MINISTERIAL CONFERENCE ON

MARITIME
SECURITY & SAFETY

IN THE WESTERN INDIAN OCEAN

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BALACLAVA | REPUBLIC OF MAURITIUS

Third Ministerial Conference on Maritime Safety and Security
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SCOPING NOTE

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Acronyms

AU: African Union

ACIS-CGFF: African Coastal and Island States Coast Guards Functions Forum

AfCFTA: African Continental Free Trade Area

CGIMA: Contact Group on Illicit Maritime Activities

CGPCS: Contact Group on Piracy off the Coast of Somalia

CITES: Convention on international trade in endangered species

CMF: Combined Maritime Forces

DCOC: Djibouti Code of Conduct

DCoC/JA: Jeddah Amendment to the Djibouti Code of Conduct

EUNAVFOR: European Naval Force

EEZ: Exclusive Economic Zones

FTX: Field Training Exercise

IOC: Indian Ocean Commission

IOPC: Independent Office for Police Conduct

IORA: Indian Ocean Rim Association

IMO : International Maritime Organisation

INTERPOL: International Police

ISPS: International Ship and Fort Facility Security

ITOPFL: International Tanker Owners Pollution Federation Limited TTX: Tabletop Exercise

IUCN: International Union for Conservation of Nature

IWT: Illegal Wildlife Traffic OPRC: Oil Pollution Preparedness, Response and Cooperation

MARPOL: Marine pollution

MASE: Maritime Security

MDA: Maritime Domain Awareness

MoU: Memorandum of Understanding

MRCC: Maritime Rescue Coordination Centre

MSA: Maritime Security Architecture

NOSCP: National Oil Spill Contingency Plan

OSRL: Oil Spill Response Limited

PSC: Ports Security Control

RCOC: Regional Centre for Operational Coordination

RCP: Regional Contingency Plan

RETEX : Return of experience

RMIFC: Regional Maritime Information Fusion Centre

SADC: Southern Africa Development Community

SADC-TWIX: Platform of information exchange on illegal wildlife trade in the SADC Region

SAMSA: South African Maritime Safety Authority

SHADE: Shared Awareness and De-confliction

SITREP: Situation report

SOLAS: International Convention for Safety of Life at Sea

SOP: Standard Operating Procedures

SPSG: Strategic Planning Steering Group

TRAFFIC: Wildlife Trade Monitoring Network

UNCLOS: United Nations Convention on the Law of the Sea

UNODC: United Nations Office on Drugs and Crime

VOIs: Vessels of Interest

WIO: Western Indian Ocean

1. Introduction

The Western Indian Ocean (WIO) has a considerable traditional and non-traditional Blue/Ocean Economy growth potential which is seen as the future pillar for development. The seas nurture growth and render key environmental services, are of vital importance for transportation, livelihoods, food and a range of other ecosystem goods and services. Developing countries do not have the financial and technological means to reap the benefits from the development of Blue/Ocean Economy, but developed countries do. The WIO is an important global trade and commercial hub, a strategically important energy supply maritime route, is of highly geostrategic interests and geoeconomic realities and is also the stage of the global power game; all of which threatens a peaceful and stable Indian Ocean. Moreover, the WIO should not be seen in isolation due to its multiple inter-connections with the global ocean space. With the new World Order emerging with rising powers having an increasing influence across the Indian Ocean, there is a need to view the Indian Ocean as an indivisible space.

The fight against piracy has shown that individually, the regional states cannot address the maritime security challenges, especially as the relating threats are interconnected. The region still faces a series of significant threats to maritime security, some of which have increased lately. The various reports of the Regional Maritime Information Fusion Centre (RMIFC) amply demonstrate this. This situation is mostly due to the well-known fact that countries in the region have limited maritime capability, which is certainly true for most developing coastal States around the World. The answer to these challenges, whether it is illicit traffic and smuggling, IUU fishing, trafficking in human beings (though lots of work is being done to curb and prevent human trafficking in the Indian Ocean region, including that of the Universal Periodic Review), Search and Rescue, marine pollution (requiring sustainable maritime transport systems and practices), can only be collective, especially since no country can claim to face and address these challenges individually. Regional and international cooperation in the maritime field appears as the only way to ensuring long-term WIO maritime security and safety.

There is a common interest in promoting maritime security in the WIO, both for the benefit of the region and of the international community, which has the financial, technological and human capacities necessary for the development of Blue/Ocean Economy and for ensuring an adequate level of maritime capability. Maritime security is therefore a shared need for the well-being and prosperity of the world. All States should have a fair share of the benefits of a safer and more secure ocean, and they should equally share responsibility for addressing the related major threats and challenges. While there has been a number of laudable initiatives that have been taken in order to manage and maintain maritime security in that Region, it is felt that what is still lacking is concrete political commitment and the provision of adequate resources. A strong, modern and regionally owned, efficient and affordable maritime security architecture is a prerequisite for the development of Blue/Ocean Economy and to meet the challenges that arise from the ocean. Given the sensitivities around the issues relating to maritime security, there is need for a government level dialogue for mobilising, engaging and perpetuating long-term actions while giving due respect to sovereignty issues.

It is in the above context that the Mauritius took the initiative to provide a platform for a high-level political dialogue that should eventually enable concrete actions for improving maritime capability in the region. Thus, two Ministerial International Conferences on Maritime Security and were organised in April 2018 and June 2019 contributing to initiating concrete measures in this sector while taking stock of the

various initiatives in the region. The Covid pandemic hopefully gone, Mauritius wishes to gain back the momentum for a safer Indian Ocean with the 3rd Ministerial Conference.

2. Objectives

The Ministerial Conference aims to provide a platform for high level policy dialogue among Governments and International Institutions, which should eventually enable concrete actions for improving maritime capabilities in the region. Such a platform is needed to avoid a duplication of actions, and aim towards a collective, coherent and coordinated approach to improve maritime governance mechanisms, better mobilisation of resources and improved capacity to patrol, monitor and address Maritime Security threats.

Addressing Maritime Security challenges (illicit and criminal activities at sea, safety of navigation, secure Exclusive Economic Zones and protected marine and seabed resources) will lead to a healthy ocean and peaceful, stable, and prosperous Western Indian Ocean region.

Building on existing global and regional frameworks, the specific objectives of the 3rd Ministerial Conference on Maritime Security aims to mobilise, maintain and strengthen both regional and international efforts to improve the appropriation of an outcome-oriented and cost-effective capacity building process to address the followings:
   i. **Implementation of the 2018 and 2019 Ministerial Conferences' outcomes**
   ii. **Regional prevention and preparedness against marine pollution**
   iii. **Regional cooperation on the combat against Drugs and Substance Abuse**
   iv. **United Nations Security Council Resolution 2608 & the Contact Group on Illicit Maritime Activities**
   v. **Regional Plan against Illegal Wildlife Traffic**
   vi. **Regional policy/framework for ports security and safety of navigation**
   vii. **The establishment of an African Coast Guards Forum**

3. Expected outcome

The Ministerial Conference will result in:
1. Expressions of interests of key States, Regional and International Institutions to promote partnerships, mobilise resources, accelerate transfer of know-how and technologies and promote human resource development in the Western Indian Ocean region.
2. A collective commitment to addressing Maritime Security challenges.
3. Adoption of a Ministerial Declaration.

4. Participants

The Ministerial Conference (16th November 2023) will be attended by Governments and Regional and International Institutions representatives accompanied by their respective senior level officials in charge of Maritime Security. The High Officials (14-15th November 2023) will be attended by senior level officials in charge of Maritime Security.

5. Implementation of the 2018 and 2019 Ministerial Conferences' Outcomes

The Conference is invited to take note of the steps taken to implement the previous Conferences' outcomes and consider partnership and support for a regionally coordinated approach to achieving optimal results for maritime security. The Conference should principally recognise that implementation of the identified measures should be based on national and regional appropriation and ownership within the framework of the Djibouti Code of Conduct (DCoC) building on the achievements of the WIO Maritime Security Architecture and the recent recommendations of the DCoC for the whole region's approach to maritime security that encourages the input and support of like-minded international partners.

The last Ministerial Conference adopted a Declaration with 55 recommendations. Several regional and international actors are concerned by the implementation of these recommendations, which were meant to be followed by an improved flow of information and synergies among stakeholders, as well as a better understanding of linkages between illicit maritime activities. Among these actors, two stand out: the Jeddah Amendment to the Djibouti Code of Conduct (DCoC/JA) and the WIO Maritime Security Architecture (MSA).

Improving the WIO maritime capability requires collective and coordinated actions. In 2018, two regional agreements were signed, paving the way for the establishment of a WIO MSA with its two operational arms: the Regional Maritime Information Fusion Centre and the Regional Centre for Operational Coordination (RCOC). The Member States of DCoC/JA continued to work for the improvement of national and regional Maritime Domain Awareness (MDA). Furthermore, the establishment of a strong governance framework for the DCoC encompasses a working group on information sharing to spearhead the development and operationalization of a robust information sharing network for the region, a working group on capacity building coordination, and a forum of the Friends of the DCoC to coordinate international support for the region, taking into consideration the need to deconflict, amplify, and align their efforts with regional needs and priorities.

More importantly, the recommendations should be implemented in a coherent and coordinated manner to avoid duplication, ensure achieving results to significantly improve maritime security in the WIO, while ensuring appropriation and ownership. Moreover, there are many capacity building projects, each implemented independently, with a silo approach that fails to consider the absorption capacity of the beneficiary region. The limited human resource base, the sparsely allocated responsibilities of the key actors in charge of maritime security, and the limited use of updated technology significantly limit the region's project absorption capacity. This is why there is a need for the international community to collectively address the capacity-building process simultaneously at the national and regional levels. While there is visible progress at the regional level, there is a need to re-orient the focus at the national level, taking into consideration the need for a whole-of-government approach and the implementation of measures contained in Article 3 of the Jeddah Amendment to DCoC in areas as explained below.

National level fragmentation: It should be recognized that countries in the region have limited resources, and among these limited resources, several competing security priorities exist. Some of these countries have either extensive coastline with hundreds of kilometres of isolated and unpatrolled beaches and coastlines, **as well as large exclusive economic zones (EEZs), while their maritime capacities and capabilities are limited.**

The countries cannot afford to have a sustained mechanism to address every single maritime security challenge.

Capacity-building at national level is essential if we are to meet the many challenges of safety and security of navigation, and geared to create of employment, prosperity and ultimately, stability. as effectively as possible, which impacts on maritime security, the This calls for the all participating States to embrace a whole of government approach, reinforced through effective implementation of the International Maritime Organisation (IMO) model on the whole of government approach to maritime security which includes establishment of multi-agency maritime security committee structure, development of a national maritime security risk register and the National maritime security strategy which may include national coordination mechanisms between national administrations and agencies with a role in the maritime domain as this is the link at the regional level with a view to enhance cooperation, which is essential given the transnational nature of the risks, crimes, networks or threats concerned. Studies have shown that existing national strategies have a narrow focus, resulting in several national agencies created, and missions developed with overlapping mandates, each working in isolation, while the work of one may be relevant to another agency with the result that there is no overall complete picture nor an understanding of criminal patterns of behaviour, making prevention and disruption of maritime crimes very difficult. Given the state of governance structures and socio-economic opportunities in the region, one crime can flourish, while deterrence mechanisms dedicated to another type of crime are applied. There are confirmed cases of fishing vessels engaged in arms, drug or human trafficking. To guarantee sustainable maritime security, it is necessary to address the interconnected nature of maritime crime, and to effectively counter the ballooning effect. There are already multiple institutions, agreements, forums, and instruments dealing with each type of illicit maritime activity. The challenge is not a lack of initiatives, but that they create, or risk creating, gaps and overlaps, if not reviewed carefully, leading to duplication and non-optimal use of resources. While the public administrations have limited capacity and resources, they are engaged in several competing projects. It is therefore no surprise that these initiatives result with minimal impact. The challenge is therefore to streamline their mandates and activities to make the best use of existing potential and to achieve appropriate goals.

There is need, at both the national and regional levels, to have clear and well-defined strategies and institutional structures to identify an integrated mechanism for maritime security.

The MSA is a unique mechanism and being new to the region will call for changes in the way the States manage their respective maritime zones. There is a need to promote this ambition. It is necessary to continue supporting it. The bedrock of the MSA therefore rests in the national level maritime capabilities. It is based, in particular, on the assumption that the national centres are adequately equipped, both in terms of technology and staff quality, and that they operate within a well-coordinated and organised national structure.

The MSA has reached what can be termed as the Initial Operational Phase and requires adequate collaboration between National Centres and other regional and international Centres to (i) define zones where Vessels of Interest (VOIs) will be identified or, followed (ii) by participate in inspection and (iii) prosecution (legal finish). There are various reasons for the current situation which can be summarised as follows:
   a) The most important one being the sparsely distributed authorities responsible for the management of maritime zones to several departments and ministries with no overall individual or collective responsibility or accountability designated.

b) It is found that there is a lack/absence of national strategies for maritime security, inadequate national frameworks with each department/Ministry operating in silos leading to lack of internal coordination, non-optimal use of available resources, all of which resulting in weak maritime enforcement institutions.

c) There is still a lack of adequately trained personnel dedicated to maritime security, the current ones using outdated systems.

d) There is limited Maritime Domain Awareness (MDA) and absence of use of new technologies for management of maritime zones.

e) Sea blindness is a reality and there is a perpetuation of land-based economic growth strategies. While Blue/Ocean Economy is being promoted, the national level structures and institutions have not followed suit to keep pace for achieving any result in this area.

f) Existing programmes in some cases do not match absorption capacities of some of the national institutions', thus negating ownership and appropriation, affecting willingness to progress.

g) Insufficient legal frameworks hamper improvements in maritime safety and security adversely impacting on the achievement of legal finish. The need for sufficient legal frameworks to combat illicit maritime activities can be seen in the prosecuting of Somali pirates by Kenya, Mauritius, and Seychelles.

Improved maritime security therefore calls for establishment of functioning national mechanisms to enhance maritime security which include National Maritime Security Strategies, the establishment of multi-agency National Maritime Security Committees for co-ordination of activities between the departments and law enforcement agencies and other agencies such as port operators and related companies that are intertwined with through the establishment of National Information Sharing and Coordination Centres focused on enhancing information sharing and improving inter agency cooperation and coordination. The Jeddah Amendment to the Djibouti Code of Conduct 2017, (DCoC/JA) is focused on addressing these national level challenges.

WIO countries have a vast EEZ with limited maritime and aerial assets for inspection of vessels. The mobilisation of assets becomes very costly for small administrations. To address these gaps, the IOC has therefore made provision for a financial incentive for regionally coordinated actions at sea. A financial mechanism has been established and agreed with the six MASE Agreements Signatory countries [1]for the use of a total of eighteen maritime and four aerial assets. This enables pooling of scarce assets. Maritime crimes in one maritime zone can be inspected in another. The system has been tested to facilitate regional and international cooperation in accordance with the provisions of the MASE Agreements, i.e. the assets remain under the responsibility of the country concerned. Furthermore, a partnership has been signed with European Naval Force (EUNAVFOR) to assist in inspection. Other partnerships are being considered such as with Combined Maritime Forces (CMF) and other neighbouring countries. The initial fund that has been created under MASE for an amount of EUR 3.6M implemented through grant contracts, designed, concluded and monitored by the IOC, so as to cover for additional costs as compared to purely national actions. It is necessary to maintain this support.

Assessments to determine the gaps for legal finish relating to maritime crimes is in progress in the region. Areas to be covered is jurisdiction with regard to incidents of maritime crimes, evidence collection, criminal proceedings and extradition treaties and/or of mutual legal assistance between the regional signatories. Provisions are made for judicial reforms and capacity building aimed at removing obstacles in

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[1] The signatory countries of the MASE Agreements are the Union of Comoros, Djibouti, France, Kenya, Madagascar. Mauritius and Seychelles. France does not benefit from the financial mechanism.

the fight against maritime crimes along the intervention chain (information, intervention, prosecution, custody).

Deepening regional cooperation

The MSA constitutes a strong, modern and regionally owned maritime security mechanism and is contributing to the implementation of the 2050 Africa Integrated Maritime Strategy of the African Union as well as ensuring complementarity with the DCoC/JA with which it is already focused on cooperation and synergies with a focus at the national level capacity building that also includes cooperation with the MASE regional Centres.

Operational Cooperation Framework at International level

In order to proceed, the regional mechanisms (MSA and DCoC/JA) are getting organised in a coordinated and coherent manner to establish an Operational Cooperation Framework. The International Community is invited to work with the region and the full operationalisation of the coordinated mechanism targeting strengthened institutional governance at national, regional and international levels. The overall objective should aim at achieving a minimal regional maritime capability.

6. Regional prevention and preparedness against marine pollution

The grounding of MV Wakashio three years ago, and the various incidents of vessels since then in the region are a vivid reminder of the vulnerability of the region w.r.t marine pollution. Recent incidents suggest that risks related to marine pollution perpetuate and are even increasing with time. Each country in the region needs to ensure readiness and preparedness against marine pollution through the availability of the necessary technical, human and financial resources.

Given that no State can claim to deal alone with a significant marine pollution incident, it is imperative to promote cooperation for the establishment of a collective mechanism for prevention and preparedness against marine pollution in the region together with regional and international interested parties. This collective mechanism would then enable the pooling of the limited resources available in the region and access international support to effectively act on a pollution event as fast as possible.

The Ministerial Conference is invited to support the avoidance of a multiplicity of actions and support a coordinated and coherent approach to the effective establishment of a practical and sustainable regional/international cooperation mechanism for the prevention and preparedness against marine pollution for the WIO. This may include:

a) **Financial support to a dedicated Programme towards the achievement of the above**

b) **Providing key information that can be utilized during incidents or exercises for prevention, risk mitigation and salvage capabilities in the region (such as response personnel and inventory of response equipment, products and other means) to be included in informational Annexes of the Regional Contingency Plan.**

c) **Support for capacity building for auditing equipment, logistical, personnel and technical resources available within countries to respond pollution incidents, identifying and accessing the 'tools' (satellite imagery, oil spill modelling, metocean data etc…) that are needed during a response, financial procedures for requesting and offering assistance, the verification of the condition of equipment and maintenance as well as organisation of national and regional exercises, developing and maintaining working relations with potential 'incident stakeholders' (shipowners, vessel insurers, their technical advisors, IOPC Fund, IMO, EU, salvors, offshore installation operators and spill response organizations) that can be established to ensure a coordinated response.**

d) **Work towards the establishing of a regional/international technical and human resource capability for escalating response to significant pollution incidents on the basis of an agreed mechanism. This includes availability and willingness for provision of equipment and man-power suitable for the requirements to deal with a pollution incident in the region as per a request from an affected country.**

Major issues

1. **The bedrock of an effective mechanism against marine pollution remains the national level preparedness and response systems. This is a prerequisite and immutable.**

It is important to realise that left alone, a country may not develop a national system, nor will it regularly update it to adapt to the changing circumstances. There is a strong belief that accidents happen elsewhere and so, resource prioritisation leads to other pressing needs. A complementary approach is to support countries on the basis of willingness for actions in this area in a stepwise and incremental manner. In fact, one of the most important actions needed is the national risks assessment (hotspots, environmental sensitivities, oil spill sensitivity mapping) and that for prevention and preparedness against marine pollution. A major part of such an assessment could be done by the RETOS assessment to be followed by an update of the national plans, which then would enable the region to collectively adopt a regional plan. Note that the RETOS has three levels of increasing evaluation detail and can used a tool for continuous improvement.

Taking the above into consideration, there is need for a regional actor (or a combination of actors) to promote a collective practical approach to lead the process. It is in this context that the IOC has ensured that the MASE Agreements make provision for addressing marine pollution. The IOC has also been engaging with the Nairobi Convention and IMO to keep the momentum towards the establishment of an operational regional mechanism. It is in the same spirit that following the signed MoU between the IOC and IORA, that the IOC has approached the latter.

2. **Coherency and complementary approach**

There is need to avoid the multiplicity of regional frameworks and programmes. There is already the framework under the International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC) and the Nairobi Convention and its Emergency Protocol. All actors should propose and develop cooperation in alignment to this framework.

3. **Practical actions towards a regional preparedness and response system**

The MASE Agreements makes specific provision for addressing marine pollution. It is in this context that the MASE Agreements Steering Committee adopted a Work Plan on 5th May 2021 and agreed to work with the larger Eastern and Southern African countries and partners, such as the Nairobi Convention and IMO for its implementation. The 5th MASE Steering Committee had agreed to pursue the work based on past achievements and regional projects/initiatives, including the regional 'Oil Spill Response' project (1999 - 2004) and the 'Maritime Highway' project (2008 - 2012); funded by the World Bank and implemented by the Indian Ocean Commission. Progress has been slow for various reasons, mainly due to lack of a dedicated programme. The lack of dedicated funds has hampered progress in the implementation of the MASE POLMAR Plan of Work. Covid-19 has both raised awareness of, and fast-tracked the use of, virtual collaborative technology. Used in conjunction with the traditional coordination undertaken by physical centre(s), there is scope for the region to find a creative cost-effective solution to develop a coordination mechanism. The use of virtual collaboration has been mooted already and not rejected. A series of work is being held involving the relevant authorities of MASE Signatories and neighbouring States, partners and regional/international organisations such as the Nairobi Convention, SAMSA and the IMO/OPRC involved in preventing and combating pollution at sea. This includes:

1. The Regional Coordination Operations Centre (RCOC) has organised a Tabletop Exercise (TTX) - WIOPOLREX 23 -on the 25th to 27th July 2023. This regionally driven TTX has raised awareness on the issue and at national level of the information need to populate the regional contingency plan's appendices, has tested the POLREP alert and communication system, identified lessons learned and the potential for improvement and enabled the region to collectively reflect on the concrete actions ahead.

2. The above was used to further improve the draft Regional Contingency Plan for consideration at a workshop on the 29-30 August 2023.

A simulation exercise - Field Training Exercise (FTX), called MASEPOLREX23 was held on 25-29 September 2023 to test the Mauritius National Oil Spill Contingency Plan (NOSCP) and the draft Regional Contingency Plan (RCP), assess the technical and human capacities and formulate cooperation modalities. This event enabled consultation among representatives of WIO neighbouring governments as well as the International Community and partners on progress achieved so far on marine pollution preparedness and response, specifically on a Regional Contingency Plan (RCP), potential regional coordination Structures and modalities and provide orientation for the way forward, including mobilisation of the necessary technical and financial support. MASEPOLREX23 has established the base for an effective and practical regional/international emergency coordination and cooperation mechanism based on existing frameworks and for the region to be adequately capacitated to prevent and be prepared against maritime pollution, especially oil spill. The event mobilised all the Eastern and Southern coastal African States as well as the EU, the International Maritime Organisation, the Djibouti Code of Conduct and the Nairobi Convention, the South African Maritime Safety Agency (SAMSA), the Information Fusion Centre of India the Regional Maritime Information Fusion Centre, the Regional Centre for Operations Coordination, International Convention on Oil Pollution Preparedness, Response and Co-Operation, Oil Spill Response Limited (OSRL) and International Tanker Owners Pollution Federation Limited (ITOPFL) are participating in the FTX. The RETEX of MASEPOLREX23 was on overall assessed as a positive exercise with lots of recommendations. It positively concluded the need for annual FTX and the next one in 2024 in Kenya. The independent evaluation of MASEPOLREX23 undertaken by a consortium of the SAMSA, the ITOPFL and OSRL was based on the following seven sets of criteria, concluded the event as successful and awarded 3.5 out of a maximum of 4.9:
1. **Concept**: NOSCP, ROSCP, Check Off list, Forms, SOP's, SOG's Instruction & Orders
2. **Organisation and personnel:** Incident Management Team, Planning P cycle, Watch Standers, International Liaison Officers, Observer & White cell (ECG).
3. **Infrastructure & equipment:** Functional tools, Internet, intranet & Telephone, Resource (response needs & asset assessment), Resource deployment (monitoring & combatting equipment- surface & air)
4. **Information exchange:** Documents, SITREP, Report & Briefing and response to injects
5. **Training and logistics:** IORIS and SeaVision utilisation, legal aspects, Inventory of assets database – coordinated import process & customs requirements)
6. **Interoperability:** Regional process, Intra communication, Cooperation with regional & national centres, legal finish.
7. **Regional cooperation:** Integration with MRCC's, Regional centres (RMIFC & RCOC), Resources availability and utilisation.

7. Regional cooperation on the combat against Drugs and Substance Abuse

The Conference is invited to discuss the outcome of the 1ˢᵗ Regional Conference on Drugs and Substance Abuse and consider concrete partnership and implementation support in areas as identified below.

Mauritius organized the first regional Conference on drugs and substance abuse on 26-28 April 2023. This Conference gathered representatives from Comoros, Djibouti, France/Reunion, Madagascar, Republic of Mauritius, Seychelles, Kenya, Tanzania and South Africa, as well as from the Indian Ocean Commission, the Regional Maritime Information fusion Centre, the Regional Centre for Operations Coordination, the European Union, the United States of America and the United Nations Office. The Conference concluded on the need to join efforts and reinforce regional cooperation for promoting States institutions mandates in addressing drug trafficking, substance abuse and addiction. The Conference acknowledged that the fight against drugs requires a holistic, integrated, transversal approach and regional cooperation in following four main pillars:

1. **Prevention** measures through sensitization, education and capacity building of stakeholders in the society as well as through community outreach.
2. **Break the supply chain by tracking** drug traffickers and their networks, exchange of information, police, customs and reinforced judicial cooperation among countries and at the regional level when possible.
3. **The health and social aspects,** with exchanges of best practices and development and implementation of appropriate treatments, specialised medical care of addictions and training of health and social professionals.
4. **A strengthened regional and International Cooperation, coordination as well as political commitment and accountability:**
   - the challenges related to drugs trafficking and substance abuse concern all countries and cannot be solved by a country alone, requiring improved cooperation and that issues of common concern should be addressed collectively.
   - lessons could be learnt from shared experiences,
   - regional strategic response and improved cooperation among countries can bring added value to efforts already undertaken at national levels.

On the way forward, the conference agreed the followings:
1. Establish a Regional Cooperation Framework to address illicit drugs and substance abuse in a comprehensive and holistic way. The framework would synergize the efforts, to seek a common approach and exchange of best practices, in particular to reduce demand for drugs (through prevention, treatment, rehabilitation and aftercare) and tackling the consequential damages associated with illicit drugs and substance abuse, and to fight against drug trafficking for preserving peace and stability of societies of the States.
2. Encouraged all countries in the region to develop and implement their national drug strategy and/or action plans with clear monitoring and evaluation framework.
3. As a first step, set-up a Regional Network of National bodies responsible for coordinating drug response. This Network should meet and discuss regularly to promoting regional cooperation, dialogue and exchanges against drugs and substance abuse and the establishment of a regional drug Observatory.

It was agreed to organize a Ministerial Conference specifically on drugs and substance abuse in 2024.

8. UNSC Resolution 2608 and the Contact Group on Illicit Maritime Activities

The Conference will include a focus on the Contact Group on Piracy off the Coast of Somalia (CGPCS) to exchange lessons learnt and how the model can be used for addressing other maritime security threats and discuss the future for the Contact Group on Illicit Maritime Activities (CGIMA)

Piracy off the coast of Somalia reached its peak during the end of the 1st decade of the current century costing the world economy an estimated USD 7-12 billion according to reports from Oceans Beyond Piracy and increasing trade costs estimated to US$18 billion according to the World Bank. This led to the UN Security Council Resolution 1851 (2008), which concluded in the need to establish a Contact Group against Piracy off the Coast of Somalia (CGPCS). The CGPCS was an informal multilateral mechanism with an open and flexible structure. The root causes in Somalia were not adequately addressed, the Piracy Kingpins shifted to other maritime crimes, the capacity building in the region is not uniform in all maritime nations although diverse mechanisms continue to put effort to ensure that no state is left behind. The CGPCS can be classified as a success (no commercial vessel captured since a decade) in containing piracy with the last of the estimated 3639 hostages released in September 2020, hence piracy is now suppressed. After twenty-four plenary Sessions of the CGPCS, the members decided to change it to the Contact Group against Illicit Maritime Activities (CGIMA) in 2023.

It is thought that the CGPCS was successful for the following reasons:
1. The CGPCS enabled an inclusive, focussed and coordinated action, both operational and political by the International Community in the fight against piracy off the coast of Somalia
2. Collective and/or coordinated actions at sea with the CMF, EUNAVFOR and the Independent deployers through SHADE.
3. Prosecution of pirates undertaken by Seychelles, Kenya and Mauritius
4. Effective participation of the shipping industry which came with self-defence measures.
5. Regional action through AMISOM

It is worth noting that the 23rd CGPCS Plenary (2020) established and tasked the Strategic Planning Steering Group (SPSG) to develop a strategic plan that would ensure the CGPCS remains an "agile mechanism […] embedded in a long-term strategy for the region". The SPSG, chaired by Seychelles and after ten working sessions, presented its report to the last CGPCS Plenary Session and proposed the new contact group to become an agile platform for international strategic dialogue on illicit maritime activities in the region under the widened mandate.

The United Nations Resolution 2608 (2022) brought a change to the specific mandate and actions of the members of the CGPCS. Kenya presided over the last two Plenary sessions of the CGPCS. Kenya chaired and hosted a successful 24th and last Session of the Contact Group against Piracy off the Coast of Somalia (CGPCS) and enabling its change into the Contact Group on Illicit Maritime Activities (CGIMA).

This new focus of CGIMA converges well with the Ministerial platform provided by the Republic of Mauritius for high level dialogue to address maritime safety and security in the region to be followed by concrete actionable measures.

9. Regional Plan against Illegal Wildlife Traffic

The Conference is invited to take note of the outcome of the plan of work as agreed at the January IOC-TRAFFIC meeting and consider partnership and support for implementation.

COUNTERING ILLEGAL WILDLIFE TRAFFIC

Trade in wild species of fauna and flora is one of the world's most pressing conservation challenges, affecting millions of people and thousands of wild species. The trafficking and unsustainable trade in wildlife commodities are causing unprecedented declines in some of the world's most charismatic, as well as some lesser-known, wildlife species. The Southwest Indian Ocean is no exception to these global trends.

The Indian Ocean hosts one of the 34 biodiversity hotspots globally. The region's exceptional natural wealth attracts the transnational criminal networks that are behind wildlife trafficking that, in some cases, also converges with other criminal activities such as the smuggling of precious minerals etc. Wildlife trafficking is a very lucrative criminal business that poses a serious threat to biological diversity and undermines the livelihoods of local communities who depend on it. On the one hand, the region is home to exceptional biodiversity of marine and terrestrial species, characterised by high rates of endemism. On the other hand, it is a key link in the wildlife trade route between Africa and Asia.

The criminal networks behind the illegal trade in wild species are highly organised and share an ability to circumvent law enforcement and override international borders. Experience shows that it takes a network to fight a network.

Against this backdrop, TRAFFIC works with enforcement agencies along supply chains to ensure that illegal wildlife trade is detected, identified, prevented, and prosecuted at every opportunity. TRAFFIC is actively supporting the running and establishment of information exchange networks (called TWIXes - Trade in Wildlife Information eXchange platforms) throughout the world – including SADC-TWIX, a network established in 2019 for SADC Member States. In 2018, IUCN and the IOC Secretariat signed a Memorandum of Understanding in which both organisations agreed to work together on wildlife trade in its legal and illegal dimensions.

It is in this context that the Indian Ocean Commission joined TRAFFIC to organise a regional meeting in January 2023 to strengthen coordinated efforts against the illegal wildlife trade. The meeting gathered 50 participants including law enforcement officials from IOC and SADC countries, Kenya and Djibouti, representing Wildlife and Forest authorities, Fisheries authorities, Police and Gendarmerie authorities, Customs authorities, Port authorities, and in some cases Military authorities. There were also representatives from the MASE regional centres, TRAFFIC Southern Africa, and TRAFFIC Europe. The meeting enabled participants to understand the many linkages between Illegal Wildlife Traffic issues and maritime security and the identification of the common challenges which include limited or lack of national framework for inter-agency coordination and information-sharing, lack of guidelines on which entity should prosecute which type of offence and lack of communication and conflicts of competence between entities. The specific challenges are grouped in the four following thematic areas:

Legislation which includes absence of adequate legislation/regulation specifically related to CITES and that the legal framework may be poorly understood by practitioners.

Data: lack of centralized seizures database and/or maintenance thereof, insufficient and scattered data sitting under different agencies, and in some cases, an underreporting of import/export data on the trade in CITES species.

Detection and identification: limited capabilities to conduct proactive intelligence-based investigations, limited capabilities to detect and inspect private aircraft/vessels, limited capacity for the positive identification of seized specimens that support legal proceedings.

Management of seized specimens: absence of quarantine centres for live specimens and difficulties in repatriating seized specimens.

The meeting concluded actions in the following four areas:

1.0 Share information
Short term:
- Establish a working group between the IOC Secretariat, the two regional centres (RMIFC and RCOC), and TRAFFIC (incl. TWIX) through an MoU to specifically look at information sharing possibilities and supporting a centralized database such as SADC-TWIX and identify ways in which countries may work together moving forward. This includes understanding and uptake of the information sharing mechanisms that are already in place (e.g. TWIX)
- Participating countries to encourage and ensure ongoing communication between RMIFC liaison officers and each country's CITES Management Authority, in order to facilitate cross-border information-sharing related to wildlife trade through the RMIFC.
- Define the RMIFC's role in terms of data collection and data sharing.
- RMIFC to circulate a monthly update on IWT incidents to all IOC countries, which should also be shared on the TWIX networks.
- Seek membership to the relevant TWIX network for all countries as well as for the IOC Secretariat, and encourage national liaisons officers to the RMIFC and RCOC to register as TWIX users
- Encourage countries to submit seizures data to the relevant TWIX network, and to seek assistance with this where needed (training is available from TWIX staff to assist with seizures data management and submission for the CITES Annual Illegal Trade Report)

Medium term:
- Quantitatively assess IWT in the sub-region and clarify IWT dynamics and trends. Develop an action plan based on this research.
- Develop regional guidance on data collection standards & rules to support countries towards establishing better practices in this area. These guidelines would aim to identify the types of data owners and stakeholders, types of data sources, types of information to be collected (What type of information should be collected for SADC-TWIX and what type of data for the RMIFC? Are these identical?), checks and controls, filters, standards for information-sharing with international organisations and partners, among other aspects.
- Train all TWIX focal points and TWIX users from the region on how to use TWIX resources and tools.
- Include the CITES Management Authority and Scientific Authority from each participating country on the findings of the IWT dynamics and trends (if not already involved).

Long term:
- Each participating country to consider establishing a specific national database on IWT where the focal points from each country feed into a centralized database, where relevant.
- Involve universities and research outlets in the collection and analysis of data.
- Promote new partnerships with scientific institutions and research outlets.

2.0 Build capacity and raise awareness
2.1. Build capacity

Short term:
- Develop a list of officials and/or experts who have capacity in specific areas (e.g. species identification, forensics etc.) These lists would be maintained on the TWIX platforms. Engagement from subject experts should be encouraged and facilitated where possible.

Medium term:
- Develop reporting protocols for seizure events to ensure we do not only report seizures, but also the circumstances surrounding IWT incidents e.g., origin of specimens, modus operandi, sales price, etc.
- Analyse trends, set up risk indicators and red flags, and feedback this information to law enforcement officers to enhance detection efforts. These should be shared timeously through the existing communication mechanisms (e.g. TWIX).
- Develop a specialised regional training module on IWT law enforcement.
- Build capacity of law enforcement for the identification, rescue, and rehabilitation of seized specimens, using workshops, online training and exchange programmes (note: online trainings are already conducted via the TWIX platforms. Attendance and content creation at the TWIX events should be encouraged).

2.2. Raise awareness

Medium term:
- Develop sensitisation material on protected species aimed at the general public, including information on the offences/penalties associated with IWT.
- Engage airlines and airport stakeholders towards developing targeted advocacy initiatives on IWT for passengers, airline staff, and airport-based law enforcement. The IOC Secretariat suggests leveraging the existing partnership (i.e. working committee) with national flag carriers to explore the possibility of promoting specific airline work on IWT. Support should also be sought from civil aviation authorities to ensure uptake of awareness campaigns by/in airports.
- Build, co-ordinate and reinforce existing networks and work with other private sector associations e.g. regional port association, Cap Business (private sector representative body), among others.

3.0 Co-ordinate efforts and investigations

3.1. Inter-agency coordination at national level

Medium term:
- Countries to consider setting up coordinated border management units at national level, where such units do not currently exist, linking to the National Maritime Information Sharing Centre (already established or in the process of establishment), to improve processes for the inspection of imports and exports, profiling of suspicious vessels/flights and increase detection rates.
- Develop guidance on how to set up such coordinated border management units and national IWT Task Force, based on experience of other countries in the region and beyond. Consider developing Standard Operating Procedures (SOPs) based on success stories, good practices and lessons learnt.

3.2. Cross border coordination
Medium term:
- Consider establishing a permanent unit or platform to provide technical support to IOC countries for investigations and prosecutions (in line with the IOC's planned proposals for the next phase of the MASE programme).
- Leverage the existing SADC protocol on Mutual Legal Assistance (MLA) and extradition in criminal matters to enhance cooperation in the field of prosecutions and judicial proceedings.
- Encourage bilateral coordination where relevant to facilitate the repatriation of specimens (no need for a specific protocol). Explore the possibility to dovetail coordinated operations under the MASE programme with repatriation efforts where relevant.

4.0 Update and harmonise legislation
Legislative reform is an objective for the medium and long term, although specific work should be undertaken in the short term as well. Participants agreed that harmonising national legislations would be a complex and lengthy endeavour.

Short term:
- Share legal experts within the region. Enable countries to have access to legal experts from each country, with support from the IOC Secretariat and TWIX. Liaison officers within the two regional centres may play a role in facilitating discussions between legal experts.
- Encourage countries to contribute to the digital repositories of national legislations on IWT, hosted in the TWIX websites. Countries should work with TWIX staff to ensure that all relevant legislation is available and up to date.

Short to Medium term
- Establish a dedicated regional working group to identify gaps and challenges with the legislation and make suggestions on the way forward. Alternatively, broaden the mandate and composition of the existing regional working group on biodiversity, and consider inviting legal experts to present on gaps and challenges (via ad hoc meetings or a specific subgroup). Based on the recommendations of the regional working group, set up national working groups -where relevant- to identify issues with the legislation and regulation at national level. Look at CITES legislation in conjunction with the suite of legislation that addresses transnational organised crime and maritime crime. Produce a country-specific legal assessment and gap analysis where necessary and relevant.

10. Regional Policy/Framework for Ports Security and Safety of Navigation

The Conference is invited to support the initiative of the region to formulate and adopt a Regional Policy on Ports Security and Safety of Navigation

While trade is crucial to African economies, (though accounting for approximately only 2.7% of global trade by value) the continent contributes much higher share to global seaborne trade – 7% and 5% of maritime exports and imports by volume, respectively. Oil, gas and mineral resources account for more than 75% of Africa's exports. For maritime transport to be efficient, well-functioning ports are crucial. The WIO is one of the busiest maritime routes and its importance for global trade and economy in terms of cargo traffic and oil shipment cannot be ignored.

Though Africa's shipping and ports do not always match global trends and standards, its ports are a central and necessary component for safety of navigation and in facilitating global trade. Maritime security depends to a large extent on the level of ports security which in turn can either hinder or promote economic growth, safety and freedom of navigation, wellbeing of passengers and crews on board ships, marine biodiversity, food security and energy supply. This requires adequate compliance with international maritime conventions and pertinent IMO instruments, and enforcement of, the provisions of SOLAS chapter XI-2 and the ISPS Code as well as with regards to emergency preparedness and processes of self-assessing the port facility implementation of Port Facility Security Plans.

The region should be able to anticipate and predict vessel movements, facilitate improved management of coastal safety, counter pollution and ensure the security of resources, including:
1. International Ship & Port Security (ISPS Code)
2. Port State Control (PSC)
3. Pollution prevention and management
4. Contingency planning
5. Search and Rescue
6. Traffic planning, efficiency & management
7. Vessels inspections.

Safety of navigation is dependent on the level of security in connecting port. There is therefore a need to pursue an active foreign policy, working with countries in the region to strengthen collaboration who commit to safety of navigation in compliance with the United Nations Convention on the Law of the Sea (UNCLOS). In this respect the collaboration with the **Indian Ocean Memorandum of Understanding** on Port State Control is good and should the member countries with a dedicated system on Port State Control inspections record, mentoring and capacity building to develop operational procedures for inspections on board of SOLAS vessels and specific procedures for accident investigation.

There is recognition that the WIO region has limited domestication of IMO Conventions towards its implementation at national levels which is challenging due to lack in financial resources, skilled personnel, technical expertise and proper control.

There is limited multi-agency cooperation. There is need to bring together national maritime affairs authorities, port authorities and law enforcement officials involved with safety of navigation, security of port facilities and exchange maritime data and information on vessels through an inter-agency cooperation approach both at national and regional levels.

The African Union's (AU) Integrated Maritime Strategy 2050 (AIMS 2050) recognizes that Africa's maritime ports are small to handle the largest vessels and recommends the setting up of infrastructures and support equipping shippers, to include: single windows, logistic platforms, dry docks, warehouses, satellite tracking of containers.

It is worth noting that piracy off the coast of Somalia has resulted in some good initiatives in the interest of safety of navigation, among which the 'New York Declaration', a commitment to Best Management Practices by vessels, guidelines for seafarers' welfare, especially for kidnapped seafarers and their families, and guidance to private maritime security companies.

In the above context that a major capacity building initiative has been launched to improve ports security and safety of navigation in Eastern Africa, Southern Africa, and the Indian Ocean, funded by the EU. This Programme is implemented by the Indian Ocean Commission, the International Criminal Police Organization (INTERPOL), the International Maritime Organization (IMO) and the United Nations Office on Drugs and Crime (UNODC).

One major action under the PSP is to define a set of baselines (indicators) on the compliance on relating conventions and agree on targets to formulate a regional Policy on Ports Security and Safety of Navigation for consideration by a Ministerial Conference in 2024.

11. The establishment of an African Coast Guards Functions Forum

The Conference is invited note the outcome of the June 2023 Moroni Declaration held under the Comoros Presidency of the African Union and the initiative to establish an African Coastal and Island States Coast Guard Functions Forum (ACIS-CGFF) and consider partnership and providing support.

The Moroni "Blue Future" Ministerial Declaration on Climate Action and Blue Economy in Africa, 14th June 2023, recognizing the need for the strengthening, the consolidation and expansion of the Western Indian Ocean Regional Maritime Security Architecture as a prerequisite and key mechanism for the development of Blue Economy and the implementation of the AfCFTA as well as for the prevention, reduction and coordinated response to risks, offences, and crimes at sea, particularly with regard to marine and coastal ecosystems, agreed to consider the organization of an annual Forum of African Coast Guards to strengthen the movement for an effective Maritime Security and Safety in Africa.

Importance of Coast Guard Functions Forum: Exercising effective de jure and de facto sovereignty implies that the custodians of national security are able to exert surveillance in the totality of its Exclusive Economic Zones. This would require each State to effectively exercise the following functions:
1. Maritime Search and Rescue
2. Maritime Accident and Disaster Response
3. Ship Casualty and Maritime Assistance Services
4. Maritime Safety and Vessel Traffic Management
5. Maritime Security (Ship and Port)
6. Maritime Monitoring and Surveillance
7. Maritime Environmental Protection
8. Fisheries Inspection and Control
9. Maritime Customs Activities
10. Maritime Border Control and Maritime Law Enforcement.

The nature of maritime safety and security challenges are complex as the above functions are sparsely allocated among various ministries and departments combined by the lack of multi-agency approach. Sharing of experience and developing cooperation among neighbours constitute a key strategy to address this challenge. The Coast Guard Global Summit hosted by Japan should be recognized as a global platform to provide for dialogue and cooperation to the world's Coast Guards. This is why the Moroni Declaration on Ocean agreed for the setting up of an **ACIS-CGFF** to contribute constructively to the work of the CGGS and enhance collaboration and cooperation among neighbouring African Coast Guards to build confidence and the conditions for cooperation for information sharing, capacity building, developing a common level of operational standards and skills between coastguard functions bodies and for the planning and conducting effective joint operations with the following aims and objectives:

1. Facilitate cooperation in Coast Guard Functions.
2. Encourage the identification of common solutions through the sharing of best practices.
3. Promote the development of common technical-operational standards and training processes.

A peer review mechanism could facilitate the identification of national and regional collaborative actions and rationale for establishing the **ACIS-CGFF**, promote collaborative measures such as multi-agency, multinational operations and capacity-building among Coast Guards. The **ACIS-CGFF** could enable coordination of work on specific aspects such as information sharing, analysis of risks at sea and capacity building, cyber-security, facilitating annual exercises on matters of common interest such as MARPOL.