
3rd Regional Ministerial Meeting for Promoting Maritime Safety and Security in the Eastern and Southern Africa and Indian Ocean Region (ESA-IO)

The Djibouti Declaration on Maritime Safety and Security in ESA-IO from the ESA-IO Ministers and High Representatives

Djibouti, 15th May 2016

A. Preamble

The ESA-IO Ministers and High Representatives of the Republic of Djibouti, Union of Comoros, Republic of Kenya, Republic of Madagascar, Republic of Seychelles, Federal Government of Somalia, Federal Democratic Republic of Ethiopia met in Djibouti on the 15th May 2016.

In attendance are the ESA-IO Regional Organisations, namely Common Market for Eastern and Southern Africa (COMESA), Intergovernmental Authority on Development (IGAD) and Indian Ocean Commission (IOC). Southern Africa Development Community (SADC) and Port Management Association for Eastern and Southern Africa (PMAESA) attended the Meeting as observers. In addition, other organisations were also present: European Union, International Maritime Organization, African Maritime Safety and Security Agency (AMSSA).

The 3rd ESA-IO Ministerial Meeting for Promoting Maritime Safety and Security adopted the “The Djibouti Declaration on Maritime Safety and Security in ESA-IO Region” that identify key priorities and pave the way for a long term maritime safety and security and for sustainable development in the region.

B. Context

1. **Noting** that maritime insecurity linked to piracy encouraged States of the region and the International Community having major interest at stake to contribute to actions against piracy and for maritime security in the ESA-IO region.
2. **Commending** the UN Security Council for Resolution 1851 on 18th December 2008 where it encouraged “all States and regional organizations fighting piracy and armed robbery at sea off the coast of Somalia to establish an international cooperation mechanism to act as a common point of contact between and among states, regional and international organizations on all aspects of combating piracy and armed robbery at sea off Somalia’s coast”.
3. **Appreciating** the effectiveness of the Contact Group on Piracy off the Coast of Somalia (CGPCS), a major cornerstone of the response established following the UN Resolution 1851, and **noting** however that the number of challenges and issues that require attention have been reduced.
4. **Reaffirming** that the African Union’s 2050 Africa Integrated Maritime Strategy (AIMS) gives a strong basis for maritime safety and security and for a sustainable blue economy and **agreeing** that the ESA-IO Regional Organisations shall contribute to the effective implementation of this continental Strategy.

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5. **Considering** that the ESA-IO Regional Strategy and Plan of Action against Piracy and on Maritime Security at the 2nd Ministerial Meeting held in Mauritius on 7th October 2010 provided an excellent framework for the countries in the region and Regional Organisations to provide their response, individually and collectively, and **recalling** the Joint Communiqué of this 2nd Ministerial Meeting.
 6. **Reminding** the principle of cooperation against piracy that prevailed at the signature of the **Djibouti Code of Conduct** in 2009 regrouping 21 countries of the Western Indian Ocean and of the Gulf of Aden, and **recalling** that the Djibouti Code of Conduct took into account and promoted amongst other things the implementation of relevant UN resolutions.
 7. **Acknowledging** the significant progress in the implementation of the 2010 ESA-IO Strategy by the Member States, the ESA-IO Regional Organisations (**COMESA, EAC, IGAD and IOC**) with the support of the International Community, particularly the European Union (EU) funder of the MASE Programme.
 8. **Reaffirming** the value-addition of the ESA-IO Regional mobilization, and some major achievement such as the setting up of regional information sharing centres and operational coordination centres under the MASE Programme and the Djibouti Code of Conduct.
 9. **Noting** that the threat of piracy in the region persists despite the drastic diminution of acts of piracy **and** the fact that no large scale piracy attack was successful since 2012, and **underlining** that the ESA-IO Region is at the crossroads in terms of counter-piracy response in the Horn of Africa, in particular regarding the reduction of the involvement of the International Community in counter-piracy.
 10. **Recognizing** that current capacity building projects under the Djibouti Code of Conduct's, training activities including the Djibouti Regional Training Centre (DRTC) and UNODC's Indian Ocean Maritime Crime Forum. Also recognizing the Crimario, MASE and EUCAP Nestor EU-funded projects, or, that participate to capacity building in addressing maritime security more broadly.
 11. **Noting** that ESA-IO States are taking key policies and measures to build up their maritime capability with the support of Regional Organisations.
 12. **Recognizing** the need to combat all forms of maritime threats and crimes such as, amongst others, IUU fishing, toxic dumping, human trafficking, drug smuggling...
 13. **Noting** the particular case of Somalia where priority actions were taken and planned. **Taking note** that the National Threats Assessment was undertaken and shared with regional States in December 2015. **Noting** the finalisation of the National Security Policy by the Deputy Prime Minister and **acknowledging** that, regarding Maritime Governance in Somalia, the Maritime Security Coordination Committee (MSCC) supported by MASE Programme has been established and agreed by the Council of Ministers while the maritime administration has been established and Coast Guard Laws promulgated. **Noting** that much work has been initiated for the establishment of maritime law enforcement, maritime security and safety, maritime response and recovery, and maritime economy.
 14. **Acknowledging** that the 2010 ESA-IO Strategy enabled Regional Organisations and Member States with a comprehensive framework for capacity building and information exchange to address piracy and maritime security in the immediate, short, medium and long-term, and allowed for the promotion of intra-African and international partnerships and regional cooperation, the protection of sovereignty, countering criminality across the sea and associated infrastructure, and ensuring environmental governance.

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15. **Noting** in particular that the 2010 ESA-IO Strategy:
- a. Enabled resource mobilization, human resources development, action against money laundering, and development of harmonized legislation, procedures and instruments for dealing with piracy.
 - b. Enabled COMESA to promote regional cooperation for combatting money laundering and illicit financing activities, building capacity of Financial Intelligence Units, Law Enforcement Agencies and supporting the development of laws and regulations;
 - c. Enabled EAC to strengthen Criminal Justice Systems, capacity for capture, arrest, detain, investigate, prosecute and imprison convicted pirates; and strengthen the capacity of the States and its institutions and all the stakeholders to address crimes related to piracy.
16. **Acknowledging** SADC's Region contribution to curb maritime threats and other manifestations through the adoption of a Regional Maritime Security Strategy and Action Plan as well as a recently adopted Regional Anti-terrorism Strategy.
17. **Acknowledging** the work of PMAESA Member Countries which contributes to maritime safety and security and protection of environment is called upon to collaborate and contribute to the ESA-IO Strategy.
18. **Reiterating** the need for the ESA-IO region to strengthen its capacity to combat illicit financial crimes that relate to piracy and other transnational crimes, and **aware** that financial incentives are the propagating factors in maritime financial crimes.
19. **Appreciating** efforts made by COMESA to support the Member States to comply to the standards set up by the Financial Action Task Force and to strengthen the capacity of the Financial Intelligence Units and Law Enforcement Agencies to ensure that systems and structures are in place to identify, investigate and prosecute money laundering crimes, and **noting** that such efforts will effectively reduce the ability of the criminals and also reduce their incentive.
20. **Noting** that the IGAD Integrated Maritime Strategy 2030 and its associated Implementation Action Plan has been validated in December 2015.
21. **Appreciating and acknowledging** the contribution of the US-led Combined Maritime Forces, the NATO's Operation Ocean Shield and the EU's EUNAVFOR Atalanta in curbing down piracy.
22. **Appreciating** the commitment of International Partners in supporting the National and Regional actions in the ESA-IO Region, such as European Union, International Maritime Organization, EUCAPNESTOR, UNODC, Interpol, Food and Agricultural Organisation...

C. Decisions

The Ministers and High Representatives participating at the 3rd ESA IO Ministerial Meeting

1. **Reaffirm** the importance of the region to take responsibility for the protection of its waters, including against IUU Fishing and dumping of toxic materials.
2. **Reiterate** their political commitment to combat all forms of maritime crimes and to address safety actions at sea issues.
3. **Reaffirm** their commitment to support the implementation of the Regional Organisations' Maritime Strategies in line with the AU 2050 AIMS and AU Maritime Transport Charter.
4. **Reaffirm** their support to the ongoing programmes and activities which contribute to enhance national and regional capabilities.

And,

Concerning piracy

5. **Call upon** the International Community to review the CGPCS mandate to consider including other maritime security threats and transnational organized crimes, in particular fishery related crimes, while maintaining the current regional focus on Somalia, Horn of Africa and the Western Indian Ocean region. **Call upon** the UN and the International Community to continue capacity building of the Federal Government of Somalia Institutions and its regional States to address the root causes of piracy and other maritime crimes.

And,

Moving beyond piracy to address all forms of maritime threats and crimes

6. **Support** the extension of the mandate of the Djibouti Code of Conduct.
7. **Recognize** the IGAD 2030 Integrated Maritime Strategy as one of the pillars contributing of the ESA-IO maritime security architecture.
8. **Call upon** the AU for the establishment of an ESA-IO regional Strategy for the operationalisation of the AIMS, while taking into consideration the global maritime security initiatives and capacity building actions including the speedy transfer of best practices, lessons learned and ideas.
9. **Call upon** the ESA-IO Member States to continue contributing to the full involvement of the Federal Government of Somalia to the wider regional integration processes including the establishment of regional VMS, regional mechanisms and tools for IUU fishing
10. **Invite** the International Community to support the regional maritime capability and participate in the establishment of the Regional Maritime Surveillance Mechanism under the EU-funded MASE Programme through the operationalisation of the Regional Maritime

Information Fusion Centre in Madagascar and the Regional Coordination Operational Centre in Seychelles

11. **Recommend** that a national maritime information fusion Centre and a national Centre for operations at sea are established in Somalia.
12. **Recommend** ESA-IO Member States to continue building national maritime capability towards a regional minimum capability in the short, medium and long term.
13. **Urge** the region to mobilize additional resources to support law enforcement since criminal financial activities can only be effectively addressed if all relevant stakeholders are adequately capacitated in an environment where the investigation, prosecution and asset recovery capacity is relatively low.
14. **Urge** COMESA and the ESA-IO Regional Organisations to extend the capacity building to some inland countries to ensure that the crime does not move inland and thus reduce any gains made since financial crimes transcends international borders.
15. **Recognize** the link between the inland waterways and the maritime facades of the ESA-IO Region in line with the definition of the AIMS 2050.

Way forward

16. Building on the 2050 AU AIMS and the AU Charter on Maritime Transport as well as the current achievements of the MASE programme, , **the Ministerial Meeting agrees** to move towards an ESA-IO sustainable development region by establishing a maritime safety and security architecture, and **recommends** the elaboration of a new comprehensive and integrated ESA-IO strategy for Maritime Safety and Security that focus on technical capacity building on the following five pillars:
 - Maritime Governance and Regulation
 - Maritime Safety, Security and Judicial/Financial Review
 - Maritime Blue Economy and Critical Maritime Infrastructures
 - Maritime Human and Technical Resource Development
 - Marine Environmental Protection and Sustainable management.

Adopted on 15th May 2016, in Djibouti.