REPORT ON THE INTEGRATED MARITIME SECURITY COURSE HELD AT INTERNATIONAL PEACE AND SECURITY SCHOOL KAREN BETWEEN 5TH FEBRUARY TO 16TH FEBRUARY 2018

DAY ONE (1); Monday 05th February 2018
The course began at 9am with official opening remarks by the Course Coordinator Major Wamalwa.

It was highlighted that this is the first integrated maritime security course to be held in the region. There will be a number of elements within the inaugural course sponsored by the Japanese Government through UNDP and IPSTC for their professional expertise in developing the program.

The 45 participants were drawn from over 10 countries and in various international, government and non-governmental bodies such as Port Security Officers, Kenya Navy, Kenya Ports Authority, Kenya Ferry Services, Maritime Police, Uganda maritime police, Djibouti Regional Coordination Centre, Border Management Committee Members –Shimoni Port, WOMESA, NEMA, Department of Maritime and Shipping Affairs, SUMATRA, Immigration Department, KMFRI, Marine Brigade UPDF Uganda, WOMESA, Kenya Meteorological Department, Kenya Wildlife Service, Safe and Secure Africa Uganda, Maritime Affairs Authority Ethiopia, International Conference of the Great Lakes Region, IGAD, Disaster Management Unit, LVBC,

OVERVIEW OF THE COURSE
LEAD FACILITATOR; DR. MARTIN RUPIYA
To identify the forces around the maritime security in the discussion. The basis is the TICAD meeting which was held in Nairobi in 2016. The idea is to develop what is available, what strategies can be used, identifying key networks in the maritime domain.

The idea is to locate the maritime resources under the Vision 2050

The main objectives is to
   1. Understand the maritime domain
   2. To identify and engage regional maritime security actors
   3. To consider how to connect with policy makers and identify key areas of the maritime security domain.

Expectations is the participants will give feedback to their institutions on maritime security so as to influence policy makers.

The program reviews the participation of key stakeholders and interactive engagement to gain information.

Colonel E.O Oguga officially opened the workshop on behalf of The Director of IPTSC Brigadier Nderitu.

What to keep in mind/ Points to ponder in the Course
   1. This discussion is taking place in a national maritime context
2. Integrated Maritime Security; we are hoping that from hereon we create a platform of integration.
3. How do we identify the challenges and threats that emerge from maritime?
4. Environment; how can we benefit in a sustainable manner from the maritime sector? Tourism, assets, research etc.

Evaluation/Monkey Survey Brief & Tour of IPSTC Grounds
Major Anton Balmer
Evaluation – Why give feedback? As pioneers we need to give feedback so that action can be taken on the best practices employed, what’s missing, lessons learnt, what to do better? “Feedback is the Breakfast for champions” Kenneth H. Blanchard.

Every evening participants will be expected to participate in an online survey on the delivery and content of the course. In the responses, try to specify, balance what was really going on about the training. The names are details are taken up for consideration in confidence without your name.

There shall be an overall feedback after the course. After three months there will also be an evaluation on the impact of the training to enable the sponsor evaluate if the training is meeting its designed objectives.

MODULE 1.1 MARITIME DOMAIN
FACILITATOR; DR. MARTIN RUPIYA
Module Overview
a) History/Context of Maritime Domain Awareness
b) What is Maritime Domain and what does it constitute the complete and comprehensive maritime domain.
c) What are the threats around maritime domain? Are they external, internal, domestic, licensing issues,
d) The environment; the land, weather, what’s underneath the water, fisheries
e) Alliances; No country is capable of doing it on its own hence need to have partnerships so that it is well and effectively handled.

a) History/ Context of Maritime Domain Awareness
Africa has the greatest potential of assets in the maritime sector. It takes into account the TICAD process in August 2016 which was on how to develop sustainable development in the maritime sector and the discussions well before that. The common defense policy of African Union ignored maritime security. It focused on state and human security only. It noted neither is higher or lower than the other between state and human security.

Why have we accepted the idea that maritime security has been an ignored concept in Africa Content?
1. It was not seen as an industry that can contribute to the GDP of a country.
2. Lack of proper legal and policy framework on maritime issues
3. Lack of awareness of the maritime issues.
4. Undue reliance on state survival and state security in the past. The current African constitutions provides enough security and governments now have to think of self-
sufficiency and our citizens are now much more informed and are demanding for their rights.

One of the reasons that the 38 African Countries began responding to maritime issues was the 1974 law of the sea- Safety of Life at Sea that demanded that countries in coastal areas begin dealing with the ships that dock in their countries. This law divided the African countries into land locked countries and those with seas where the landlocked countries believed they have no role to play in the maritime sector.

To what extent can we use the platform of running ports to create networks that can help in integration?

1. To keep up with the International Maritime Standards, AU project seeks to engage ships in reducing pollution emanating from ships. Kenya Meteorological Department has a power shoring project so that the ship docking must stop running its engine to ensure we have clean harbors and shores while the same is offloading.


3. Need to have good will in maritime security issues and have financial structures that are realistic to seas. E.g. fuel for boats is more expensive than fuel for motor vehicle. Yet in Kenya the same amount is given to both maritime police and regular police of Kshs 45,000/= to run for three months.

4. Have a multi-agency approach to deal with maritime security issues where members agree on common objectives in a dialogue and work on implementing the same.

b) What Constitutes Maritime Domain

Maritime domain takes into account the air, coastal regions, 200 nautical miles- Exclusive Economic Zones, 12 nautical miles-territorial waters, what is underneath the sea. The domain is on focusing on security awareness.

How do we manage the maritime domain?

There are gaps in legislation to deal with maritime domain. At times maritime domain clashes with land issues and that’s where the entanglement begins. This is because the laws of the land and the laws of the sea are handled differently.

Assets in the Maritime Domain

1. Ship building and construction

   a) Ships- 50,0000 gross tonnage and above, Boats- 50,000 gross tonnage and below

   b) Ship yards; ship yards for building ships needs massive crane that can lift the vessels of 50,000 gross tonnage and above. In Kenya, AMGECO didn't invest in developing their ship yards hence have been rendered redundant over time. Namibia and South Africa have built their capacity and they are reaping from the same.

In Kenya there is no classification society hence we import from other jurisdiction. Most shipyards in many countries are private but they are national assets. When AMGECO was being run by UK, it was doing great but was later sold to a Kenyan family who later changed their interests from maritime to Insurance. It was bought by a Kenyan who wanted a berth for his ships as he was looking at cutting costs for berthing at KPA. There
were no existing legal frameworks to engage the private sector to invest in a sector that has national interest and that the challenge in government entry to revive AMGECO. It was advised that the government can offer partial state contracting to the private developer as they accept such reprieves and can enter into a government private partnership.

2. Fresh water matters. Lack of implementing the laws in place.
3. KMFRI which has researchers of the maritime domain. KMFRI to share on how we can access and get hands on the data and research that they have so far and how we can use it to our advantage.
4. Multi agency partnerships in place. E.g. Border Management Committee, Beach Management Unit for fishermen which have come up with various strategies like going deep sea to police the waters, labelling the fishing vessels from each country etc.
5. Quality of the beaches that Kenya maintains can bring in a lot of benefits for the country. There is a beach rating that works on this as per International Standards.
6. Availability of the department of maritime and shipping in Kenya.

c) What are the threats/Challenges to maritime domain in the context of national security?
1. Lack of enabling legislation. Many policies are silent are silent on maritime security.
2. Does EAC or other regional blocks have any work in maritime security?
3. Lack of sufficient data coverage to guide us in coming up with best practices to implement and effectively handle maritime security. Data will enable better weather forecasting, map out fishing areas. Data will enable objective and focused research on various aspects that will impart the better exploration of the maritime domain.
4. Lack of awareness on what exactly is maritime domain and the actual matters surrounding it and the need to invest in the sector.
5. Acknowledging the role of the fishermen and coming up with legislations that do not hinder him and instead develop them further.
6. Not knowing/Ignorance of countries on maritime domain and maritime security.
7. Lack of sustainable resources to fully take care of the maritime domain in the levels it is required.
8. Lack of political goodwill in endorsing the maritime domain as a key area.

d) The Environment
This can be the context, infrastructure and the phase we are going through as developing countries. The environment will lend itself currently to developing policies that are pro poor, pro-development. Africa has the greatest resources in the maritime sector than anywhere in the world.
1. There are changes that take places all the time including office orders and protocols in African Countries in the policy framework.
2. Acknowledge there are large changes in weather patterns.
3. There are changes in fish harvest patterns.
4. NEMA and other organizations in their legislation left out the maritime domain.
5. Department of Maritime and Shipping is an enabler in Kenya. The department has engaged the media and public on maritime matters, they hold the county level forums and have so far been to half the country, they have engaged treasury on
funds to formulate a national framework to ensure integration, they have met MPs to create awareness and have their buy in in supporting maritime matters once they come to parliament, continuously brief the president on the benefits of investing in the blue economy as it has great gains for Kenya.

Understand how to respond to the environmental changes in a sustainable manner that takes what we need and allow the environment to replenish itself. E.g. the river in Tana Delta in Cameroon that just disappeared.

e) Alliances
There is need to work with others to make maritime domain effective. Consider strategic partners that will raise the status and bar for maritime integration.

What are the shortcomings that make it a need for us to make strategic partnerships?
1. Lack of enough funding and resources singlehandedly as an organization
2. Not all players in the sector have been mapped out. E.g. private sector. So far the maritime sector has only been largely dealt with by Government agencies. Yet there is a lot of potential in the sector that even the private sector can tap into.
3. Lack of political good will to forge ahead.
4. Lack of people in the government who do not have buy in as they do not understand the issues being raised.
5. Bad attitude and mindset as we do not want to invest in the sector.

Appreciating the strategic partnerships. What informs decision to deploy resources in the maritime sector?
1. Take best practices from the alliances.
2. Engage with the private sector through public private sector.
3. Work with the people already in the sector as a means to entice new people hence they will be attracted to it.
4. Make the package attractive to first time investors and government departments like treasury who approve budgets in the sector as maritime is complex and is not seen as a tangible investment thereby not many wish to be seen to “throw” money.

Conclusion
Most of the information is on and is out there. The challenge is the information has not been shared. The new thing we have learnt is sharing the information of the various issues that have been done. There is need to do more as countries, institutions and communities in the sector to build on to what is already there. It all speaks to national security as it connects with what regions and sub regions have been doing. Very few countries can take cognizant of what the international laws provide hence need to step up and do more in the sector. We now have new words “blue economy” where the international standards are encouraged hence need to enhance our way of action. There is need to have practical solutions to the issues that are affecting the sector.

Syndicate Assignment
What is maritime security from your perspective?

DAY TWO (2); Tuesday 06th February 2018
Recap of Day One Proceedings
The facilitator asked the participants what the picked out from yesterday’s presentations. The same were highlighted as hereunder;
1. The full potential of the maritime sector has not been fully captured yet.
2. More awareness is needed on what maritime domain entails as it is broad.
3. Need for intense consultations and interactions with the people in the grassroots to effectively deal with maritime sector
4. Need for multi-agency approach in addressing the challenges in the maritime domain.
5. Need to overhaul some legislations which are not addressing maritime sector issues and/or the legislation that are not fully addressing the maritime sector
6. Need to establish proper funding mechanisms to address the maritime domain.

MODULE 1.2 NATIONAL PERSPECTIVES OF MARITIME SECURITY
FACILITATOR; MR. BROWNE NATHANS
There is need to bring back the discussions to ourselves, our institutions, our countries so that we can change the situation on the ground. Treaties are what have brought various countries into regional blocks. Understanding the treaties which are the historical perspectives will bring us to discuss the current situations and the possible way forward. Perspective is defined as the existence of factors or a set of circumstances consideration of which would result in a specific thought process for the achievement of a desired objective or goal.
What is it then that we want to define about maritime domain from a set of perspectives?

Global perspective
This will take us to the Sustainable Development goals which are;
   i. Poverty Eradication
   ii. Hunger; food, security and nutrition
   iii. Health
   iv. Education
   v. Gender Equality
   vi. Water
   vii. Sustainable Energy
   viii. Sustainable economy
   ix. Sustainable industrialization
   x. Inequality
   xi. Citizen and human settlement
   xii. Sustainable production and consumption
   xiii. Climate change
   xiv. Seas Oceans and Marine Resources
   xv. Environment and biodiversity
   xvi. Peaceful and inclusive society
Global partnerships

Our focus will be on sustainable goal 14 and 15. Let us think through climate change and the effects on the blue economy and see how much the sea level is going down.

FRAMING OF NATIONAL FRAMEWORK

Examples given were Libya and Cape Verde. In Cape Verde, Order No.86/iv/93 of 26th June 1993. Article 41 provides that “The citizens and the public private and cooperative sectors have the duty of creating a healthy and ecologically stable environment and of improving the quality of life.” As we think about formulating laws as in the cases of Libya and Cape Verde above there is need to have public participation to ensure collective responsibility. The role of the individual is there but the obligation of the state is above. The cousins of the maritime domain are; land, environment, air, natural resources, forests, wildlife. It’s a multi-sectorial approach.

Point to ponder; every morning a civil servant will get free 3 copies of newspapers, free airtime, and government vehicle at your disposal, free tea every hour, flowers. If we put that together for one individual, the amount per month is huge. The mindset we should have is to sacrifice the free things and we see how much can be saved and the same can be lobbied to ensure the money is spent on good use on things that are necessarily important.

THEME SPECIFIC PERSPECTIVE

1. ENVIRONMENTAL PERSPECTIVE
2. HEALTH, LIVELIHOODS AND QUALITY OF LIFE PERSPECTIVE
   Quality of life means there are those that will come to be here for whom you have prepared a life for. Quality of life is not for now, it’s for the future. Let’s build upon the synergies we have to enhance the wellness of the people. Livelihoods is about sharing equitable
3. NATIONAL ECONOMY AND SUSTAINABLE GROWTH PERSPECTIVE
4. NATIONAL DEVELOPMENT PERSPECTIVE
5. PUBLIC PARTICIPATION AND CITIZEN EMPOWERMENT PERSPECTIVE
6. RESOURCE EXPLOITATION PERSPECTIVE; Oil, Petroleum and Gas.
7. RESOURCE DISTRIBUTION PERSPECTIVE
8. EQUITY & EQUITABLE SHARING OF ACCRUING BENEFITS (BENEFICIATION PRINCIPLE)
9. NATIONAL INTEREST AND STATE SECURITY PERSPECTIVE
10. GOOD GOVERNANCE PERSPECTIVE; Institutional and policy pillars are inclusive here.

MARITIME SAFETY PERSPECTIVES SECURITY FACILITATOR; CAPT (RTD) NICHOLAS TSUMA MUNGA

Maritime safety is the combination of preventing and responsive measures intended to protect the maritime domain against and limit the effect of, accidental or natural danger, harm and damage.
Maritime security should be defined as the absence of maritime threats like; illegal fishing, proliferation of arms, piracy, maritime disasters and accidents, interstate disputes, human trafficking, terrorists acts, climate change etc.

Levels of obligations in maritime security; Coastal State, Flag State and Port State.

**Coastal State obligations:** The Coastal State may also have laws and regulations which such vessels must adhere to, to ensure safe navigation, regulation of maritime traffic, protection of navigational aids, facilities, pipelines, and cables, conservation and preservation of the environment and the living resources of the sea (including fisheries laws) and to prevent against infringement of customs, fiscal, immigration or sanitary laws and regulations of the Coastal State. UNCLOS, MARPOL, SOLAS. Meteorological advice and warnings.

**Flag state:** what a country is supposed to take on maritime security on ships that fly its flag. Registration of vessels, inspections of vessels.

**Port state:** obligations a state should meet to ensure all vessels that visit her port should comply. E.g. Port Security, Ship Security Plan.

**Flag of convenience:** Flies a flag of a country other than the country of ownership. Open registry concept. When you fly a flag of a country, the vessels are expected to abide by the maritime laws of that country.

**Implementation of Conventions**

1. IMO Instruments Implementation Code. IMO Member State Audit Scheme (IMSAS). There was need to have uniform standards in the maritime sector. It was however noted that some member states have ratified some conventions and others have not so hence need to come up with this. E.g. SOLAS, MARPOL, Load Convention. The IMO Instruments Implementation Code looks at the issues depending on the conventions that a specific country has developed and came up with an audit standard to see which party state is doing what and to have continuous improvement. It serves as a gap analysis to show whether there are non-conformities, and positive recommendations which can then be taken as best practices for other party states and also for negative recommendations ways to build capacity for the party states.

2. RO Code; it’s a code that came because the IMO knew some countries will have challenges in meeting their obligations and came up with the Recognized Code. (RO)Classification of societies like Lloyds Register, which have mandate to come up with the same. RSOs(Recognized Security Code) like Kenya is NIS, Nominated Surveyors.

Research on MT PRESTIGE, USS Cole and Iranian Ship Sanchi on the codes that were flouted that brought rise to such issues.

**Mandatory IMO instruments related to Maritime Safety**

1. SOLAS
   - Chapter 1 – General Provisions
   - Chapter 2 Part 1 - Construction
   - Chapter 2 Part 2- Fire protection
   - Chapter 2 - Life saving appliances
   - Chapter 5- Safety of navigation
Chapter 7- Carriage of dangerous goods
Chapter 8- Management for the safe operation of ships

2. MARPOL
3. LOAD LINES
4. TONNAGE
5. STCW CONVENTION

Participants watched a clip on shrinking Lake Chad.

MILITARY, PORTS, HEALTH, CUSTOMS, IMMIGRATION, POLICE, ENVIRONMENTAL PERSPECTIVES ON MARITIME SECURITY
FACILITATOR; LT COL. R. T. BIRECH

Elements of maritime security include; sovereignty/territorial integrity, security from crimes at sea like piracy, human trafficking etc.

Legal Regimes of Oceans and Airspace Area

Baseline – Land

Territorial Sea 12 nautical miles; Sovereign rights accrue to the coastal state with certain exemptions like vessels can transit through the territorial waters a country. This is what is known as innocent passage. The coastal state is responsible for enforcement.

Contiguous zone 24 nautical miles; the coastal state is responsible for enforcement.

Exclusive Economic Zone EEZ 200 nautical miles; for enforcement, vessels from any nation can operate from there.

High Seas

Continental shelf; resources which include air, sub surface.

Key definitions

Flag state: ships shall sail under the flag of one state only. UNCLOS Art 92.

Jurisdiction of flag state; Flag state has primacy of taking action against a vessel in case of infringement. However if in the interest of world community and a flag state feels the vessel is operation against the interest of the world community, it can give consent to another state to enter and take action.

Right of Visit; is reserved for warships/military vessels. It's on reasonable grounds only where there is suspicion that the war ship is carrying out suspicious activity.

Boarding UNCLOS 110; a vessel can be boarded when a ship is suspected to have engaged in piracy, slave trade the ship is without nationality, refusing to show its flag, ship is engaged in unauthorized broadcasting.

Legacies of sea blindness means that building capacity for maritime security face uphill task when seeking political attention or resources.

Reporting of Syndicate Assignment

What is maritime security?

1. Seychelles Case; the challenges of the maritime sector are complex and varied and hence cannot be handled by a single agency or a single nation. There is need to train together and tackle the maritime security aspect together as a region. For a national state to protect itself there is need to interact and know what their neighbors are doing and this can only be achieved by sharing networks. This is what will build up
the investigation teams and build a case and take necessary action to enhance maritime security.

2. Uganda Case; Maritime security is a situation where the threats are eliminated or the dangers minimized so that the people who depend on the same are not negatively affected. Presence of law enforcement agencies tend to keep potential perpetrators of crime away. They also do random checks and entries. They pursue feeling suspects. They also do community policing by interacting with water users and teach them best practices in the water. They also do vital installations and actual protection of the maritime domain. They carry out rescue of vessels and their operations are intelligence led. They work with UPDF Marine and this networking has made it easy. They also back the Fisheries team, Uganda Revenue Authority, Immigration and work together with them.

3. Kenya Meteorological Services; Shipping industry was one of the oldest industries to use weather services. Maritime security will ensure weather forecasts to avoid ships meeting cyclones and storms. The department knows sea temperatures. The department gives daily marine forecasts of the waves and their strength. So far even developed countries have been unable to forecasts Tsunamis. They network with international bodies and centers that have equipment to monitor seismic actions like Indian Ocean Association. Kenya meteorological department is the national receiving center for such weather forecasts from international centers so that they can take necessary action. A project monitoring the shipping industry and how it is polluting led by the JKUAT as a pilot project in Mombasa. They recommend while at the shore, vessels should use power from the shore and switch off their engines to avoid pollution.

4. Disaster Management Unit; Create awareness of how disasters can be managed and actually are at the scene in case of any issue arising out of a disaster to offer help and support.

5. NEMA and KMFRI; Will concentrate more on Environmental Impact Assessments and received comments from stakeholder like KMA and ensure the project will not have negative effects on the ocean. Even for land projects, they ensure the aftermaths will not spill over to the ocean. Protection of key reserves of the ocean are also protected to ensure marine safety. They also carry out sensitivity mapping of highly vulnerable areas for pollution

The important question now is that how do we bring together the synergies and ensure that we have a more integrated approach in handling maritime security.

The Core dimensions of Maritime Security
1. **National Security**: must be looked at together with Regional Security as what happens in one country has a direct impact on another nation. E.g. Human Trafficking, Piracy, Illicit drugs

2. **Marine Environment**: marine pollution, vessel safety and regulation, maritime search and rescue, state of ocean health, pollution and the impacts of climate change.

3. **Economic Development (Blue Economy)**: 90% of global trade travels by sea and marine resources such as fisheries or offshore oil are key economic assets.

The essence of securing the sea is for the benefit of the Kenyan People. The maritime sector contributes less than 1% to the GDP of the economy in Kenya hence need to do more.

In conclusion, points to ponder include;
- Environmental wise, there is need to understand the task and mandate. The character of the maritime environment are a shared resource. There are dynamic threats and we need to find out who or what we are up against. The greatest task we have is the need to share information, facilities and assets in order to address the challenges.
- Department of maritime and shipping have entered into MOUs with shipping lines to ensure the graduates get sea time as is required of maritime training.
- Department of maritime and shipping are engaging the Shimoni port to establish a fish port as fishermen had challenges with marketing and selling the produce they catch.

**HYDRO-MET AND MAINTENANCE OF WATER BODIES PERSPECTIVES ON MS FACILITATOR; BRYON ANANGWE**

Initially the blue economy was thought to mean oceans only. But with time the same has transformed to inland waters too.

Maritime Security Matrix was again highlighted. The main challenge we have is poor coordination.

**Issues related to Hydro met include;**
- Climate change
- Improve the safety and efficiency of maritime operations
- More effectively mitigate the effects of natural hazards
- Improve national and homeland security
- Reduce public health risks
- More effectively protect and restore healthy coastal ecosystems
- Enable the sustained

**User communities in the maritime domain include**: border control, fisheries, maritime security and safety, customs, marine environment, law enforcement, defense, extended maritime surveillance, ports, academia and research.

**UNCLOS**
In the Undersea main issues are oil and gas industry and fishing licensing.
EEZ Perimeter has issues of environmental protection, immigration control, piracy, navigation safety and terrorism. Air space has issues of surveillance, search and rescue.

**Why Blue Economy? Hydromet?**
Movement by sea is 92% of all trade. And 70% of crude oil comes by sea. Issues challenging the blue economy; coastal environment, new services, marine areas management, extreme events, sea campaigns, marine police and public administration. The water cycle was highlighted; evaporation to condensation to sublimation to transportation to precipitation to deposition to snow balls to surface flow to ground water flow to plant upgrade. We need to adjust with the changes in environment in agricultural practices, fishing practices (fish tanks, fish cages) among others.

**Essential Ocean Variables;** Currents, Temperature, Salinity, Sea surface elevation, sea ice, surface wind, waves, transparency turbidity reflectance, oxygen, primary production, plankton, nutrients.

Global Shipping Traffic 2017; Ships moving different directions and tracking of a period of 30 days.

**Emerging technologies in support in support of maritime security and hydromet;**
1. Earth observation
2. Geo- Information Technologies
3. Remote sensing system

**How earth observation satellite services can help increase maritime security**
1. VHR Optical Monitoring
2. Satellite SAR Surveillance
3. Optical monitoring of suspicious behavior
4. Ease communication
5. Coastal Radar

Rwanda is a good best practice of using drones. Drones are used to take drugs to villages and to check on security matters.

There are four types of satellite data;
1. **Low resolution.** E.g. NOAA. Anything bigger than 50m. Every 30 minutes you can get a picture. Applications on climate and weather mainly.
2. **Medium Resolution;** E.g. Landsat. Anything bigger than 10m. Every 10 days you can get new data. Can see a range of 256 colors. Then it uses tricks to know what is visible. To increase the visual sensitivity there are uses of infrared which map out anything with chlorophyll and it marks it out Red.
3. **High Resolution;** E.g. Quickbird. Anything bigger than 1m is visible.
4. **Very high Resolution;** anything bigger than 1 cm is visible. It's almost real time. Mainly commercial.
The hydromet technology can help a lot with port management and security, fishing, mapping out floods, monitoring of fish cages and firms, monitoring fishing ports, search for non-cooperative vessels, oil spill detection, pollution area, etc.

With proper planning, sound policy formulation with implementation, timely service delivery to people and allocation of resources.

**DAY THREE (3); Wednesday 07th February 2018**

**MODULE 1.3 THREATS IN THE MARITIME DOMAIN**

**FACILITATOR; MR. INKO TARIAH**

Participants discussed the following questions and gave their views as hereunder;

**What are the primary conflicts and threats that exist in Eastern Africa?**
- Terrorism
- Unstable Somalia
- Famine and Drought (food security)
- Political conflicts and ethnicity
- Exploitation of resources (Oil and Gas)
- Boundaries resources
- Poor Governance and corruption

**What threats exist in Eastern Africa’s maritime domain?**
- Piracy
- Exploitation of resources (Oil and Gas)
- Emergence of new species like Water Hyacinth
- Environmental degradation( massive reclamation of ocean area like Makupa Causeway, SGR which removes mangroves which are natural resources of the sea)
- Pollution of marine environment
- Attitude
- Poor governance and corruption

**TERRORISM**

Conflicts are no longer between states, they include violent non state actors. There is need to be careful with the labels of terrorists. For instance Yasser Arafat won the Nobel peace prize in 1994 while Nelson Mandela was in the terrorist list until 2008.

**Waves of modern terrorism**

i. **Anarchist wave 1879 -1919;** it coincided with the invention of steam train, telegraph and daily newspaper.

ii. **Anti-colonial 1920- 1960s;** focus was to eliminate colonial control. There was formation of new states after world war 1. Preferred mode was guerrilla warfare. Primary target was police. The term was changed from terrorist to freedom fighter.

iii. **New left wing wave Mid 60s to Mid-80s;** coincided with television. Collaborated with other international groups to carry out kidnappings, hijackings and assassinations. It coincided with the cold war. Self-determination was the key focus.

iv. **Religious wave from 1979 to date;** suicide bombing was their preferred tactic. Religious wave led to the downfall of USSR. US became the focus of attacks. It
brought terrorism to East Africa and formation of Al Qaeda. They recruited worldwide and appealed to many people and nations.

If a new wave emerges about every forty years, the next wave should be emerging between now and 2020, barely two years from now. Or has the fifth wave already began in the form of terror-crime nexus. Members were asked what they think is the next wave to which they responded; Technology wave, cyber-terrorism

States have the monopoly of violence but with terrorism the state has lost its monopoly of violence and the same has gone to violent non state actors like ALQAEDA.

Wars of the 3rd kind
They are wars within states and between communities. Wars of the 1st and 2nd kind are the world war one and two.
Global North refers to the developed countries
Global South refers to developing countries
Imperialism; you stay out buy extract from them
State making and national building which comes first. State making is the hardware e.g Kenya while nation building is the software e.g. infrastructure, good governance

Parting shot; “we have made Kenya the state now let’s make Kenyans the nation”

The Cold war 1945-1991
Will set stage of how we have violent non state actors. The duty of a state is to extract for its people. There is no morality in international relations between states. It is only extraction of resources for the benefit of its people. International relations creates spheres of influence and balance of power. US-USSR rivalry took over from colonialism and the European scramble for Africa. Two main factors lead to cold war in East Africa;

1. Somalia’s colonial legacy; it’s a living monuments to the absurdity of colonial boundaries. A people colonized by the French, Italians and British. Scattered in 4 countries; Somalia, Djibouti, Ethiopia and Kenya. They are 99% minority Muslim in predominantly Christian states.

2. Somalia’s strategic position to the resources; It’s at the horn of Africa. Man the gulf of Eden.

The budget of the cold war in Eastern African made East Africa a place with so many weapons and these weapons got themselves into the hands of armed gangs hence many non-violent state actors

4th Generation War
A small force by the infliction of terror can conquer a nation- Leninist Principle
The insurgent is the fish and the population is the river it swims- Mao Tse-tung while describing what insurgency is. It’s ad-hoc and has moral conflict. Came as a decline of collapse of state system where the state has lost its monopoly of violence. Many people now have arms and are ready to phase off with the state. Return of pre state religious and ethnic conflicts. Lines between politics, boundaries are erased. The citizens are attacked and the state military are by passed. The attack culture, economy and infrastructure of
society. Its combination of insurgency, guerilla, terrorism and other means. Time is the chief weapon. They use the population as camouflage. No modern state has won the 4th generation warfare.

2nd generation tactics in 4th generation warfare differ as follows; fire power vs. maneuver warfare, battalions vs. decentralized light infantry, obedience vs. initiative, force protection vs. communal integration, tactics and physical vs. mental and moral, attrition vs. resilience, body count vs. propaganda. Most armies in the world are still being trained in 2nd generation warfare instead of counter insurgency. Alshabab continue to utilize 4th generation warfare.

Lessons in 4th Generation Warfare
1. You lose to win
2. Resilience. You do not hurry to win the war. It’s protracted.

What is insurgency?
FM 3-24 is the US manual for countering insurgency. Insurgency is an organized movt aimed at the overthrow of a constituted government. It’s an organized political military protracted struggled designed to weaken the control and legitimacy of an established government.

Security in the maritime domain
Most states decided to put armed guards in vessels.
Advantages
1. Security provided by private maritime security firms
2. They use floating armories(armories are in the high seas)
3. Arms security teams embark and disembark ships transiting the Gulf od Aden without incurring additional expenses

Disadvantages
1. Difficult to obtain info on how many floating armories exist, how many ammunition are there
2. This only refers to UK companies, other states haven’t declared they do this.
3. The armories are moored in waters close to unstable states like Somalia and Yemen
4. The armories operate in legal grey areas.

India and the UAE have seized floating armories and raised concerns with IMO who requested them to send in more proposals on the same.

Group Work
1. Give definitions of counter insurgency and counter terrorism
2. Fine one example each where either one has been used
3. Fine out examples of where either one has worked and why
4. Develop a strategy to deal with the situation in Eastern Africa using either one or the other or both
5. Give reasons for your choices
Members presented their group work.

**Current and Emerging Threats to Maritime Security in Eastern Africa**
To mitigate the emerging threats we must understand each other’s otherness. Almost half of the pirate incidents take place in Africa coz pirates operate in areas with vast coastal line, poor regional coordination, and high commercial matters.
Maritime security initiatives must deal with the maritime security at land too.
Maritime insecurity are threats in the maritime domain include; IUU, Maritime terrorism, human trafficking

Jeddah amendments that amended Djibouti code of conduct changed various aspects and introduced maritime terrorism but didn’t define it as it defined piracy, IUUF and TOC. It also added illegal oil bunkering and crude oil theft (this is because African states are now endowed with oil and gas and its exploration). This is because terrorism is seen as a political issue by states.

**7 conditions of maritime terrorism**
1. Legal and jurisdiction weakness
2. Geographical proximity
3. Inadequate security
4. Secure base areas
5. Maritime skills; diving skills
6. Charismatic and effective leadership
7. State support

**Other Conditions**
1. Ethno-religious issues
2. Radicalization
3. Recruitments

**Preparing for emerging threats**
Turkey, France, Italy, India and China have built a base. Seychelles has begun building its base

Terror crime nexus is the new wave and there is need to prepare well.

**Presentation by Shawn**

**Maritime Threats**
Maritime threats are what are used for profit, transport and for movement. We need to think in terms of people on who is using the sea, for what, how we can influence them. To deliver security, there is need to be ready all the time. There is need to be persistent but still expect failure.
Ask ourselves why did we fail and what we learnt from the lessons.

**Presentation from Colonel Birech**
When given the syndicate work, look at the problem. Look at the environment. Look at the resources and find way to tackle the problem. It requires new ideas and be creative. There is need to use our minimal resources strategically.

**MODULE 1.4 ADVANTAGES IN MARITIME SECURITY**

**FACILITATOR: DR. WYCLIFFE OBOKA**

We are talking about maritime security in a turbulent human and international relations and in a very turbulent weather relations like cyclones and storms. The previous facilitators have been developing a background in which maritime security has to be understood and managed.

Do we appreciate the importance of maintaining maritime security? Is there need to invest in maritime security? The areas of focus to address this are as hereunder;

1. **Trade;** Does maritime security have value in trade? Yes. The movement of goods may be hindered in areas with insecurity, a cost premium in insurance brings the higher the risk, the higher the chance of business. The routes can be lengthened in areas of insecurity as the vessel will have to divert thereby increasing transport costs. In areas where the population is dependent on imported goods and other areas like fishing and cruise tourism then maritime security becomes crucial. Insecurity can chase away investors in a region thereby hindering trade. To appreciate how critical maritime security matters to the maritime domain, we shall look at a case study of BRICS. (Brazil, India, Russia, China and South Africa). A group of 5 nations formed in 2009, SA was included in 2011 and has created a niche in the maritime domain. Their agenda was to influence global politico-economic by amicably harnessing maritime opportunities in the South Atlantic and exploit fully geographic spectrum of their combined maritime assets. They occupy 5 out of 16 largest maritime EEZ's and they collectively control various maritime sections. How did South Africa get its way to BRICS? Because;
   i. It would be a gateway to the African Continent
   ii. Its geostrategic location
   iii. It’s a big economy compared to the rest of Africa
   iv. Its leadership role in Africa
   v. Leading role in Indian Ocean Naval Symposium
   vi. Membership of IBSA
   vii. Membership of IBSAMAR

The maritime logic/advantage of SA membership to BRICS was what was considered. What has SA done to continue holding its position in BRICS?
   i. Developed a small task force to patrol waters of Mozambique to prevent migration of pirates to their area.
   ii. Declared intent to deploy naval vessels along the western shore of SADC in the Atlantic to stem over spillover of piracy from gulf of Eden.
   iii. Obliged to cooperate in maritime matters within the 15 member SADC group and the African Union
iv. Declared the maritime Agenda captured as 2050 Africa Integrated Maritime Strategy
Investment in maritime security makes meaning.

What are the lessons learnt from South Africa from the above
- To make trade sense, there is need to invest in our maritime security
- To have deliberate government will
- To understand our potential and have a clear vision on how to attain it.
- South Africa was invited by China into BRICS hence need to build strong networks and partnerships.
- Know what is happening around us and take necessary steps towards being brought into the platform to our advantage.

2. Shipping; Advantages of investing in sea lines of communications which are the primary routes between ports used for trade, logistics and naval forces.

   Threats to sea lines of communication include; Vandalism of communication lines, extreme weather events.

3. Access to water resources; materials and attributes found in the ocean that are considered to have value. The value can be intrinsic or monetary. The uniqueness and opportunity for education and human enrichment can’t be quantified. Some of the marine resources include; fish and seafood supplies, oil and gas, minerals, sand and gravel, renewable energy resources, tourism potential and unique ecosystems like coral reefs.

4. Safety to navigation/Safety of life at sea;
DAY FOUR (4); Thursday 08th February 2018
MODULE 1.5 INTERNATIONAL FRAMEWORKS
FACILITATOR; DR. NANCY KAIRARIA

International Ocean Governance
It's a shared responsibility to improve the use, protection and management of the world’s oceans. Seas and oceans cover 71% of planet earth and are fundamental for food, trade, energy and global environmental services.
64% of marine waters are in areas beyond national jurisdiction where no state has a specific mandate to govern it. There are 230 flag states. There are 300UN agencies involved in international ocean governance but there is no single overarching body.
UNCLOS covers 10 areas of maritime domain.

Introduction to Ocean Economy
Maritime Zones
Baseline; from the shoreline to where the land begin
Internal waters; the area between the shoreline and the baseline
Territorial sea; 12 nautical miles. Coastal state has exclusive jurisdiction but has certain rights to other states being right to innocent passage.
Contiguous zone; 24 nautical miles; was to carry out enforcement. It only covers sanitation, immigration, taxation.
Exclusive Economic Zone; Up to 200nautical miles. State has exclusive sovereign rights to do marine scientific research, preservation of marine resources, energy and fisheries. The coastal state has the first right to explore the resources in that area.
High seas; after 200 nautical miles
Seabed and Resources subjacent to the seabed
Outer continental shelf; A coastal state has a right to the outer continental shelf if the seabed goes beyond 200nautical miles. The coastal state can claim 150nautical miles of the high seas as its outer continental shelf. The point of claiming an outer continental shelf is to explore resources.
Archipelago is where you have many islands making up a nation.
Ocean governance is necessary as the potential for innovation, employment creation and economic growth offered by this sector are impressive. Ocean economy is estimated to grow by 1.3 trillion by 2030. The population is estimated to grow to 9billion people by 2050. To sustain this projected population growth there is need for safe, secure, clean and sustainable management of the oceans.

Defining maritime security
There is difficulty in defining security and safety at sea. Maritime security has been extended from national and human security to environmental and food security also. It is better defined as a concept than a term. It can be defined in various ways as follows:

i. **Maritime security is a complex issue**; due to the way it is approached. There are governance frameworks at the UN level which have been cascaded to IMO then further to Regional bodies then to states and nations then to various state agencies without a coordinated approach.

ii. **Maritime security is a convergent concept**; it involves terminology with multiple meanings. The overlap between issues that allow complimentary approaches to safety as well as security has grown.

iii. **Maritime Security as a divergent Concept**; It involves other issues other than actions at sea that involve navigation. It encompasses the environmental and food security issue over and above national security and human security.

**International ocean governance initiatives**

International ocean governance is a system encompassing the laws, policy and institution. It's a myriad of issues like delimitation of maritime zones, navigation, environmental issues, maritime crimes, duties of the states in the ocean space, marine research etc. The international ocean governance regime consists of framework issues, issue specific measures, regional issues, various institutions, rules, regulations, mechanisms and procedures aimed at regulation human activities at sea.

Main global institutions responsible for international ocean governance; UN, IMO, FAO, UNEP, ITLOS, ISA (International Seabed Authority), ICJ (International Court of Justice), WTO, etc.

UNCLOS is the overarching framework.

Issues Specific Measures that UNCLOS deals with;
- Ship Source Pollution; Has developed conventions like MARPOL, Anti Fouling Systems, Oil Pollution preparedness, Response and Cooperation
- Land based Instruments
- Marine Living Resources
- Underwater cultural heritage resources and wrecks; Nairobi Convention
- Climate change issues affecting oceans; Paris Agreement
- Hazardous substances
- Nuclear issues

**Principles of high seas governance**

There is no policy framework to govern high seas, seabed and areas subjacent to the seabed and existing laws are patchy. The UN came up with principles that states should apply when states are involved in any activity in the high seas. The principles are as follows;

1. Conditional freedom of activity on the high seas; activity must be peaceful
2. Protection and preservation of the marine environment
3. International cooperation
4. Science based approach to management of oceans
5. Public availability of information
6. Transparent and ocean decision making processes; stakeholder participation is key.
7. Precautionary principle; after doing scientific research and it’s still not sure whether the activity will negatively affect the environment or not then the activity should not be undertaken
8. Ecosystem approach
9. Sustainable and equitable use
10. Responsibility of states as stewards of the global marine environment.

**Principles of governance in the Area.**
The Area being addressed is the seabed and the subjacent area below the seabed.
1. Common heritage of mankind; its vested in mankind as a whole regardless of whether it's a coastal state or not.
2. Legal status of the Area and its resources; Covered under the International Seabed Authority.
3. General conduct of states in relation to the Area; Covered in Part XI of UNCLOS.
4. Responsibility of States to ensure compliance and liability for damage
5. Liability for damage in the area
6. Benefit for mankind
7. Preservation of archeological and historical objects

**UN maritime keeping operations**
The need to know about UN Maritime keeping operations is because not all states have national law on maritime security and the high seas are also not an exclusive right of any state.
One of the objective of the UN is to maintain international peace security. The UN has no territorial restrictions. Peace Keeping operations have become one of the UNs most important means of preserving peace and international security. The UN was engaged in the piracy inflated area in the Coast of Somalia to maintain maritime security. Currently they have also engaged in the Mediterranean Sea due to the smuggling issue, Gulf of Guinea where there is hijacking of tankers

Scope of Peace Operations at Sea is derived from the UNCLOS and gives mandate to UN to intervene through Navies to undertake enforcement at sea.

**Main Challenges to International Ocean Governance**
1. Geopolitical risks; International tensions and conflicts often results in environmental priorities being severely neglected and terrorism.
2. Fragmentation of power and growing difficulty of forging international consensus on global and regional issues key to the ocean environment and industries
3. Patchwork of sectorally focused agencies and institutions hampered by weak compliance and a lack of enforcement.
4. Lack of legal clarity about economic activities in the ABNJ and the potential for increased competition between states for resources in the oceans and seas.
5. Technological advances and attendant crimes e.g. cybercrimes

**Recent Success on the Global Ocean Governance**
1. Establishment of ocean related sustainable development goal. SDG 14.
3. Agreement of UN members to develop a legal binding instrument on conservation

**How to achieve Better Ocean Governance**
1. Fill the gaps in the international ocean governance framework
2. Promote regional fisheries management and cooperation
3. Capacity building
4. Ensure safety and security of seas and oceans
5. Implementing Paris Agreement
6. Fighting illegal fishing

**Ocean Governance at National Level; the case study is Kenya.**

**Kenya’s maritime domain**
Maritime domain not largely exploited. Kenya’s territorial waters in the Indian Ocean is approximately 230,000km2 a distance of 200nm offshore with a continental shelf of 150nm. Our ocean space is almost three quarters of our land space. It should be seen as a national frontier for development. Over emphasis on one resource being port while ignoring other resources.

**Ocean governance in Kenya**
1. Law; Constitution in Kenya. Article 2(5)(6) - UNCLOS is ratified in Kenya, Article 42, Article 69, Article 70(1)(2) Kenya Maritime Zones Act, Environmental Management Coordination Act, Kenya Maritime Authority Act, Merchant Shipping Act, Carriage of Goods by sea Act, Climate Change At, Kenya Defense Forces Act, Fisheries Management Act
3. Institutions; State Department of Maritime Shipping and Affairs, They lack clear coordination mechanisms.

**Governance Gaps**
1. Inadequate financial and technical issues
2. Capacity development
3. Slow place of legislative development
4. Fragmented and/inadequate legislation
5. Need for better stakeholder participation
6. Lack of clear research policy

**Recent Success**
1. Adoption of climate change Act 2016
2. Establishment of a state department of Maritime and Shipping Affairs
3. Recognition of the Blue Economy as a new frontier for economic development
4. Various efforts to foster international and regional cooperation in ocean management
5. Various legislative amendments to expand the scope

**Way forward**
1. Better coordination
2. Capacity building
3. Enhanced research and management
4. Fostering bilateral and multilateral cooperation
5. Legislative intervention
6. Policy adoption
7. Better public and stakeholder intervention on ocean governance.

**International Maritime Security Law**

International law has two facets; public international law and private international law.

**Public International Law**

It’s about what states should do to enforce and implement maritime law.

**Maritime Security Law**

Maritime security threats; Piracy, hijacking and armed robbery, pilferage and theft, stowaways, human smuggling and human trafficking, illegal fishing

**Objectives of maritime security**
1. To provide defense against willful and unlawful acts against the ship
2. Protection of people, property and cargo.

**International law on maritime security**
1. Treaties and Conventions
2. International Customary Law and Treaties
3. UNCLOS 1982; Its now customary international law due to universal acceptance whether a country has ratified it or not but still follow it.
5. The United Nations Conventions Against illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988
6. SUA Convention 1988
7. International Convention relating to stowaways

**Duties and obligations of flag and port states in the implementation of maritime security law on board ships and at port facilities**

**Port State:** Port state control inspections are carried out here.

IMO has divided the world in port state control areas so inspectors only inspect a ship that has not been inspected in the last 3 months anywhere or in the last 3 months by any other state within the region. Kenya is under the Indian Ocean Region Area.

The Port state inspector can detain a ship for repairs in case it deems a vessel is not seaworthy. They ensure vessels comply with whatever standards they are supposed to.
Flag state; Surveys (Initial, Annual, Intermediate, Renewal), Certification, Recognition of classification societies
Coastal State

Criminal legislative and enforcement jurisdiction at sea
Jurisdiction falls under; Legislative and court jurisdiction and enforcement jurisdiction.
Legislative jurisdiction;
   1. May be limited to the location, the person and the subject matter.
   2. Application prohibits extraterritorial application of domestic law unless provided otherwise.
   3. Application of law may not automatically apply enforceability as enforceability may be limited in scope.
Criminal enforcement jurisdiction of the Flag State depends on nationality of the vessel and where it is located when the offence is committed.
Criminal enforcement jurisdiction of coastal states depends on maritime zone, offence committed. Always take into consideration innocent passage as in Articles 17 and 18 of UNCLOS.
Right of Hot Pursuit is governed under Article 111 of UNCLOS.

Modern treaties dealing with criminal jurisdiction (super treaties)
Common features of modern treaties;
   1. List of offences
   2. Criminalization
   3. Jurisdiction
   4. Prosecute or extradite
   5. Creation of a mechanism for extradition
   6. In the absence of domestic legislation, the convention itself is treated as an extradition treaty.

Conclusions
- There is need to amend laws to extend the scope of application on non-convention and fishing vessels.
- There is need to extend scope of application to national seaports
- Promotion of effective coordination of enforcement function
- Levels of implementation and enforcement commendable

Plenary discussion
State has an obligation to notify their members of the maritime laws through having the implementing agencies of the states carry out sensitization workshops to its citizens of what has come up in the maritime sector.
Special classes of societies have been exempted from liability in some exemptions.
UNCLOS has certain rights for land locked countries and geographical disadvantaged states like Malta which do not have a claim to an EEZ. UNCLOS has established a regime for what rights those countries have and the benefits they can accrue.

Group Work
1. Look at ocean governance priorities and strategies for land locked states(Group 1)
2. Look at ocean governance priorities and strategies for geographical disadvantaged states (Group 2)
3. Formulate an institutional framework for governance of the High Seas, what it should be, should it be done by the existing one IMO, Role of the state Vis-a-vis the institution we propose. (Group 3)

MODULE 1.6; CONTINENTAL FRAMEWORKS
FACILITATOR; DR. PATRICK MALUKI
Maritime Security Frameworks in Africa
Africa has been ignorant of the maritime domain. It has not been seen as a useful economic and development driver.

Integrated African Maritime Strategy 2050
Strategic Objectives of the strategy
1. Establish combined exclusive maritime zone of Africa
2. Prevent hostile and criminal acts at sea
3. Promote ratification, domestication and implementation of international instruments.

Guiding principles of the IAMS 2050
1. Think Africa above all
2. Information sharing, capacity building, coordination

What is to be expected for the strategy to be achieved?
1. Transparency and accountability
2. Efficient and prudent utilization of resources
3. Timely and accurate information reports
4. Advise, guidance and support for institutional functionality and sustainability
5. Coordination in the harmonization of the legal and regulatory regimes
6. Cooperation and coordination and effective and timely response to emerging challenges in Africa

Categories for capacity building (Areas of maritime relevance) as per the strategy
1. Maritime Governance
2. Maritime Commerce
3. Maritime defense and security
4. Maritime education and scientific research; oceanography, fisheries, coastal and inland training, research and transfer of technology
5. Maritime Tourism, off shore and afloat
6. Fisheries and aquaculture industry
7. Ship building and ship repair industries
8. Maritime transport and auxiliary services
9. Wealth creation  
10. Ports and harbors management  
11. Maritime safety of navigation  
12. Promotion of African vessel ownership  
13. Promotion and protection of African shippers interests  
14. Promoting welfare of seafarers  
15. Access to sea and freedom for landly connected states  
16. Offshore exploration and exploitation  
17. Development of inland waterways  
18. Maritime infrastructure development  
19. Promotion of African Classification Societies  
20. Promotion of pan African fleet  

**Challenges and viability of the strategy**
1. Suitability; the end state must be achievable and consistent with the strategy’s plan of action  
2. Acceptability  
3. Feasibility  
4. Compatibility

**Framework for strategic action of the strategy**
1. Combines Exclusive Maritime Zone of Africa  
2. Intra agency/Transnational cooperation and coordination on maritime security and safety  
3. Regional maritime operational centers  
4. Fisheries and aquaculture  
5. Integrated maritime tourism and leisure strategy for Africa  
6. Environmental crimes  
7. Flag state and port state control

**AIM Strategy Trade and Competitiveness/ what strategy hopes to achieve?**
1. Continental free trade areas  
2. Pan Africa owned shipping line  
3. Industrial benefits policy  
4. Integrated coastal area management plans

**What regimes will exist in realization of the strategy?**
1. Harmonize legal regimes and push for ratification of relevant instruments  
2. Put in place legal framework for prosecution

**How to market the strategy (Outreach Initiatives)**
1. Pan Africa “no more sea blindness” campaign  
2. Annual maritime security and development conference  
3. Observance of world oceans day  
4. Racing events at community, national and regional levels
AIM Strategy Representation at Global level (How to market the strategy abroad)
   1. Participate in International Forum

How to finance Strategy
   1. AU full-fledged department of oceans and seas affair
   2. Inter-agency committees
   3. African naval architects and marine engineers forum
   4. 2050 AIM strategy Capital Fund
   5. African school of champions

Monitoring and evaluation
   1. Strategy reviewed every 3 years
   2. Focal points at national and regional levels
   3. Steering Committee
   4. African Monitoring and Reporting Tool

For the strategy to work the member states must have political good will.
When we talk of maritime security, it includes inland waters and rivers and lakes. One of the major drawbacks to maritime development has been corruption. Africa has certain norms which guide African diplomacy in the conduct of its international affairs.

**Thematic pillars for regional collaboration**
1. Delivering national and regional training
2. Enhancing national legislation
3. Information sharing
4. Building counter piracy capacity

**Regional Bodies**
1. INTERGOVERNMENTAL AUTHORITY FOR DEVELOPMENT (IGAD); Has developed maritime policies like IGAD fisheries strategy, Regional environmental policy and IGAD Environmental and natural resources strategy
2. SOUTHERN AFRICA JOINT SURVEILLANCE PATROLS
3. Maritime Organization of West and Central Africa (MOWCA) AGREEMENT
4. Regional strategy against piracy and for maritime security in Eastern and Southern Africa and the Indian Ocean
5. Sea Power Symposium for Africa

The key for this week’s presentations is to raise awareness and begin to raise together the solutions in maritime.
International Convention on the safety of life at Sea, 1973 (SOLAS)
Has special measures to enhance maritime security. Security has been designated into three levels; level 1, 2 and 3. When there is an imminent attack or an attack has happened security is raised to level 3. Level 2 is when you suspect there is danger. Level 1 is when everything is well. Port States sets their security levels and vessels also set their security levels.

Roles provided for by SOLAS
1. Obligations of contracting governments with respect to security.
2. Requirements for companies and ships; Comply with SOLAS and ISPS Code.
3. Specific responsibility for company
4. Control of ships intending to enter a port of another contracting government.
5. Equivalent security arrangements.

International Ship and Port Facility Code. (ISPS Code)
It’s a product of Chapter 11(2) of SOLAS Convention. It’s divided into two parts;
1. Part A Maritime requirements
2. Part B Guidelines to implement part 1

Objectives of the code
1. Establish an international framework involving co-operation between Contracting Governments, Governments agencies, local administrations and the shipping and port authorities to detect security threats and take preventive measures
2. Establish respective roles and responsibilities of the contracting governments, government agencies, local administration, shipping and port industries
3. Ensure early and efficient collection and exchange of security related information
4. Provide methodology for security assessments so as to have plans and procedures to react to changing security levels
5. To ensure confidence that adequate and proportionate maritime security measures are in place.

Key Provisions
1. Application
2. Responsibilities of contracting governments; Set security levels, provide guidance for protection from security incidents, accredit agencies to conduct security assessments, approve security plans, test effectiveness of the ship or the port facility security plans, or of amendments to such plans. Get Declaration of security for the vessels or port when all ISPS code requirements have been met.
3. Obligations of the Company; ensure the ship security plan contains a clear statement emphasizing the master’s authority.
4. Ship Security; A ship is required to act upon the security levels set by the flag or port state, notification
5. Ship security assessment
6. Ship security plan
7. Ship Security personnel
8. Training, drills and exercises on ship security

Port Facility Security; Port Facility Assessment, Port Facility Security Plan, Port Facility Security Officer.

**Verification and Certification for ships;** International Ship Security Certificate (ISSC) is valid for 5 years. Interim ISSC is valid for 6 months and is issues when the vessel will be on voyage when the certificate lapses.

**International Convention on the Standards of training, certification and watchkeeping for seafarers. (STCW)**

Maritime training has certificate of competency which gives one their job title and a certificate of proficiencies notes that one has attained special competencies and are able to carry out certain duties. To get a certificate of proficiency, one must attain a certificate of competencies.

**MODULE 1.8; NATIONAL FRAMEWORK**

**FACILITATOR; BROWNE NATHANS**

**EXISTING INITIATIVES, BENEFITS AND CHALLENGES – REGIONAL MARITIME RESCUE COORDINATION CENTRE MOMBASA (RMRCC)**

**FACILITATOR; NICHOLAS TSUMA MUNGA**

Came into operation in May 2006. It work is to; monitor distress frequencies and assist in search and rescue. It cover Kenya, Somalia, Dar- salaam and Tanzania

What does the RMRCC do?
1. Serves as a channel of communication
2. Global maritime distress and safety system (GMDSS)
3. Information sharing system center

**New Insights to personally research**
1. Brief on Centre of Excellence
It’s a non-governmental organization. It’s spearheaded by Bandari College and Kenya Ports Authority. It deals with issues of counter terrorism and addressing issues of smuggling and piracy.

2. Lake 94 has just emerged in Baringo.
3. Ilemi Triangle

Recommendations
1. Build up on data in the maritime domain to enable better way forward in coming up with best strategists.
2. Have demand driven research in maritime security to be able to capture all areas of the maritime domain.
3. Do not operate in isolation. Share out the knowledge and experiences.
4. Ensure the policy makers and ourselves appreciate that the maritime domain has not been fully explored and if invested in will bring more returns to a country.
5. Develop modules for areas in the maritime domain that have not been tapped into. E.g. Ship Building and Construction,
6. Be bold and have an overhaul of the existing laws and have provisions for the maritime sector. E.g. NEMA, ECCMA
7. Shy away from the normal way of doing things through sessional papers and policy frameworks and instead get our hands dirty and physically do the job.
8. Engage the private sector in the sector.
9. Develop modalities for implementation of joint surveillance and patrols within and between the states.