the past decade – the AU Commission developed what became known as the 2050 Africa's Integrated Maritime Strategy (2050 AIMS). Initially this strategy focused on the need to combat piracy, as all African states were vulnerable to this maritime threat yet few could single-handedly provide a solution to it. Later, the 2050 AIMS expanded in scope to incorporate ways in which African countries might benefit from not only enhanced maritime security, but also development and governance.[1] Moreover, few problems on the continent apply to one state or region alone, and common problems require common solutions was the thinking. If Africa is to successfully benefit from the potential of its maritime economy, the African maritime domain (AMD) must be the site of safe, secure and sustainable development. The AU plays the key role in bringing together efforts to achieve this at multiple levels. The AU is the coordinator and driving

force behind the implementation of several strategic documents, including the comprehensive 2050 AIMS,[2] as well as specific endeavours, such as the Revised African Maritime Transport Charter.[3]

Many African countries are initiating their own maritime projects and implementing policies with interlinkages between security, economic development and governance in the AMD. Many perceive that the maritime sector is underdeveloped but that it has the potential to be a greater source of employment and economic development, especially by making more of industries such as fisheries, shipbuilding and tourism.

> Despite the strategic importance the AU accords the blue economy, agreeing on what it should mean is proving to be one of the most difficult challenges

Maritime insecurity has a negative impact on development, with crimes such as piracy and illegal fishing driving up costs if not controlled. It also prevents the sustainable development of maritime resources, which cannot be achieved without improved safety and security in the maritime domain. However, there is the potential to create more from Africa's maritime industries, creating jobs and generating wealth from maritime resources. This potential economic dividend is centred on the concept of the blue economy, as discussed in the next section.

The need to define the term 'blue economy'

The importance the AU attaches to the idea of a blue economy can be seen in various AU documents. The blue economy has been described, for instance, as the 'new frontline of Africa's renaissance'.[4] By including maritime issues in Agenda 2063, the AU Commission has made the blue economy central to its vision, as will be explained in the following section. This is seen increasingly in the AU discourse, which has lauded the impact that blue economies might have – 'The future of Africa … resides in her blue economy.'[5]

38 AFRICAN STATES HAVE A COASTLINE

However, despite the strategic importance the AU accords the blue economy, agreeing on what it should mean in practice is proving to be one of the most difficult challenges facing maritime stakeholders, including the AU.

For instance, converging around a common vision for the blue economy is scuppered by the fact that each state is pursuing its own approach, policies and interests at a national level, with varying degrees of capacity and focus, while some also have competing regional and international interests.[6] For the AU Commission to coordinate the intentions and actions of 54 African states, 38 of which have a coastline and six of which are islands, is no mean feat. In addition, inland lakes and waterways are considered part of the AMD, meaning countries such as Uganda and Malawi have interests in developing shared and common maritime resources. Successful coordination can be

enhanced only by agreeing on a common and aligning vision, goal or concept – in this case coalescing around a common vision of an African blue economy in which all interests are served.

Although the relevance of the blue economy is clearly understood, the same cannot be said of how the concept is defined. For example, when the 2050 AIMS, Agenda 2063 or the outcomes of the AU's Extraordinary Summit in Lomé are compared they are found to be lacking in consistency.

The 2050 AIMS talks of a blue economy in terms of 'a marine version of the green economy, one that improves African citizens' well-being while significantly reducing marine environmental risks as well as ecological and biodiversity deficiencies'.[7] The definitions section of the 2050 AIMS does not define the blue economy, but instead provides a definition of maritime prosperity, which has not figured prominently in the discussion. Although it is beyond the scope of this briefing to provide a suitable definition, numerous supporting documents, such as the UN Economic Commission for Africa Handbook, provide a good start for consideration.[8] The Handbook was developed with inputs from the AU and is therefore a good departure point for considering the blue economy.

This also raises the importance of the Lomé Charter process for both maritime planning and the implementation of the 2050 AIMS.[9] Confusion surrounding the definition is also evident in initial drafts of the Lomé Charter, which state that defining the blue economy is a process best left to an AU Assembly decision.[10] If this process were to be followed, it means that, realistically, the AU Assembly would not be able to agree on a definition until 2018 at the earliest. It therefore makes little sense to await an AU Assembly definition. The lack of clear or concrete articles on development in the Lomé Charter must be viewed as a missed opportunity. By downplaying or underemphasising economic maritime development in favour of security-centric provisions, the charter does not clarify what the blue economy means, or will mean, for states parties. The movement to unpublished annexes of many key passages of text that explain how maritime security, development and governance will be related to each has further delayed the start of wider project implementation.

It is now vital for the AU to organise a conference focusing on the blue economy in early 2017 to decide on a common and acceptable conceptualisation. This needs to occur with the support of the AU Commission, so that conference outputs feed into the work of the various AU Specialised Technical Committees, which will be working on the annexes of the Lomé Charter. Such a conference was to have taken place in July 2015, and the opportunity should not be missed again.

Establishing an AU office or department of maritime affairs

Including the blue economy among the major goals of the Agenda 2063 10-year implementation plan was encouraging. In so doing, the AU placed maritime security and blue-economy development goals and actions as central components of Africa's future economic and social transformation. This momentum now needs to be maintained, however, especially as the AU Commission is being restructured to ensure it is capable of implementing Agenda 2063. This could be best accomplished by establishing a specialised maritime office or department within the AU Commission.[11]

> It is now vital for the AU to organise a conference in 2017 focusing on defining the blue economy

Establishing a dedicated and capable maritime entity within the AU, with the mandate to coordinate and steer action towards accomplishing the AU's maritime-related objectives, is in fact a long-standing and unrealised recommendation. It was recommended, for example, in a resolution of the Third Sea Power for Africa Symposium in Cape Town back in 2009.[12] African maritime ministers also supported the proposal in the Addis Ababa Declaration of 2012, which endorsed 2050 AIMS. The 2050 AIMS also called for a standalone department to be established as soon as possible.[13] This declaration also called for the establishment of many supportive institutions, such as the High Level College of Champions (HLC2) – a group of eminent people who would help promulgate the work of this maritime department.[14]

Revitalising the process is now urgently required.[15] The present maritime focal point in the AU consists of an interdepartmental 2050 AIMS task force, formed in June 2011 to help draft and implement the strategy.[16] This task force has unfortunately declined in numbers, as many long-term and experienced staff left in 2016, leading to a loss of expertise, administrative support and institutional memory.[17] This raises questions over the continued location of the 2050 AIMS task force within the Office of the Legal Counsel (OLC). This position within the AU structure was considered apposite when the task force was formed, as there it could play a cross-cutting role in a central location – a nexus for development, security and governance, under the chairperson. The team would therefore be close to the top of the AU, be informed by legal expertise and have access to all departments.[18] Despite these advantages, the task force should now be moved.

> The over-riding focus must be on the sustainable development of African maritime industry

The relocation of the 2050 AIMS task force to the OLC from the AU's Peace and Security Department in 2011 was not accompanied by a release of sufficient resources.[19] Moreover, in the five years since the task force was established it has struggled with marginalisation, funding, leadership and managing multiple maritime tasks and expectations.[20] Although members of the task force were able to hold intermittent meetings, which kept it active, these were usually informal and were not institutionalised and therefore were not a regular part of AU business. Furthermore, the OLC had to submit supplementary budget requests for funding, leaving maritime continually competing against better-established departments and against seemingly more urgent concerns.[21] The strategic task force was able to organise only two major events and there is little prospect that this will change in 2017 if things are left as they are.

Restructuring the 2050 AIMS task force into a dedicated maritime office and moving it from the OLC to a different, or new, AU Commission department are therefore urgently needed for two reasons. Firstly, the task force's record of success is unsatisfactory, and hardly likely to improve in the immediate future. Given the many changes of commissioners and personnel within the AU Commission that will result from the 28th AU Summit, any new staff will have competing calls for their attention, while having to strengthen the maritime team at the AU from its marginal position.

Secondly, communication between, and coordination of ongoing work in other maritime-related departments could be achieved if there were a dedicated office within the AU Commission.[22] Undoubtedly, security is a key part of Africa's maritime strategy, but the developmental aspect of maritime affairs has been underemphasised. To redress this, the over-riding focus must now be on the sustainable development of African maritime industry. One way to help achieve this would be to locate the maritime-affairs office within the AU's Department of Trade and Industry or Transport. Hitherto, the AU's maritime strategy has failed to leverage the industrial and economic potential of Africa's blue economy. This has been noted in both the lack of trade and industry involvement in task force meetings, as well as the lack of relevant Specialized Technical Committees meetings.[23]

Maritime stakeholders would also do well to reflect on the status and history of the Revised African Maritime Transport Charter.[24] Despite being welcomed as a major step forward in improving African maritime development, albeit with some criticisms of its shortcomings, it has largely disappeared from sight.[25] The Revised African Maritime Transport Charter was launched and adopted while the 2050 AIMS was being drafted, and required the AU Commission to further engage in maritime coordination and activities. Whether this was the sole prerogative and responsibility of the Transport Department was not clear. At the same time, a broader discussion was needed on the long-term security and development implications of maritime policies, but this did not happen. This may indicate that a similar fate awaits the Lomé Charter unless action is encouraged together with deeper institutionalisation of the maritime strategy within the AU.

A core group of enabled and empowered people, as referred to earlier, would be in a stronger position to support and coordinate the work of all AU maritime and

blue-economy stakeholders and processes, including that of the strategic task force for the 2050 AIMS.

Determining the future of the Strategic Task Force

The 2050 AIMS Strategic Task Force (STF) is the lynchpin for the AU's maritime strategy, as currently mandated and configured. The task force was established following a decision by the AU Executive Council meeting in Malabo in 2014. The Malabo Declaration called for the establishment of a multi-member strategic task force, consisting of representatives from member states, the AU Commission and the RECs. The STF was mandated to develop and produce a fast-track road map for implementing the 2050 AIMS, in conformity with international maritime law.[26]

The STF was therefore mandated to determine what needed to be done to implement the 2050 AIMS, while the interdepartmental team's role was to promote the maritime strategy and get institutional buy-in from the AU. Several innovative institutions, such as the Maritime Information Coordination Centre (MIC2) and the Combined Exclusive Maritime Zone for Africa (CEMZA), in the 2050 AIMS and its plan of action require sufficient time to design and implement (in addition to the vexed process of determining who funds what, how much and how). The HLC2 could arguably have played a key role in promoting and creating awareness of this group's work and of the necessity of the institutions it would help create, but it has yet to materialise.

Thus far, the STF has proven to be unsuccessful. It was supposed to have an initial meeting by the end of October 2014, but as of the time of writing it has managed to meet only once, in July 2015.[27] Even then, because only seven member states and one REC representative participated in that meeting, it failed to meet quorum and, as a consequence, is unofficial. Participants decided to declare the meeting an open event, which outside observers could attend for an informal deliberation.[28] The failure of this meeting to achieve results was supposed to be resolved at a follow-up meeting, scheduled for September 2015. That meeting did not take place, however, as a result of a lack of budget. The STF was also expected to contribute to the proceedings of the AU's Extraordinary Summit in Lomé, but failed to hold an official meeting before either the original date of November 2015 or the revised date of October 2016.

The failure of the STF to convene any official meetings and its subsequent inability to accomplish its goals became the major stumbling block to the implementation of the 2050 AIMS. Had it been able to meet, the strategic task force should, or might, have produced the documents (such as terms of reference and a road map) needed for action and guidance – key documents that could have been used to secure funding and support from potential international donors or member states. The lack of funding is indeed a significant constraint, yet it is the failure to reach quorum at the July 2015 meeting that is arguably indicative of a more worrying and broader indifference – or even a sheer lack of interest – among the member states and RECs over whether the strategy is implemented.

The continual inclusion of the caveat 'in conformity with international maritime law' alongside any mention of 2050 AIMS also appears unnecessary, as such 'conformity' is already implied given the lengthy process of drafting the 2050 AIMS and the weighty consideration it received. At this stage, implying that the strategy could be implemented in a manner that is not in conformity with international law might delay the ongoing work of AU maritime officials.

> The Strategic Task Force is the lynchpin for the AU's maritime strategy – but has so far proven unsuccessful

Establishing the STF was an important step. It was necessary for the AU Commission to move beyond criticisms that it was confining itself to producing abstract and vague/lofty ambitions. The immediate requirements are now clear. The strategic task force must meet soon to produce the necessary outputs, and representatives of member states, the AU Commission and RECs must be encouraged and invited to participate. The AU Commission must urgently send a *note verbale* to member states and RECs (which could coordinate and nominate member states) so that each can respond and indicate their willingness to attend as well as fund the next meeting of the STF. If the lack of interest prevails,

then it might be advisable to scrap what would appear to be an already scuttled team. Continued inertia will otherwise hinder the prospects of coordinated action.

Presenting the reviewed and revised 2050 AIMS and road map for adoption

Despite the notable importance of the Lomé Charter as a milestone in enhancing awareness and governance of the maritime domain at the highest level in Africa, it should be clear that Africa already possesses, in the 2050 AIMS, a detailed and comprehensive maritime strategy.[29] This strategy was specifically designed to be the departure point for all future efforts and to bring together experts and government ministers over the years to produce a final document. The 2050 AIMS therefore outlines the way forward in greater detail than is to be found in the Lomé Charter.[30] The latter does not yet include any specific and technical maritime institutions, whereas it did in previous drafts. This is a flaw and it remains to be seen what will happen. This is particularly unfortunate, as some proposed institutions, such as the MIC2, were earlier proposed at the 5th Ordinary meeting of the AU's Specialized Technical Committee on Defence Security and Safety.[31]

> The AU must play a stronger role in developing maritime security and supporting blue-economic growth for all member states

The next steps are clear: when the AU Assembly adopted the 2050 AIMS in 2014, states parties undertook to review the strategy every three years and annually organise a maritime security and development conference.[32] This process could review implementation of the plan of action and is now overdue. The AU Assembly has made the key point that it expected strategies or plans to be based on, or aligned with, the 2050 AIMS, which would then be incorporated into Agenda 2063.[33] This echoes the position of the International Maritime Organization, which takes into account 'the objectives of the 2050 AIM Strategy in the implementation and delivery of relevant technical cooperation activities in the continent'.[34]

THE 2050 AIMS IS AFRICA'S DEPARTURE POINT FOR IMPROVING MARITIME SECURITY AND BUILDING ITS BLUE ECONOMY

Conclusion

The AU must play a stronger role in developing maritime security and supporting blue-economic growth for all member states. Reforms within the AU Commission are necessary – both structurally, in terms of the composition and location of the task force it depends on to develop the maritime agenda, and conceptually, in terms of how it understands the idea of the blue economy and how it approaches the implementation of maritime strategies. Its role is complicated, however, by both the many activities expected of it and the limited capacity it possesses. African maritime stakeholders must now enable

the AU Commission to focus on undertaking necessary reforms and activities, such as the encouragement of blue-economic activities in line with Agenda 2063. This will ensure that there can be long-term implementation of the maritime strategy, carried out by coordinated and supported maritime officials, aligned with Agenda 2063 and pursuant to all relevant AU Assembly declarations.

Notes

1 Decision on the Report of the Peace and Security Council on its Activities and the State of Peace and Security in Africa, Assembly/AU/Dec.252 (XIII), adopted by the Thirteenth Ordinary Session of the Assembly of the Union, July 2009, in Sirte, Libya, www.au.int/en/sites/default/files/decisions/9560-assembly_en_1_3_july_2009_auc_thirteenth_ordinary_session_decisions_declarations_message_congratulations_motion_0.pdf, accessed 16 January 2017.

2 2050 AIM Strategy, http://pages.au.int/maritime, accessed 24 November 2016.

3 Revised African Maritime Transport Charter, www.au.int/en/treaties/revised-african-maritime-transport-charter, accessed 24 November 2016. Please note that the signatory and status list can also be accessed here.

4 387th Peace and Security Council Final Communiqué, July 29, 2013, www.peaceau.org/en/article/communique-of-the-peace-and-security-council-of-the-african-union-au-at-its-387th-meeting-on-the-conclusions-of-the-summit-of-heads-of-state-and-government-of-the-economic-community-of-central-african-states-eccas-the-economic-community-of-west-african, accessed 16 January 2017.

5 387th Peace and Security Council Final Communiqué, PSC/MIN/COMM.2(CCCLXXXVII)-Rev.1, www.peaceau.org/uploads/psc-387-com-yaounde-summit29-07-2013.pdf, accessed 16 January 2017.

6 Many natural resources, such as oil and gas, are not confined to the exclusive economic zone of one country: their location often requires boundary delimitation, as well as joint development zones or entities. Moreover, natural or man-made disasters (oil spills, for instance) will not be confined to the waters of one country.

7 2050 AIM Strategy, 9, http://pages.au.int/maritime, accessed 24 November 2016.

8 See UN Economic Commission for Africa, Africa's blue economy: A policy handbook, 25, www.uneca.org/publications/africas-blue-economy-policy-handbook, accessed 24 November 2016.

9 The Lomé Charter refers to a document that resulted from the Extraordinary Summit on Maritime Security and Safety and Development in Africa, in Lomé, Togo from 10–15 October. The summit brought together representatives from 52 African countries, 31 of which signed the charter, committing each to undertake various legally binding actions with the aim of enhancing maritime security, development and governance.

10 Interviews with AU Commission officials, 22 July 2016.

11 No such office exists at the time of writing.

12 Defenceweb, 3rd Sea Power Symposium: Resolutions, www.defenceweb.co.za/index.php?option=com_content&view=article&id=1291&catid=51:Sea&Itemid=106, accessed 22 November 2016.

13 2050 AIM Strategy, 30, http://pages.au.int/maritime, accessed 24 November 2016.

14 Addis Ababa Declaration on the 2050 Africa's Integrated Maritime Strategy (2050 AIM Strategy) DECL/M/II/CAMRMRA/2012, http://pages.au.int/sites/default/files/Declaration%20(Eng).pdf, accessed 16 January 2017.

15 This will be further fleshed out and developed in a forthcoming paper on maritime security, development and governance at the AU.

16 This task force is a different group – and one with a different mandate – from the task force created following the Malabo summit declaration, which is discussed in the following section.

17 Some of the key people who left were Samuel Kame-Domguia, coordinator of the 2050 AIMS, and Vincent O Nmehielle, legal counsel and director for Legal Affairs at the AU Commission.

18 Interview with AU Commission officials, 28 September 2016

19 Ibid.

20 U Engel, The African Union, the African Peace and Security Architecture, and Maritime Security, *African Security,* 7:3, 2014, 207–227.

21 Interviews with AU Commission officials, 22 July 2016.

22 The new chairperson will need to encourage maritime interest, as the outgoing AU Commission chairperson, Nkosazana Dlamini-Zuma, has done.

23 Interviews with AU Commission officials, 28 September 2016.

24 A 'maritime stakeholder' is here taken to refer to those officials and departments in the AU, national governments, the private sector and civil society who all contribute to the management Africa's maritime domain as well as all actors who benefit from maritime economic activities.

25 For a thorough critique of the charter and its implementation, see Michael Lyon Baker, Toward an African maritime economy: Empowering the African Union to revolutionize the African maritime sector, *Naval War College Review,* 64:2, 39–62.

26 Pursuant to decision EX.CL/Dec.822 (XXV), Decision on the Progress Report on the Implementation of the Assembly Decision on the 2050 Africa's Integrated Maritime Strategy, www.au.int/en/sites/default/files/decisions/9662-ex_cl_dec_813_-_850_xxv_e-1.pdf accessed 16 January 2017.

27 The concept note for the July 2015 meeting envisioned a two-day session to consider and adopt terms of reference for the strategic task force, resulting in the development of a road map for the 2050 AIMS.

28 The ISS was invited to participate in the event, but was informed that participation would not be allowed at the strategic task force meeting. A decision taken during the meeting to make it open and informal was not well communicated to stakeholders.

29 Timothy Walker and Barthélemy Blédé, Fulfilling the promise of the Lomé maritime summit, *ISS Today,* 21 October 2016, https://issafrica.org/iss-today/fulfilling-the-promise-of-the-lome-maritime-summit, accessed 1 November 2016.

30 The Lomé Charter has yet to be made publicly available, although copies were distributed at the summit. These copies can be requested from the author.

31 AU Executive Council Twentieth Ordinary Session, EX.CL/Dec.681(XX), https://www.au.int/en/decisions/executive-council-twentieth-ordinary-session, accessed 16 January 2017.

32 2050 AIM Strategy, 29-31, http://pages.au.int/maritime, accessed 24 November 2016.

33 Decision on the Progress Report of the Commission on the Development of the African Union Agenda 2063, Assembly/AU/Dec.511(XXII), http://pages.au.int/sites/default/files/Decision%20on%20the%20Agenda%202063_0.pdf, accessed 16 January 2017.

34 International Maritime Organization, Africa Region, http://www.imo.org/en/OurWork/TechnicalCooperation/GeographicalCoverage/Africa/Pages/Default.aspx, accessed 16 January 2017.

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Acknowledgements

This policy brief was made possible with funding provided by the government of the Netherlands. The ISS is also grateful for support from the other members of the ISS Partnership Forum: the governments of Australia, Canada, Denmark, Finland, Japan, Norway, Sweden and the USA.

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ISS Policy Brief No 96

ISSN 1026-0404

9 771026 040004