

## RESEARCH ARTICLE

# Sovereignty and Transnational Cooperation in the Gulf of Guinea: How a Network Approach can Strengthen the Yaoundé Architecture

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Based on the worrying development of blue crime in the Gulf of Guinea, this paper examines transnational cooperation in the Yaoundé Architecture and ways to strengthen it. It argues that the Architecture consists of independent states that are hesitant to delegate sovereignty but forced to cooperate because blue crime is inherently transnational and therefore requires transnational responses. For these reasons, the Architecture resembles a network with independent participants, who must cooperate to achieve a common goal, and structural and social control elements meant to overcome coordination problems. Nevertheless, these elements need improving to strengthen cooperation in the Architecture, and by extension, efforts in fighting blue crime. The paper suggests ways in which the Architecture can be strengthened by including commercial actors and international partners in the network, streamlining the roles of structural elements, ensuring a better exchange of information, and implementing agreed measures. This paper is relevant to scholars and practitioners interested in the Yaoundé Architecture and maritime security responses in the Gulf of Guinea.

**Keywords:** Gulf of Guinea; Maritime Security; Sovereignty; West Africa; Network organisation; Yaoundé Code of Conduct; Blue Crime; Piracy; Transnational Cooperation; Network

## Introduction: The Persistence of Blue Crime in the Gulf of Guinea

Whereas piracy has become much less common in East Africa in recent years, the same cannot be said for the continent's West Coast, which has now become the world's number one piracy hotspot (BBC News, 2019). With 90%–95% of global crew kidnappings at sea taking place in the Gulf of Guinea, 2019 and 2020 saw bleak prospects for getting rid of piracy in the region. It is now known as the most dangerous maritime domain in the world with no improvement in sight (Ali & Benning, 2020; ICC Commercial Crime Services, 2021; The Maritime Executive, 2020).

The number of piracy incidents has been hard to ascertain, and underreporting means that official statistics may not reflect realities. As the problem of underreporting is being reduced, an increase in the statistical incident rate may not reflect an actual or dramatic increase in attacks (Siebels, 2020b). However, current trends suggest that attacks are becoming more sophisticated, and the recent attack on the Mozart exemplifies this. The attack on the Turkish-operated and Liberia-flagged container vessel led to a rare fatality, and during the six-hour attack, the assailants managed to breach the ship's citadel, the safe room in which crew members seek refuge during an attack, and kidnap 15 crew members (MarineTraffic, n.d.; The Maritime Executive, 2021).

The Gulf of Guinea is an interesting case of transnational cooperation, as the widespread interest in and attention to fighting blue crime (especially piracy) coupled with some foreign capacity-building initiatives (and limited naval presence) raises interesting questions on the importance of sovereignty and transnational cooperation in and beyond Africa. Comparing the cases, West Africa differs from East Africa in at

least three ways.<sup>1</sup> First, East Africa is characterised by relatively few states with long coastlines vis-à-vis West Africa, which has numerous states with relatively shorter coastlines (Okafor-Yarwood et al., 2021; Siebels, 2020a). This means that transnational cooperation involves more countries, which adds to its complexity. The second factor relates to the issue of sovereignty. While the internationally recognised government of Somalia consented to the United Nations Security Council resolutions regarding piracy, West African states prefer less direct modes of international engagement (Okafor-Yarwood et al., 2021). The third factor concerns private security personnel on ships. While they played a key part in the anti-piracy response in East Africa, their presence within the territorial waters of West African nations is generally not tolerated (Siebels, 2020a, p. 106). This highlights the sensitivity and importance of state sovereignty in West Africa.

This worrying development continues seven years after 25 West and Central African states signed the *Yaoundé Code of Conduct* (YCC)(2013) and established the transnational cooperation mechanism known as the Yaoundé Architecture. However, the persistence, expansion, and flexibility of piracy in the Gulf of Guinea suggest that the transnational cooperation mechanism is flawed. This paper argues that the issue of sovereignty sets limits for what transnational cooperation can achieve. These concerns have narrowed the potential scope of transnational cooperation and delayed implementation of the YCC. It also illustrates why it would be difficult to expand the scope of transnational cooperation in terms of giving the Architecture more authority. In this context, this paper raises and answers the following research question: *How can cooperation on fighting blue crime within the Yaoundé Architecture be strengthened?*

This paper draws inspiration from Anna Herrhausen's (2007) analysis of basic organisation forms. The Yaoundé Architecture resembles a network in terms of its organisational setup, as the participants are independent actors with a common problem. This approach is useful as it recognises and respects the sovereignty of the YCC signatory states and at the same time provides a mechanism for handling the common problem of blue crime. Networks solve problems through social control elements and through structural elements (Herrhausen, 2007). The Yaoundé Architecture has created several organisations to help the network coordinate (structural elements), but their roles are not clear and may be overlapping. Social control elements (common culture and education, among other things) also need revision: Increasing and intensifying bonds on an organisational and individual level can strengthen the Yaoundé Architecture.

Furthermore, lack of implementation and funding of the YCC along with a trust deficit between commercial maritime actors and the Architecture also impede effectiveness. In sum, the advantage of considering the Yaoundé Architecture as a network is its ability to guide the member states towards avenues of improving the structure, while keeping in mind that an expansion of the YCC mandate is unlikely to take place. As the paper focusses on the Yaoundé Architecture specifically, it omits analysis of the contribution of the international community.

Transnational cooperation is necessary for fighting blue crime, because maritime security issues are transnational (Till, 2018, p. 283) and cross-jurisdictional (Bueger & Edmunds, 2017), and because the sea is communal (Jacobsen & Larsen, 2019, p. 1038). In other words, an instance of blue crime is seldom limited to a single state. For example, the issue of piracy in the Gulf of Guinea is said to originate in Nigeria's Niger Delta region, although the piracy act itself often takes place within and beyond marine spaces under another state's jurisdiction (Ali, 2015; Hasan & Hassan, 2016).<sup>2</sup> Without transnational cooperation, anti-blue crime efforts become a game of whack-a-mole (Interview #2, 2020). Increasing efforts against blue crime in one state lead to the relocation of criminal activity to another, as observed in the Gulf of Guinea, where pirates have proved adaptable and flexible. For instance, counter-piracy efforts in Nigeria have increasingly led to a geographical as well as a substantive change in pirates' modus operandi. Geographically, attacks have increasingly taken place further out at sea or along the coast of neighbouring countries. Substantively, when international oil prices dropped, pirates began shifting their focus from stealing oil to hostage-taking (Ali & Benning, 2020; Hassan & Hasan, 2017).

To answer the research question and identify current issues within the Yaoundé Architecture, this study has drawn on academic literature, official sources, and news articles as empirical sources along with nine semi-structured, open-ended interviews with various stakeholders in, around, and outside the Architecture. The empirical material provided a nuanced picture of the strengths, weaknesses, and prospects of the Architecture. Interviewees were selected to include different viewpoints on the Architecture, along with a snowballing sampling strategy to reach more potential interviewees (Lynch, 2013). The interviewees' experience and organisational affiliation differ, reflecting a broad view of the Architecture. Three interviewees

<sup>1</sup> This list is not exhaustive, but illustrates some central differences between the regions.

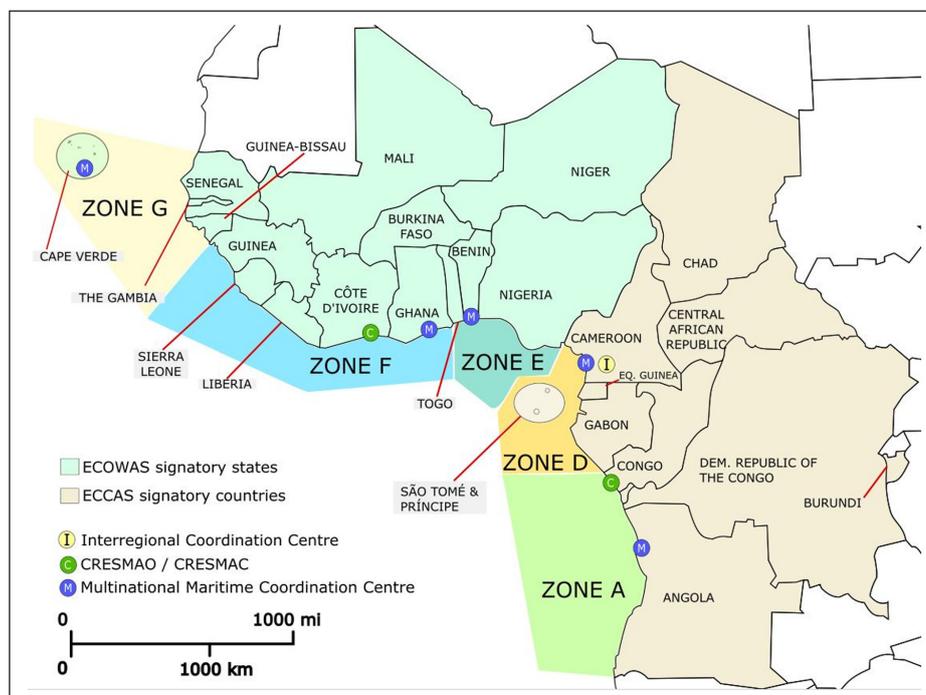
<sup>2</sup> For a definition of marine spaces under and beyond national jurisdiction, see Tanaka (2012, p. 9).

hold or have held positions within the Yaoundé Architecture and thus contributed with insights from the Architecture. They were selected to cover several organisations in the Yaoundé Architecture. One interviewee is an expert on maritime security in the Gulf of Guinea and was selected to gain insight into the Architecture, its political context, as well as limitations and prospects of the YCC. Three interviewees are officers representing views from the international community (the European Union) and a donor country (Denmark), which provided outside perspectives on the structure. The remaining two have a background within the shipping industry. The experience of most interviewees originates from a country or institution in the ECOWAS region. However, the findings reflect general observations and issues with the Yaoundé Architecture not isolated to this particular region. The interviews were conducted in the period from June to September 2020 and provided current and detailed accounts of obstacles to effective cooperation. Furthermore, the author's observations and experiences from various conferences, workshops, and seminars have been utilised both as a contextual understanding of the Architecture as well as a guide for asking relevant follow-up questions.

## The Yaoundé Code of Conduct and Its Architecture

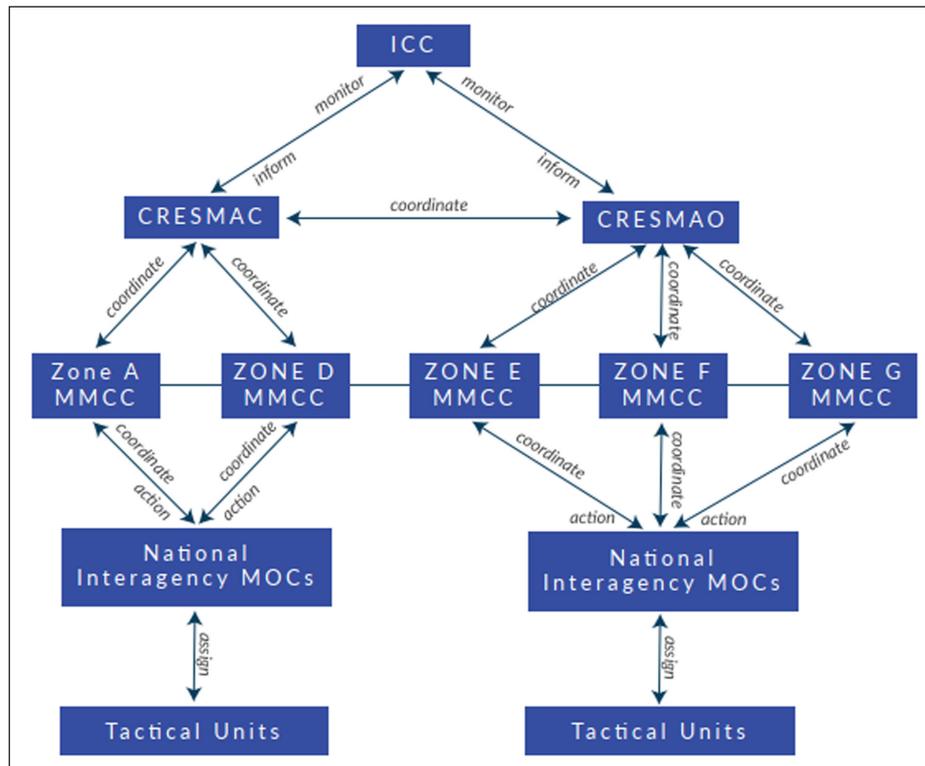
As a response to blue crime in the Gulf of Guinea, 25 West and Central African countries came together in 2013 to sign the Yaoundé Code of Conduct (YCC), and with it, establish the inter-regional Yaoundé Architecture. The YCC describes the signatory states' intent to 'co-operate to the fullest possible extent in the repression of transnational organized crime'.<sup>3</sup> This paper refers to transnational, organised crime as *blue crime*, because it is a broad term that encompasses many forms of criminal activity and aligns well with the YCC's definition. Examples include crimes committed at sea (e.g. kidnap and ransom, theft, stowaways, crime against maritime trade), crime across the sea (e.g. various types of smuggling/trafficking), and crimes in the sea (especially Illegal, Unregulated, and Unreported [IUU] fishing) (Bueger & Edmunds, 2020). In the light of the term's broadness, it should be noted that the Yaoundé Architecture has been criticised for being too focussed on piracy vis-à-vis other forms of blue crime (Ukeje & Ela, 2013).

The Yaoundé Architecture consists of several organisations. **Figure 1** illustrates the signatory states of the YCC as well as the location of the various organisations it has created, while **Figure 2** provides a often-seen visualisation of the Yaoundé Architecture. At the national level, each signatory state must create a national



**Figure 1:** Signatory states, zones, and organisations of the Yaoundé Code of Conduct.

<sup>3</sup> In its article 1, the Code defines 'transnational organized crime in the maritime domain' as a) money laundering, b) illegal arms and drug trafficking, c) piracy and armed robbery at sea, d) illegal oil bunkering, e) crude oil theft, f) human trafficking, g) human smuggling, h) maritime pollution, i) IUU (Illegal, Unreported and Unregulated) fishing, j) illegal dumping of toxic waste, k) maritime terrorism and hostage taking, and l) vandalism on offshore oil infrastructure.



**Figure 2:** A hierarchical depiction of the Yaoundé Architecture (Okafor-Yarwood et al. 2020, p. 69).

maritime security committee tasked with coordinating national efforts to promote maritime security in the Gulf of Guinea. Besides this, the YCC specifies that signatories 'should designate a national focal point to facilitate coordinated, effective, and timely information flow among the Signatories' (Yaoundé Code of Conduct, Article 11). The focal points function as the national link to the rest of the Yaoundé Architecture and are placed in Maritime Operations Centres (MOCs). The paper refers to these as focal points.

As seen in **Figure 1**, each signatory state belongs to a zone, and all zones have a Multinational Maritime Coordination Centre (MMCC). The MMCCs are involved in the day-to-day operations and responsible for coordination between the focal points and the rest of the Architecture. As seen in **Figure 2**, it also constitutes the link to the regional coordination centres. They include the Regional Maritime Security Centres in West and Central Africa (CRESM): CRESMAO for the Economic Community of West African States (ECOWAS) and CRESMAC for the Economic Community of Central African States (ECCAS). The role of the CRESMs is less clear than that of the MMCCs. Their responsibilities include political oversight by the two economic communities, coordination between the MMCCs in their economic community, and creating and maintaining standard operating procedures. They do not take part in day-to-day operations of vessels and information sharing (Okafor-Yarwood et al., 2020). Neither does the Interregional Coordination Centre (ICC) located in Yaoundé, Cameroon. The ICC binds the West and Central African regions together through harmonisation and standardisation through training, education, and standard operating procedures, although its role is also politically sensitive and not well defined (Interview #1, 2020; Interview #3, 2020; Interview #5, 2020; Interview #7, 2020).

### National Sovereignty and Political Authority

Signatory states' reluctance to compromise on sovereignty is a sensitive topic with ramifications for the Yaoundé Architecture. Some observers argue that while the Yaoundé Architecture is a good starting point for transnational cooperation, it has limited utility. The significance of state sovereignty is visible in the YCC. For example, it is unbinding (article 19), disallows hot pursuits into territorial waters of a state unless a liaison officer of that state accompanies the vessel (article 9), omits provisions regarding extradition, and no multinational exercise of jurisdiction is allowed (article 2). It has been criticised for being too considerate of signatory states' unwillingness to hand over sovereignty to the transnational structure (Jacobsen & Nordby, 2015, pp. 38–39; Ukeje & Ela, 2013, p. 44) and for not being legally binding (Hassan & Hasan, 2017). This means that the Yaoundé Architecture does not have any capacities, forces, or assets on the sea

on its own, because the signatory states are not willing to provide these capacities directly to the Architecture. Signatory states are thus responsible for responding to instances of maritime crime.<sup>4</sup> However, states in the Gulf of Guinea generally lack maritime platforms, and navies and coast guards are generally deprioritised vis-à-vis their respective armies (Ali, 2014, 2015; Hassan & Hasan, 2017; Okafor-Yarwood et al., 2020). While some states possess more platforms than others, the Yaoundé Architecture does not automatically ensure that less resourceful states receive support. As one interviewee put it, only Nigeria can respond to blue crime incidents 120 nautical miles (nm) out, which is problematic in a setting where pirates have shown the capability to attack vessels 240 nm from the coast (Ali & Benning, 2020; Interview #1, 2020). The Yaoundé Architecture does not address this capacity and capability gap, and the YCC signatory states are solely responsible for their own maritime enforcement. International capacity-building efforts could contribute to addressing the gap, and the Architecture's ability to function as a point of entry is also highlighted as one of its key strengths (Okafor-Yarwood et al., 2020). It is also possible that an international naval presence could help close the gap, as it did in East Africa, but this raises issues of national sovereignty, which makes West African states reluctant to accept it (Okafor-Yarwood et al., 2021). For an international naval presence to contribute to closing the capacity gap, it is necessary first to identify a mechanism that may allow this, while also addressing concerns of sovereignty. The Architecture's possible contribution to this is discussed later.

The Architecture is also limited when it comes to legal frameworks for prosecuting blue crime, which is based on adaption and harmonisation of international law into national legislation. For instance, only a few countries in the Gulf of Guinea have ratified standout legislation criminalising piracy (Bisson, 2019; UNODC, 2019), which partly explains why so few piracy suspects have been tried at court. The Yaoundé Architecture is criticised for not doing much to address these shortcomings on the national level (Hassan & Hasan, 2017, p. 38; Jacobsen & Nordby, 2015, pp. 17–19). It does not provide a legal framework, and it cannot force YCC signatory states to adapt existing international law. Another criticism of the Architecture relates to the so-called root causes that enable and lead to blue crime. Root causes include poverty, corruption, loss of livelihoods, and environmental devastation, among others, which intertwine with blue crime and maritime security (Ali, 2014; Hasan & Hassan, 2016; Hassan & Hasan, 2017; Herpolsheimer, 2018; Ifesinachi & Nwangwu, 2015; Jacobsen & Nordby, 2015; Ukeje & Ela, 2013). The argument is that dealing sustainably with blue crime requires a broad focus beyond immediate security issues, which the Yaoundé structure does not have.

Anti-blue crime responses are inherently dependent on states, and the weaknesses highlighted above set limits to what transnational cooperation can achieve. Nonetheless, transnational cooperation remains paramount for combatting blue crime, and despite the limitations, the Architecture can facilitate such cooperation. It creates a platform for seamless information sharing, it holds the potential for harmonising anti-blue crime responses, and it may enable joint patrols and action. In this way, the Yaoundé Architecture can act as a force multiplier by enabling transnational cooperation.

A recent report from Stable Seas concluded that the Yaoundé Architecture is the most promising international cooperation instrument in the Gulf of Guinea (Okafor-Yarwood et al., 2020). They concede that a critical challenge with the structure relates to the degree of political willingness from the signatories to engage in it. However, like Kamal-Deen Ali (Ali, 2014), they note that two main factors inhibit cooperation: the political authority of the framework and the degree of sovereignty signatory states must yield (Okafor-Yarwood et al., 2020). The effectiveness of transnational cooperation mechanisms depends on sufficient political authority. Political authority can only be achieved if the proposal does not demand a too big relinquishment of sovereignty. Okafor-Yarwood et al.'s optimistic assessment of the Yaoundé Architecture springs from this notion. The Architecture has a sufficient degree of political authority because heads of state accepted it, which was only possible because the YCC is not legally binding and therefore does not encroach on state sovereignty. This also means that the structure:

'does not require governments to take additional steps in order for personnel at the working level to make things happen. Under the Yaoundé Code, an MOC (Maritime Operations Centre, inserted by author) director in one nation can arrange a communication exercise with another MOC or request information from a neighbor about a suspect ship without going through lengthy political channels.' (Okafor-Yarwood et al., 2020)

<sup>4</sup> An alternative scenario where vessels belong to a transnational institution will raise jurisdictional questions. For an example involving MOWCA, see Ali (2015a, p. 324).

The Yaoundé Architecture can function without the need for constant political approval, because its scope and ambition are limited to interactions between states without any perceived trespassing on sovereignty. Any expansion of its mandate is likely to be politically sensitive. Even if an expansion was signed off, the chances of implementation are few at best, as with some of the YCC's more expansive predecessors.<sup>5</sup> While addressing root causes is irrefutably important to stop blue crime in the long term, it requires a comprehensive, costly, and time-consuming foundation. Compared to this forecast, the current Yaoundé Architecture provides a foundation for transnational cooperation in the short term. What the Yaoundé structure sets out to do – coordinate transnational anti-blue crime responses in the Gulf of Guinea – is doable within the current framework. While it is not a substitute for state capacities, the structure can also help maintain awareness on the importance and challenges of the maritime domain. In sum, while the Yaoundé structure is not perfect, it can still be a useful platform for organising transnational cooperation on fighting blue crime.

### Conceptualising the Yaoundé Architecture as a Network

In order to look into ways of strengthening the Yaoundé Architecture, it is first necessary to understand and conceptualise what type of organisation the Yaoundé Architecture is. Conceptualisation has ramifications for which measures are useful for strengthening it, because a particular understanding of how the Architecture is supposed to work also directs attention to potential shortcomings and ways of addressing them. According to Anna Herrhausen (2007), organisation theory operates with three basic organisation forms: hierarchies, markets, and networks, and they are all archetypes of how best to conduct coordination (Herrhausen, 2007, p. 6). Coordination is 'the act of bringing different elements in a system into alignment' (ibid.). This is done in order to minimise 'duplication of services by multiple provider agencies while increasing the probability that all essential services are provided somewhere in the system and that clients will have access to these needed services' (ibid.; Provan & Milward, 1995, p. 3).

In a hierarchy, coordination is achieved through relationships between subordinate and superior actors; the superior ensures coordination by directing or ordering the subordinate entities to do specific things. In markets, coordination is the non-intended consequence of free-market price mechanisms, and networks emerge when several actors interact over time and certain hierarchical elements are introduced to help overcome coordination problems (Herrhausen, 2007, pp. 7–9). The market ideal type is not relevant in this context, as it conflicts with core tenants of the Yaoundé Architecture. Information (sharing) is not easily quantifiable (required for the market ideal type to be useful), coordination is *intended* (as opposed to non-intended in a market), and the nature of blue crime makes the actors interdependent (even if the states are independent and sovereign).

The hierarchy ideal type is not a practical understanding of the Yaoundé Architecture either. Hierarchies deal with conflict through mechanisms of command by a superior entity which aligns participants (Herrhausen, 2007, p. 10). This does not characterise the Yaoundé Architecture, and the illustration in **Figure 2** can therefore seem misleading. As previously discussed, the states are sovereign and reluctant to hand over authority. Even potential joint patrols happen on the premises of signatory states' national capacities and legal frameworks. Because the CRESMs and the ICC do not have command and control authority, their contribution to the Architecture is very unclear in a hierarchical perspective. They are not 'superior headquarters in a chain of command, and national focal points and MMCCs do not need either support or permission from the CRESMs to plan and execute patrols or respond to incidents' (Okafor-Yarwood et al., 2020). Conceptualising the Architecture has the added benefit that it offers a way to understand the role of these organisations. Additionally, coordination in the Yaoundé Architecture is not impersonal, as it would be in a hierarchy (Herrhausen, 2007, p. 7), but depends to some extent on personal relations between people in the Architecture (Interview #8, 2020). Individual and institutional bonds between actors are furthermore assumed to exist automatically, but this is not always the case, as official channels are sometimes unavailable or unresponsive, and communication can take place through personal connections established through training (Interview #8, 2020).

### *The Yaoundé Architecture as a Network*

The Yaoundé Architecture resembles a network because it fits with the characteristics of this organisation form. The sections below highlight three important dimensions of a network: participants, structural elements, and social control elements.

<sup>5</sup> For example, see Kamal-Deen Ali's remarks on MOWCA (Ali, 2014).

### Participants in a Network

The participants in a network are independent of each other (Herrhausen, 2007, p. 8). This aligns with the fact that the states in the Architecture are protective of their national sovereignty, that their focal points are not subordinate to the rest of the Architecture, and that they do not need to ask permission from it (Herrhausen, 2007, p. 12).<sup>6</sup> This enables the focal points to bypass lengthy political processes, which is one of the strengths of the Yaoundé Architecture (Okafor-Yarwood et al., 2020). A network requires interdependent actors who are aware of their interdependence (Herrhausen, 2007, pp. 9, 18). Without interdependence, there would not be a reason for the network to exist. As fighting blue crime is a transnational matter, the states are per definition interdependent. The states have realised this and therefore agreed on the YCC. This acceptance of a common goal is why the network exists in the first place and why it endures over time (Herrhausen, 2007, pp. 9, 18). Furthermore, any handover of authority in a network happens voluntarily (Herrhausen, 2007, p. 28). This is also true of the Yaoundé Architecture, as it was created by the signatory states themselves who have been selective and careful in delegating responsibility to the Architecture. Operating on the principle of actor equality, networks develop unique ways of overcoming coordination problems. Herrhausen identifies two mechanisms that keep the network together through dispute and conflict resolution: structural elements and social control elements (Herrhausen, 2007, pp. 26–30).

### Structural Elements

Networks can introduce a hierarchical element to overcome coordination difficulties or conflicts (Herrhausen, 2007, p. 9), which arguably makes networks more effective (Herrhausen, 2007, pp. 26, 29; Provan & Milward, 1995). In the Yaoundé Architecture, these structural elements are the MMCCs, the CRESMs, and the ICC. The signatory states have voluntarily delegated authority to these organisations, and they have no power to force compliance. They find themselves in a privileged position vis-à-vis the focal points, because they are 'first among equals' as they have more ties with other actors in the network (Herrhausen, 2007, pp. 28–29). Coordinators are tasked with sharing information, contributing to solving disputes between network members, and incentivising desired behaviour (Herrhausen, 2007, pp. 26, 28). They are also repositories for social control, as they engage in shaping and reinforcing culture (Herrhausen, 2007, p. 29). Finally, another important coordinator task is maintenance of standardisation in the network and thus helping actors work together despite differences in language, operating procedures, and so forth (Herrhausen, 2007, pp. 26–27). This is particularly important, as the YCC comprises both English-speaking and French-speaking countries.

### Social Control Elements

Social control elements consist of at least four subelements (Herrhausen, 2007, pp. 20–25). Below we will focus mainly on the first two subelements, as they are deemed most relevant. The first subelement is what Herrhausen calls access restriction, which means that the total number of participants in the network is limited, making it easier to monitor and become familiar with other network participants. Thus, interaction is a 'repeated game' (ibid., p. 21) disincentivising actors to seek short-term gains in favour of stable long-term relationships. This safeguards exchanges in a network. This means that their interactions increase over time and actors develop an understanding of each other, which reduces the risk of misunderstandings or conflicts. The second subelement is organisational culture, which refers to shared ideas and values between actors in a network. Shared culture can serve as a social control element, as it determines desired behaviour. The third subelement, reputation, determines what trust others place in each actor. This might, for example, affect information sharing with an actor if he or she is believed to be unreliable. The last subelement is collective sanction which punishes transgression of the shared norms and goals by, for instance, ostracising the transgressor.

### Current Issues

The previous section has argued that the Yaoundé Architecture should be understood as a network consisting of independent actors – the states – who are working towards a common goal. The states have established the Yaoundé Architecture as a transnational network to combat blue crime. The next section applies the network approach to the Yaoundé Architecture to illustrate problems and ways to strengthen the network. Four distinct perspectives emerge: inclusion of additional participants, the role of structural elements, the role of social control elements, and further implementation.

<sup>6</sup> The focal points are certainly part of a national bureaucracy and hierarchy that might limit what focal points can do.

### ***Inclusion of Additional Participants***

Inclusion of more actors on an ad hoc basis is possible in a network as long as new participants share its overall goal. The inclusion of additional actors in the network could help strengthen the Architecture by (partly) filling some of its gaps. Based on a shared interest in fighting blue crime and given their interdependence in doing so, commercial actors such as the oil and shipping industries as well as international partners could play a role in the Yaoundé Architecture.

While commercial maritime actors do not play a formal and static role in the Yaoundé Architecture, they too have an interest in fighting blue crime – especially piracy (Interview #1, 2020; Interview #4, 2020; Interview #6, 2020; Interview #9, 2020). Commercial actors could contribute with information after an incident has occurred, leading to a faster response from authorities. Before or without any specific incident, they could also contribute to awareness of activities at sea (suspicious or not), thereby strengthening the maritime domain awareness of authorities. Unfortunately, observations made by the author and interviews conducted during this study suggest that a trust deficit exists between commercial actors and the Yaoundé Architecture (Interview #2, 2020; Interview #3, 2020; Interview #4, 2020; Interview #5, 2020; Interview #6, 2020; Interview #8, 2020; Interview #9, 2020). Commercial actors are hesitant to share information with the Yaoundé Architecture for at least four reasons: First, they are worried that sharing information would put ships at risk by giving away information. Second, they worry that sharing information might lead to future retaliation from perpetrators of blue crime (e.g. pirates). Third, they may not believe that it would make a difference to participate, as they do not have confidence in anti-blue crime responses and capacities. Fourth, in minor cases (such as theft of few or small items from a ship) they worry that involving the authorities would be time-consuming and therefore cost money. Instead, besides their own security setup, commercial actors share information with the MDAT-GOG (Maritime Domain Awareness for Trade – Gulf of Guinea) located in Brest, France and Portsmouth, United Kingdom. This preference may reflect a lack of trust in states and authorities in the Gulf of Guinea as well as in their capacities.

To strengthen cooperation between commercial actors and the Architecture, two things are needed: First, building sufficient trust between the industry and the Architecture. Both sides must understand the viewpoints, challenges, and hesitations of the other. Second, the Architecture should appoint a specific actor to maintain contact with the industry in order to avoid duplication. Establishing contact between commercial actors and the zonal centres (MMCCs), for example, could constitute a good entry point into the operational part of the Architecture and be the first step in trust-building. Another suggestion is to appoint a liaison contact officer between the commercial actors and the Yaoundé Architecture at some level.

In the same manner, given international concern about blue crime in the Gulf of Guinea, it might be possible to address the capacity gap identified earlier through a more substantial international naval engagement in the Yaoundé Architecture, provided that a mechanism can be established where such a presence is not seen as compromising state sovereignties. The Architecture could provide this mechanism, as its network characteristics allow for external partners to contribute to the overall objective of the Architecture on an ad hoc basis. This will require political engagement and willingness from participating states in the YCC as well as the international partners. If such a mechanism can be built, it would potentially constitute a feasible way for international navies to assist in fighting blue crime, mitigate the capacity gap, and simultaneously avoid compromising the sovereignty of West African states. The mechanism must be based on an agreement that governs the terms and conditions of the participation, including which institution(s) in the Architecture they cooperate directly with, and which state's waters they operate within. This could help address the capacity gap in the short to medium term, but it would only be sustainable in the long term if YCC states simultaneously build such capacities themselves. This could happen through new and existing capacity-building programmes. For such a mechanism to be effective, the international assets must be able to cooperate directly with the Architecture without it requiring a continuous and lengthy political process.

### ***Structural Elements***

There is an abundance of structural elements in the Yaoundé Architecture, exemplified by the MMCCs, the CRESMs, and the ICC. Unfortunately, their role, purpose, and tasks are not immediately clear and might overlap. This entails duplication of services instead of task differentiation and specialisation, which leads to inefficiency (Herrhausen, 2007, pp. 19, 31). The role of the CRESMs and the ICC is unclear and ambiguous (Okafor-Yarwood et al., 2020). Seen from a network perspective, the MMCCs are faring better, because they are the most operationally engaged coordinator and thus play a role in day-to-day operations and assist the focal points in coordination and information sharing within and beyond their zone as well as with the rest of the Architecture. In other words, the MMCCs have a more clearly defined role: to facilitate coordination

between the focal points in a zone of responsibility. Neither the ICC nor the CRESMs play a role in daily activities, making their *raison d'être* more unclear. The ICC was created to help two regional communities coordinate activities – something of which they had little prior history. This exposes the ICC to interregional political sensitivities, which has made their (future) role uncertain (Interview #1, 2020; Interview #3, 2020; Interview #5, 2020; Interview #7, 2020; Interview #9, 2020). In the same vein, the two regional communities have established the CRESMs – their roles are therefore also political (Interview #9, 2020). Structural elements are supposed to aid coordination in a network. In a setting where blue crime spills over into the territory of other states, zones, and regions with different political, social, and lingual characteristics, such coordination is indeed required, and both the CRESMs and the ICC can play a big part. For instance, they could cooperate on the provision of a common framework for understanding blue crime and standard operating procedures. The CRESMs and the ICC could provide a common framework through standardised and communal training and education of officers in the Architecture. This has the added benefit of strengthening social control elements, just as it allows these organisations to function as social repositories. Lastly, adding structural elements that can function as centres of excellence might support the Architecture, for example by providing capacities that can answer any legal questions that might arise or by providing specialised capacities in terms of analysis (Interview #6, 2020; Interview #9, 2020).

### ***Social Control Elements***

When it comes to access restriction, the structure does have a limited number of well-defined participants, although this number is expandable. A few important observations have been made regarding organisational culture. Information sharing does take place, but is impeded by several factors. First, there is a general awareness of the sensitivity of national sovereignty, and this might impede information sharing between two countries, for example, if they are experiencing bilateral disputes (Interview #2, 2020; Interview #8, 2020). Another issue is the over-classification of information. Most of the individuals working in the Yaoundé Architecture have a military background, and one interviewee described how military culture often leads to a cautious approach to information sharing (Interview #9, 2020). In this specific case, it was also highlighted that individuals in the Architecture could make a difference by using the information-sharing mechanisms and stipulations of the YCC. Hesitation to sharing information impedes the effectiveness of the Architecture. Information sharing between commercial actors and the Yaoundé Architecture is generally limited, partly due to a lack of trust in the rest of the structure. This relates to reputation as a social control element. Lastly, countries in the Yaoundé Architecture have different official languages (English: The Gambia, Sierra Leone, Liberia, Ghana, and Nigeria. Portuguese: Cabo Verde, Guinea-Bissau, São Tomé and Príncipe, and Angola. Spanish: Equatorial Guinea [although French is also an official language]. French: Senegal, Mali, Guinea, Côte d'Ivoire, Burkina Faso, Togo, Benin, Niger, Chad, Cameroon, Central African Republic, Gabon, Congo, the Democratic Republic of the Congo, and Burundi). The multiplicity of languages suggests that societal differences can impede information sharing. Of course, societal differences go well beyond official languages. In the current context, the differences in official language serve as an example of why transnational cooperation on a daily basis can be difficult in practice. From the network perspective, one way of strengthening the Yaoundé Architecture is therefore to increase the common organisational understanding and culture, for example through standardised and communal training and education of officers.

### ***Further Implementation***

Lastly, a key issue with the status quo pertains to the fact that the Yaoundé Architecture has not been implemented in full as outlined in the YCC. CRESMAO and most of the MMCCs still do not have a multinational staff (likely due to lack of financing), only one MMCC coordinates joint patrols, and the national focal points are not functioning as intended (Okafor-Yarwood et al., 2020). The ICC for their part still has not been fully staffed or funded due to outstanding political issues with the regional economic communities (Interview #2, 2020; Interview #5, 2020; Interview #7, 2020). Furthermore, focal points sometimes hesitate to share information with the rest of the Architecture, and information exchange is often described as a one-way street without feedback (Interview #2, 2020; Interview #8, 2020; Interview #9, 2020; Okafor-Yarwood et al., 2020). Given the importance of state sovereignty, it is unsurprising that 'the aspects of the Yaoundé Code which require some relinquishment of sovereignty, such as provision of multinational staff or conducting joint patrols under a multinational chain of command, have not been adopted as quickly' (Okafor-Yarwood et al., 2020).

These problems diminish organisations' ability to function, cooperate, and share information in the network due to lack of resources. Lack of multinational staff in the structure is also problematic, because

it means that there is a general lack of human resources or limited national representation. If appropriately implemented, a multinational staff could enhance social interactions and transnational cooperation, because it brings officers together from different countries, enhances their understanding of the network, and creates social bonds that could be used for information sharing.

## Conclusion and Perspectives

This paper started out by raising the question: *How can cooperation on fighting blue crime within the Yaoundé Architecture be strengthened?* It first reviewed the Yaoundé Architecture. Central assumptions here are that transnational cooperation is necessary to fight blue crime, and the states constitute the most important actor in this qua their sovereignty and reluctance to hand it over to others. Therefore, any expansion of the YCC is unlikely anytime soon, and it is instead necessary to look into strengthening the Architecture in its current state. This paper utilised the organisational types proposed by Herrhausen (2007). It argued that the Yaoundé Architecture is a network, as this approach recognises the importance of state sovereignty, the interdependence arising from blue crime, and the fact that the network possesses structural elements as well as social control elements that can help overcome coordination difficulties.

The paper underlines deficits and opportunities for strengthening cooperation. First, from a network perspective, it showed the potential of including commercial maritime actors in the network. However, this requires trust-building activities between the maritime (shipping) industry and the Architecture. It is also possible to include international partners and naval capacities directly, but this requires a mechanism that can enable international navies to assist in fighting blue crime, mitigate the capacity gap, and simultaneously avoid compromising the sovereignty of West African states. Second, it underlined the problematic nature of role uncertainty and overlap between the CRESMs and the ICC and indicated the importance of clarifying roles and avoiding duplication. Third, it examined social control elements of the structure, such as access restriction and organisational culture, and found that standardised and communal training and education of officers could strengthen coordination. Finally, it illustrated that lack of implementation and funding of the measures agreed upon in the YCC makes it harder for the Architecture to coordinate anti-blue crime responses. This study did not expand upon the role played by donor countries and the international community. Future studies of the Yaoundé Architecture as a network could examine how the international community affects the Architecture as well as how the international community could support and further strengthen the network.

## Competing Interests

The author has no competing interests to declare.

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## Interviews

Interview #1. (2020, June 18). Interview with maritime security counsellor.

Interview #2. (2020, July 1). Interview with MMCC officer.

Interview #3. (2020, August 25). Interview with SWAIMS officer.

Interview #4. (2020, August 26). Interview with industry representative.

Interview #5. (2020, August 27). Interview with former ICC officer.

Interview #6. (2020, September 4). Interview with industry representative.

Interview #7. (2020, September 10). Interview with EU delegation representative.

Interview #8. (2020, September 22). Interview with former Ghanian MOC officer.

Interview #9. (2020, September 29). Interview med Dr Kamal-Deen Ali.

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