

Background

1 Resolution One of the DCoC High-Level Meeting, held in Dar es Salaam, United Republic of Tanzania, from 28–30 November 2024, called for the establishment of the Djibouti Code of Conduct/Jeddah Amendment (DCoC/JA) Working Group 3 on Operational Cooperation and Coordination at Sea. DCoC/JA signatory States, as well as Friends of the DCoC were called upon to nominate suitable personnel from navies, law enforcement agencies, and civilian authorities to serve as members of the Working Group. The resolution requested that the first meeting of Working Group 3 elects a Chair and Co-Chair and develop suitable Terms of Reference (TOR) and a work plan.

2 Operational Cooperation and Coordination at Sea is defined as the collaborative efforts among various maritime entities to ensure safe, efficient, and effective operations in the maritime environment which involve military forces, commercial shipping companies, coast guard agencies, environmental organizations, and other relevant stakeholders working together to achieve common goals. Operational cooperation and coordination at sea can be critical in several areas, including defense, search and rescue (SAR), humanitarian assistance, environmental protection, and law enforcement. Preparation has two key facets, namely, personnel and equipment which are intrinsically linked and both must be capable of creating the desired effect i.e. securing the maritime domain.

3 Observing that the DCoC Jeddah Amendments calls for collaboration and collective responsibility to counter illicit maritime activities and their overall objective is for developing capability in combating maritime insecurity, there is need to be innovative and identify measures to counter identified challenges. Additionally, there's need for a Working Group 3 (WG3) with much more operational coordination with international naval forces in the Region.

4. It is important to mention that coordination in the Region is not starting from scratch. Some Regional States such as the Republic of South Africa and MASE countries such as Seychelles have successfully covered Operational Coordination at Sea. Hence WG3 is instrumental in supporting these efforts and scaling them to the Region.

The Principles of Effective Cooperation and Coordination as captured in the DCoC Roadmap are therefore:

1. Communication:

Effective communication among different agencies and forces crucial for operational success. This includes the use of standardized communication protocols, such as the SOPs developed for the DCoC Information Sharing Network.

2. Interoperability:

Ensuring that different agencies can work together seamlessly often requires compatible technologies and systems, such as radar sharing, communication channels, and coordination software. DCoC member States at National Level are setting up National Maritime Information Sharing Centres (NMISCs) with systems that are anticipated to be interoperable.

3. Clear Command and Control (C2) Structures:

We anticipate the establishment of Working Group 3 on Operations at Sea that will have clearly defined command and control systems ensure that decisions are made efficiently, and that joint regional operations can be carried out in an orderly manner. This includes clearly defined leadership, responsibilities, and decision-making processes.

4. Training and Exercises:

Regular joint regional training exercises to operationalize the Working Group 3 involving different stakeholders will enhance coordination and prepare entities (navies, coastguards and other maritime law enforcement agencies), for real-world operations. These exercises can focus on scenarios such as disaster response, SAR, or counter-piracy missions. Regular joint exercises between naval forces, coast guards, and civilian authorities foster cooperation, improve skills, and test the effectiveness of operational coordination. These exercises often simulate real-world scenarios to help agencies work together effectively.

5. Legal Frameworks and Agreements:

International treaties and agreements, like the United Nations Convention on the Law of the Sea (UNCLOS), help define jurisdictions, responsibilities, and operational limits. On the other hand, bilateral or multilateral agreements (e.g. DCoC, MASE, SSA etc) also establish formal cooperation protocols for specific missions, such as combating piracy, conducting joint patrols or protocols for Information Sharing.

Thematic priorities for the Working Group 3 Meeting

In Operationalization of the DCoC Working Group 3 on Operations at Sea, we therefore need to make key considerations for key aspects that will constitute the operational cooperation and coordination at sea. Some key considerations for the expected output are:

1. Multinational Naval Operations

Coalition Forces: Countries often come together to form coalitions for regional security. These multinational operations focus on countering piracy, protecting vital maritime trade routes, and ensuring the free flow of goods.

Joint Task Forces (JTFs): In naval operations, JTFs are formed to address specific maritime threats like piracy, illegal fishing, or maritime terrorism. These task forces usually involve forces from multiple countries working in a coordinated manner.

2. Search and Rescue (SAR) Operations

Cooperation is vital in emergency situations, where coordination between nations, agencies (e.g., coast guards, navies), and international organizations ensures a timely and effective rescue operation.

Coordination is also necessary for handling the logistics of deploying resources such as ships, helicopters, and personnel to locate and assist vessels or individuals in distress.

3. Maritime Surveillance and Intelligence Sharing

Information Sharing: DCoC has established its ISN comprising of the multi-agency NMISCs, the regional centres in Seychelles (RCOC) and Madagascar (RMIFC) and allowing the input of international centres such as ReCAAP and IFC-IOR. DCoC is looking to establish partnerships with INTERPOL to assist Member States to work together to share maritime security data. The DCoC SOPs on information sharing will enable sharing of information such as vessel tracking information, intelligence on illicit activities, and weather data, to improve situational awareness.

4. **Maritime Patrols:** Joint or coordinated surveillance under the work of Working Group 3 will assist to monitor maritime zones, identifying illegal activities such as smuggling, piracy, or unauthorized fishing.

5. Environmental Protection

Pollution Control: Coordinated efforts are critical in preventing and responding to marine pollution. For instance, nations cooperate to monitor and enforce international maritime regulations like MARPOL (International Convention for the Prevention of Pollution from Ships). Under the SSA program, DCoC Member States are able to participate in Regional MARPOL exercises. This will also give access to navies and coastguards access where exercises take place outside territorial waters.

Marine Conservation: States collaborate to manage marine protected areas, conserve marine biodiversity, and address overfishing.

6. Military and Civilian Cooperation

Dual-Use Operations: Military and civilian vessels often cooperate in operations to ensure maritime security while also protecting commercial shipping and infrastructure.

Humanitarian Assistance: In situations such as natural disasters or humanitarian crises at sea (e.g., refugee crises), there is often cooperation between naval forces, humanitarian organizations, and international agencies.

7. Legal and Regulatory Framework

United Nations Convention on the Law of the Sea (UNCLOS): This international agreement lays down the legal framework for maritime cooperation, covering issues like territorial waters, exclusive economic zones (EEZ), and the rights and responsibilities of states in marine environments.

Regional Agreements: In addition to global conventions, there are often regional agreements (e.g., the African Maritime Safety and Security Strategy, DCoC, EU MASE, SSA, EU Regional Maritime Security Architecture) to address specific maritime challenges in the Western Indian Ocean, Gulf of Aden and Red Sea Regions.

8. Technology Integration

The use of technology, such as satellite-based tracking systems (e.g., Automatic Identification System or AIS), drone surveillance, and integrated communication platforms, is essential in enhancing cooperation and operational coordination at sea.

The development and use of interoperable systems allow different maritime agencies to share critical data and improve decision-making.

Conclusion: Enhancing collaboration in maritime operations at sea

The Mombasa Meeting will seek information from Participants on lessons learnt and best practices in the conduct of operations at sea by both navies and coastguards, experiences of NMISCs in information sharing especially in the conduct of operations at sea at both national and regional levels and finally experience by the Regional Maritime Information Fusion Centre (RMIFC/Madagascar) and the Regional Coordination Operations Centre (RCOC/Seychelles) and the Regional Maritime Information Sharing Centre (ReMISC/Aden) in coordinating operations at Sea. We anticipate an outcome that will boost collaboration between DCoC States and international naval forces conducting maritime operations to combat illegal activities at sea such as IUU fishing, piracy, smuggling (human, arms, drugs etc) and wider maritime law enforcement.

As agreed in the HLM held in Dar es Salaam in November 2024, concepts to be considered in addition to the above are:

1. Participants upgrading their legal frameworks pursuant to Articles 3.1 and 15 of the DCoC/JA, in order to facilitate prosecution of offenders and the “legal finish”, thus reducing the need for “catch and release” policies for international naval forces;
2. International naval forces providing platforms for coastal States’ embarked officers and/or law enforcement detachments, both as an enabler for DCoC States law enforcement activities, and as a demonstrator of the benefits of investment in maritime law enforcement capability.
3. International naval forces providing targeted capacity and capability building training, in accordance with DCoC States needs as articulated in the capacity building matrix; and

4. DCoC States providing actionable information to international naval forces, for example pattern of life information and details of national legal frameworks, either directly or via the regional ISN.

Participants are encouraged to note and appreciate that operational cooperation and coordination at sea is fundamental in ensuring safety, security, environmental protection, and efficient maritime activities. These efforts require continuous dialogue, clear legal frameworks, mutual trust, and the sharing of resources and information. The complexity of modern maritime challenges means that effective cooperation will continue to be key to maintaining peace and stability at sea.

The Work of Working Group 3 is therefore Key, and its operationalization will augment the work of other DCoC Working Groups as well as go a long way in enhancing collaboration with Partner Agencies, Regional as well as International Navies and Coastguards.

Working Group 3 will **therefore be able to address challenges that are jurisdictional in nature, relate to resource limitations as well as political and military tensions noting that** different nations may have conflicting interests or overlapping interest in certain maritime areas, which can create challenges for cooperation.

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