

Djibouti: Ports, Politics and Piracy

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Introduction

Djibouti is a small city-state with a population of around 900,000 (UN Data 2017). It is enclosed by larger states in a region impacted by various international security issues including maritime crimes, such as piracy, but also geopolitical tensions manifested in the conflict in Yemen for example. External economic factors and strategic pressures impact heavily on Djibouti's own geopolitical posturing and have contributed to the government's reasoning for permitting the establishment of foreign military bases and maritime installations in its territory. In this sense, Djibouti has been able to capitalise on the geopolitical interests of global powers to attract Foreign Direct Investment and maritime capacity building. Djibouti is also active on a regional level, hosting the regional developmental body the Inter-Governmental Authority on Development (IGAD) as well as facilitating and hosting a core regional capacity building output - the Djibouti Regional Training Centre (DRTC) - established under the Djibouti Code of Conduct (DCoC).

For Djibouti, maritime security sector reform and capacity building activities have developed more as a source of economic benefit than of a strategy to build a strong navy, coastguard or judiciary (McCabe 2019, 332). The majority of the activities in the country are closely linked to geopolitics, the port, and its maritime spaces, particularly after the escalation of Somali based piracy in the Gulf of Aden from 2005.

In an innovative way for the region, Djibouti has become a unique maritime platform for new practices of international collaboration in countering piracy and other maritime insecurity. It is, for example, the logistics hub for the EU's first joint naval mission, EUNAVFOR Atlanta, and is also the site for a new Chinese dedicated logistic naval base in conjunction with a newly constructed multipurpose port in Doraleh. Djibouti also hosts Japanese, French and Italian military bases, including the United States' only permanent military installation in Africa and regularly hosts vessels from other international navies including Germany, India, Spain and the United Kingdom.

This chapter firstly explores the modern historical context of Djibouti's emergence as a military and economic strategic hub in the western Indian Ocean. Next, the maritime spaces of Djibouti are explored as well as the centrality of the port and maritime sector as drivers of the national economy. This is followed by an examination of threats to Djibouti's maritime security in the form of Somali piracy and illicit trafficking, but also how geopolitical tensions, such as spill-over from the conflict in Yemen, might negatively impact Djibouti's maritime sector and security. The next section explores how Djibouti has responded to these threats and how it governs its maritime sector, including the role of national maritime security services, private security providers and legislative reforms. Finally, this chapter explores the impact of multilateral and bilateral capacity building activities in Djibouti and how these have manifested given Djibouti's unique political and geostrategic position compared with other western Indian Ocean states.

Historical context

Despite having gained independence from France in 1977, the Republic of Djibouti did not harness the potential of its maritime sector in a meaningful way until the late 1990s. This recognition of the economic opportunities from its geostrategic position and the potential benefits of developing its maritime sector were primarily motivated by three core factors. Firstly, the economic opportunities resulting from the aftermath of the 1998–2000 war between Ethiopia and Eritrea; secondly, increased foreign military activity in the region in the aftermath of the attacks on the United States on 11 September 2001¹; and finally, the upsurge of Somali based piracy and subsequent international counter-piracy naval operations after 2005. Djibouti's relatively stable security situation in comparison to its neighbours as well as its geostrategic location on Bab-el-Mandeb – one of the world's busiest shipping lanes – also made it an attractive hub for international investment and geopolitical activity, initially under the pretext of counter-piracy operations (McCabe 2019, 333).

The 1998–2000 war between Ethiopia and Eritrea constituted both a threat and an opportunity for Djibouti (Mesfin 2008, 2). As a result of the conflict, Ethiopia diverted all the trade it had previously sent through Eritrean ports to Djibouti, which greatly reinforced the economic, political and security ties developed since a trade protocol was signed in 1996. This began a revitalization of Djibouti's maritime sector and a recognition of how its maritime geostrategic position could be leveraged to generate capital.

¹ Henceforth cited as '9/11'.

In the aftermath of 9/11, Djibouti emerged as a core staging base for western forces involved in the 'war on terror'. This resulted in the highest foreign military concentration in Djibouti and the Red Sea since independence, including 1,800 military and civilian personnel of the US Joint Task Force-Horn of Africa; a Spanish naval and air force to patrol the Bab-el-Mandeb; 1,000 German personnel; and a force of around 3,200 French personnel (Woodward 2006, 143). This increased international presence also generated significant economic benefits. Before 9/11, total US aid to Djibouti stood at around US\$12.4 million per annum. By 2003, US economic and military aid had risen to US\$26.4 million and further increased to US\$37.4 million in 2004 (Sun and Zoubir 2016, 117).

Djibouti had also traditionally relied on foreign powers - such as its former colonial ruler France - for deterrence against neighbouring state aggression. In 1999, for example, France made two frigates available to patrol the coast and prevent military incursion from either Ethiopia or Eritrea (Mesfin 2008, 2). France also conducted aerial reconnaissance and reportedly sent three ships to ward off a possible attack by Eritrea in 2008 (Mesfin 2011, 7). This reliance on foreign allies against existential threats endures today.

The maritime spaces of Djibouti

The Republic of Djibouti is located in the Horn of Africa on the western Indian Ocean and covers roughly 8,400 square miles, making it the third smallest African nation. Along with Eritrea and Yemen, Djibouti has direct access to the strategic Bab-el-Mandeb strait. This strait controls southern access to the Red Sea and the Suez Canal. It is one of the busiest commercial channels in the world with potentially 97 ships per day passing through the recently expanded Suez Canal

(UNCTAD 2016, 20-21). Djibouti is a signatory of the UN Convention on the Law of the Sea (UNCLOS) and therefore claims a 12 nautical-mile territorial sea, a 24 nautical-mile contiguous zone, and a 200 nautical-mile Exclusive Economic Zone (EEZ), which extends into strategic sea-lines of communication. Djibouti's coastline is just 314 km long, much of which is in the Gulf of Tadjourah. It is separated from the partially enclosed basin of the Goubet-Al-Kharab by a narrow opening. The Moucha Islands are centrally located in the Gulf of Tadjourah. The country's main ports are located in the capital and Tadjourah, which hosts' two facilities built with Chinese Funds and inaugurated in June 2017.

Border disputes

Djibouti, along with Yemen, have challenged the geographical coordinates claimed by Somalia as its EEZ and contends that such an EEZ encompasses waters under jurisdiction of the Republic of Djibouti (Dupont 2017). Furthermore, Djibouti has a long-standing border dispute with Eritrea, which also has a maritime dimension. Both countries claim the Island of Dumeira close to the Babel-Mandeb. The situation was exacerbated by the withdrawal of Qatari peacekeepers in 2017, which has led to fears of an escalation in tension (see Maasho 2017; BBC News 2017). The dispute also extends to tensions over the loss of significant revenue for Eritrea following Ethiopia's decision to route all its import and export traffic to Djiboutian ports in 1999, which has created competition between the major ports of both countries (McCabe 2019, 335).

Regional economic hub

The economy is primarily based on the services sector which accounts for over 80 percent of GDP and employs roughly 60 percent of the active population (Global Finance Magazine 2018). The

primary sector (approximately 3 percent of GDP) and manufacturing sector (around 16 percent of GDP) are weak and must cope with severe constraints and competition; expansive energy and labour costs and rivalry from neighbouring Ethiopia, which is home to a growing manufacturing industry relocated from East Asia. According to the UN's Human Development Report (2008, 145), Djibouti was ranked 154 out of 177 countries in 2007.

As Table 9.1 illustrates, Djibouti ports and logistics sector substantively funds the national economy. Direct revenues generated by the port were estimated from US\$65 million to US\$90 million per year in 2011 and 2012, representing between 20 and 25 percent of government revenue. There were also about 7,000 direct jobs in transport and logistics in Djibouti. This was 20-25 percent of total formal employment in the private sector of about 30,000 jobs. Ports and logistics generate about 15,000 direct and indirect jobs, which represent 10 percent of total formal and informal employment in Djibouti.

Table 9.1 - Direct employment in transport and logistics

Entity	Jobs	Comments
Doraleh Container Terminal	750	- 700 full-time staff - 500 part-time employees working 60%-70% of the time
Port International de Djibouti	800	In 2007, the Port had 1,300 full-time employees, including 300 handling containers which were transferred to DCT in 2009
Freight forwarders	1,500	About 25 well-structured companies, each with 50-100 people
Shipping agents	400-500	
Dockers	1,000	3,800 day-hire dockers registered with Dockers Labour Bureau, which corresponds to about 1,000 full-time
Djibouti International Airport	370	
Djibouti-Ethiopia Railway	260	Newly opened railway
Djibouti Ports Corridors Road	300	Including about 60 staff of the Road Maintenance Fund
Ports and Free Zone Authority	2,000	Jobs in companies registered under the free zone regime. Total number of companies is 250.
TOTAL	7,500	

Source: Ministry of Transport of Djibouti (assembled from various reports 2011-19).

Djibouti's coastline is also abundant in fishery resources, with an estimated exploitable potential of 47,000 tonnes per annum, however, the fisheries sector remains underdeveloped. Only around 4 percent of the potential maximum sustainable yield of its exploitable fishery resources, or around 2000 tonnes per year, is captured, with most fishing activity occurring at a subsistence level (FAO 2016). According to the Food and Agriculture Organization (FAO 2016), "The existing huge gap between potential and production quantities is mainly the result of insufficient fishing craft and gear, inadequate storage and processing facilities, and poor distribution network, amongst others".

Since the Port of Djibouti replaced the Eritrean Port of Assab as the primary hub for Ethiopia's maritime imports and exports, Djibouti has emerged as an important transit hub for the greater Horn of Africa region and the Arabian Peninsula. In June 2017, for example, a new port was inaugurated in Djibouti chiefly to facilitate the exportation of Potash from landlocked Ethiopia. According to the Chairman of Djibouti Ports and Free Trade Zones, Aboubaker Hadi (Reuters 2017), "Ultimately, 35 percent of the volume of goods destined for Ethiopia can be unloaded here...it is, therefore, a major port for the entire region". Djibouti's economic relationship with Ethiopia is important for both nations. As a result of Ethiopia's economic growth, the volume of containers handled through the Port of Djibouti has risen from 176,453 in 2002 to 854,851 in 2014, according to figures by Djibouti Ports and Free Zones Authority (Oxford Business Group 2017).

Owing to the rapid development of its maritime sector and recognition of the financial benefits from leasing marine infrastructure, Djibouti has published a development plan titled "Djibouti Vision 2035" and articulated its aspiration to become a multi-modal maritime hub as the

“Singapore of Africa” (Miguil 2017). The Government has stated that in order to achieve that objective, US\$6 billion will be invested in six new ports, railways, roads, and aqueducts (CountryWatch 2018). In this regard, three new port facilities have been finalised in 2018 with some facilities located outside the capital to serve as Djibouti’s third and hitherto unexploited transport corridor. This will offer maritime access to landlocked Burundi, Rwanda, South Sudan, and Uganda and at the same time boost Djibouti’s integration with the other economies of the Common Market for Eastern and Southern Africa (COMESA).

Regional strategic military hub

Djibouti’s economic expansion is to some extent a by-product of the significant increase of international maritime security operations basing there over the past decade. Djibouti hosts strategically located military outposts of its major partners, including China, France, Germany, Italy, Japan, and the United States. According to one report, “Djibouti’s pragmatic diplomacy has resulted in friendly relations with almost all of the world powers, whatever their ideological position” (Sun and Zoubir 2016, 117). These arrangements are predominantly motivated by the revenue generated from leasing maritime real estate to foreign powers and, to a lesser extent, the residual maritime capacity development and training that these better equipped and more experienced forces can offer (McCabe 2019, 333).

The United States, France, and Japan pay a combined total of roughly US\$150 million annually for basing privileges. In 2014, the US signed a new 20-year lease for its military base Camp Lemonnier, agreeing to US\$63 million in leasing fees plus US\$7 million in development aid annually (Olhaye 2014). That same year, China and Djibouti agreed to a partnership whereby

Djibouti offered military facilities in exchange for Chinese strategic guidance and equipment such as aircrafts, drones, and boats. France pays approximately US\$39 million annually for its military bases, and Japan reportedly pays a similar amount for its naval base (African Armed Forces Online 2014). This foreign military presence therefore makes a dual contribution both in terms of bolstering Djibouti's economy, but also as a logistics base for international counter-piracy activity in the western Indian Ocean. As Styan highlights (2016, 84), anti-piracy missions have been a "catalyst" for an array of bilateral and multilateral cooperation initiatives, which has enhanced the geostrategic importance of Djibouti. For example, China played an important role in the Shared Awareness and De-confliction (SHADE) quarterly process to assist the coordination of anti-piracy escort schedules and attended the monthly meeting held at the Port of Djibouti for all military navy users of the facility.

Despite the obvious financial benefits of such an impartial approach, hosting an array of actual and potential adversaries, requires Djibouti to carefully navigate the political and security sensibilities of its guests, particularly given the opening of China's first overseas military base there in 2017. For example, Styan (2016, 87) highlights how Djibouti's foreign relationships are often directed by "highly personalised", tiny teams of Djiboutian representatives thereby fostering a sense of trust. However, with increasing competition for space and access to resources, combined with broader geopolitical tensions, the sustainability of the situation is questionable. Despite this, Djibouti has been able to leverage not only material capacity, but also "considerable intangible political gains internationally relating to the perceived status of the country" (Styan 2016, 83).

Maritime security threats: Somali piracy, money laundering, human trafficking and geopolitical tensions

Given its location on a vital maritime chokepoint and in a region impacted by conflict and significant socio-economic issues, Djibouti faces a number of maritime security threats. These include the economic impact of Somali based piracy; the illegal smuggling of people along its coastline as well as the potential negative impact of geopolitical tensions for a small coastal state reliant on foreign investment.

Maritime piracy

Somali piracy has had a negative impact on Djibouti's maritime transport, financial sector and international trade. In addition, the upsurge of piracy highlighted Djibouti's outdated maritime legislation, which needed to be reviewed and updated. Somali based piracy has also contributed to human trafficking challenges by shifting some of the smuggling routes closer to Djiboutian coastlines (McCabe 2019, 337). At its height, Somali piracy cost the Djiboutian economy an estimated US\$40-60 million per annum chiefly due to a negative impact on merchant trade in the form of reduced port utilizations and increased insurance premiums (Bowden and Basnet 2011, 10). Piracy also negatively impacted neighbouring Ethiopia – the primary user of the port of Djibouti – due to the destabilising effect the phenomena had on the region (see Reuters 2008). The inclusion of Djibouti in Lloyds List Joint War Risk Committees Hull War, Strikes, Terrorism and Related Perils Listed Areas in 2007 resulted in increased insurance premiums for vessels visiting Djibouti and hence negatively impacted on a key source of revenue for the state.

Money laundering

The movement of the illicit proceeds of piracy, chiefly ransom payments, also highlighted Djibouti's porous and poorly regulated financial services sector. Somalia has traditionally maintained ethnic and trade linkages with Djibouti including some Djibouti based financial institutions operating in Somalia. Djiboutian banking institutions regularly refer to relevant UN sanctions lists and the US Office of Foreign Assets Control's Specially Designated Nationals List as part of their "know your customer" and "customer due diligence" procedures, but the level to which money transfer businesses conduct these checks cannot be substantiated (Shetret et al. 2015, 9). For example, during an investigation undertaken with the help and support of international partners and specialised agencies such as Interpol, ransom proceeds from piracy were smuggled from Somalia into Djibouti and sent out of Djibouti via a money transfer service (Yikona et al. 2013, 49).

Challenges to national law

Somali based piracy also challenged Djibouti with regard to the jurisdictional ambiguity of how to practically and legally manage suspected pirate vessels, the detention of suspects, and the logistics of prosecuting them. Djibouti's Penal Code is based on the colonial French court system and is therefore outdated in terms of contemporary challenges. The existing penal code prevents national jurisdiction over extra-territorial pirates except when the alleged piracy involves an attack on the flag vessel of the Republic of Djibouti.² Djibouti has also signed the Geneva Convention on Refugees and hosts a significant number of Somali refugees since the beginning of the Civil War in 1991. A Somali national suspected of piracy, therefore, can apply for asylum in Djibouti

² See UNCLOS, *supra* note 1, art. 91(2). Under UNCLOS Article 92 the State must also issue documents evidencing the fact that it has granted the right to fly its flag on the vessel; see also Momtaz, *supra* note 95, at 355-57.

prior to trial; after sentencing or following conviction. While Djibouti does not accept Somali pirates for prosecution or imprisonment, it does allow suspected pirates to be held in Djibouti while awaiting extradition to other countries in accordance with international law. In addition, it has collaborated with other regional countries during the investigation of suspect cases of piracy.

Illicit trafficking

As a primary maritime nexus between Africa and the Arabian Peninsula, Djibouti has a significant population of migrants and refugees. Given its geostrategic location at the entrance to the Gulf of Aden, it is a core transit point for regional smuggling routes and irregular migration via the so-called eastern route from the Horn and East Africa via Djibouti, Puntland and Yemen to the Gulf countries, and the southern route from the Horn and East Africa towards South Africa (UNODC 2015, 9-10). Human smuggling underlines the porous nature of the regions' maritime borders. According to the International Organization for Migration (IOM), in the first four months of 2012, 43,000 migrants travelled from East Africa, through the Gulf of Aden and the Red Sea, to Yemen (IOM 2017). This significant movement of people transecting the region, facilitates a well organised human smuggling operation that has the potential to generate significant revenue. Given the centrality of Djibouti as a conduit for this type of activity, the IOM opened a full representation there in 2015. The promulgation of illegal human trafficking reflects the interlinked nature of maritime security threats in the region. Somali pirates, for example, have also engaged in other maritime criminal activities including arms, narcotic and charcoal smuggling as well as human trafficking (see Coker and Paris 2013).

Weak regional maritime enforcement capabilities have contributed to the prevalence of arms, drugs and people smuggling throughout East African countries. In addition, the influx of drugs, munitions and other illicit goods have been linked to the funding of terrorist organisations with some of the proceeds of piracy having been paid to Somalia's Al-Shabaab. For example, in some areas along the Somali coastline, as much as 20 percent of the proceeds were reportedly paid to local militias in control of seaports, such as an arrangement between pirates and Al-Shabaab in Harardheere around 2011 (Yikona et al. 2013, 9). In addition, in 2016 the French Navy stationed in Djibouti detained a large arsenal of illegal weapons after one of its helicopters spotted the boat carrying them on during a routine surveillance mission (Bottinelli 2016).

Geopolitical tensions as a maritime security challenge

Djibouti's geostrategic location and multinational military presence has meant that the small state is often at the forefront of regional power struggles and proxy conflicts. The escalation of Somali based piracy resulted in Djibouti serving as an important platform for international counter-piracy operations in the western Indian Ocean region. These operations have been conducted by a host of actors, including UN agencies, various foreign coalitions, and independent deployers. The United States, France, China, and Japan all have a continuous naval presence in Djibouti and, by extension, the western Indian Ocean. China is a relative newcomer to the region and its developing influence is welcomed by some but perceived with distrust by others. US Africa Command General Thomas Waldhauser recently stated that a Chinese takeover of Doraleh could have "significant" consequences if there were restrictions on the US' ability to use the facility (South China Morning Post 2018). In addition, an increase in shipping traffic through Doraleh Multipurpose Port would likely mean a greater use of those facilities by US competitor countries - including China but also

Russia, Iran, and others - potentially creating additional counterintelligence and security issues (Downs et al. 2017, 39).

According to Chinese sources, the base in Djibouti is a “logistics support facility” that provides a “crew-rest facility for replenishing soldiers and resupplying food and fuel” for ocean-patrolling and peacekeeping missions, in particular counter-piracy operations (Krupakar 2017, 208-09). However, the commercial facility partially owned by the Chinese in Djibouti has apparently impeded counter-piracy work at times as officials from EUNAVFOR have reportedly been refused access to a berthed vessel (Interview with EUNAVFOR official, September 2017). Currently it appears unlikely that there will be a major naval arms race in the region. However, frictions between international actors have the potential to negatively impact Djibouti’s maritime security. The conflict in Yemen serves as an illustrative example. Opposing parties in the conflict have the backing of international actors such as Iran, the US, Russia, and Saudi Arabia, which are assembled in different coalitions and sometimes use Djibouti as a logistical or operational base. In addition, the decline of NATO’s counter-piracy operation Ocean Shield, has reportedly resulted in an increase of “suspicious approaches” in the former patrol area (Interview with EUNAVFOR official, September 2017).

Nevertheless, Tehran’s efforts to expand its sphere of influence to the Gulf of Aden-Red Sea corridor through its activities against Saudi Arabia in Yemen and the Horn of Africa is perceived in Djibouti as a disruption that threatens its maritime security. In this regard, in January 2016, Djibouti, along with Sudan, cut diplomatic relations with Iran and declared its support for Yemen’s efforts to defeat Iranian-backed Houthi rebels. Significantly it also agreed to host a Saudi naval

base under a proposed agreement that will cover “terrestrial, marine and aerial military aspects” (Toumi 2016). A clear proxy conflict that threatens Djiboutian maritime security. As Matthew Bryden commented (Dahir 2017), “The Horn of Africa and the Middle East are currently rough neighbourhoods, and Djibouti may find itself making enemies, not through any action of its own, but as a consequence of the actions of its military guests.”

Maritime governance and responses to maritime insecurity

There is a growing realization in Djibouti, and indeed Africa, that major maritime challenges stem from a lack of effective governance in the maritime domain. This is reflected in the 2050 African Union Integrated Maritime Strategy which covers projections for new institutions and structures, wealth creation and human resource development, as well as capacity building for maritime governance (African Union 2012, 10). Djibouti has developed a maritime administration framework and is receiving local capacity building to enforce regulations, but also has developed a model for sustainable ‘blue-economic’ development to preserve its natural marine habitat and develop its infrastructure.

Djibouti has several national law-enforcement organisations with some responsibility for the maritime sector. These include the Djibouti National Police, the Djiboutian National Gendarmerie, the National Security Judiciary Police, the Djibouti Coast Guard (under the Ministry of Transport) and the Djibouti Navy (under the Ministry of Defence). The small Coast Guard, Air Force and Navy regularly undertake aerial and maritime patrols within the waters of Djibouti. These organizations have differing objectives but combine to play significant roles in ensuring the maritime security of the Djibouti EEZ as well as national maritime infrastructures. Nevertheless,

the levels of cooperation between these parties as well as the level of capacity and equipment needed to address maritime threats in Djiboutian waters requires improvement and updating. The Djibouti Coast Guard, for example, which was established in 2010 by merging members from the Gendarmerie, currently has under 150 members and limited physical assets.

Governance of maritime sector

The Djibouti Ports and Free Zone Authority is the designated authority for managing and developing port facilities, which are considered by the Government of Djibouti as strategic assets. The Ministry of Transport oversees drafting of policy guidelines at the government level. The Ministry has under its authority the Maritime Affairs Directorate, the Djibouti Coast Guard and the DRTC.

At a policy level, Djibouti has established a Maritime Security Committee, which is headed by the Prime Minister and incorporates the Director General of National Security, the Ministries of Defense, Transport and Equipment, Agriculture, Interior, Finance and Justice. The committee meets regularly to outline and review national guidelines relating to maritime security issues. In addition, the committee created an assessment team to establish the extent of threats in the maritime domain and develop a national maritime security strategy. The team, comprising of representatives from all relevant national agencies and assisted by a Secretariat, produced a series of recommendations as well as a draft action plan. Based on that plan, a Maritime Security Strategy was created, which was formally adopted by the Council of Ministers in 2013 and is currently in force. The strategy has largely been designed, implemented and funded by international partners such as Japan, the US, China and France. The strategy, which has not been publicly released in its

entirety, outlines three maritime security priorities for Djibouti. Firstly, containment of Somali piracy and related maritime criminal activity; secondly, securing national maritime infrastructure and, finally, securing the sea lanes of Djibouti, which are vital to trade and development (Government of Djibouti 2013). The strategy consists of two main components: deterrence and intelligence gathering and cooperation with international partners.

Private Maritime Security Companies

In a unique way for the region, Djibouti has delegated some of its maritime enforcement powers to a private company called Djibouti Maritime Security Services (DMSS) under the supervision of the office of the Director of National Security. This is in contrast to Kenya, for example, which strictly controls the movements of armed private security providers in its waters through national enforcement agencies (McCabe 2019, 341). The arrangement in Djibouti is permitted under Article 3 of a Presidential decree of February 2009 (DMSS 2017) and permits DMSS to (i) control and authorise the temporary transit of weapons on the national territory, (ii) escort naval forces, police officers and national coast guards as far as the limit of the territorial waters, (iii) provide boats, temporary visas and permits for rental or storage of weapons, and (iv) control communication systems. In practice, all maritime security companies operating within or transiting through the territorial waters of Djibouti submit their request to DMSS, which then handles all privately held weapons for the duration of their transit.

In relation to counter-piracy, the provision of private armed security by a private designated entity was part of a broader hybrid anti-piracy approach initiated by Djibouti. This opening to the commercial sector after the rise in Somali based piracy was innovative for the region and mirrors

other states, such as Italy, who have traditionally adopted a tight monopoly over the provision of armed services (Cusumano and Ruzza 2015, 111). This can be explained as the “interplay between the willingness to respond to the needs of the maritime industry and a long-standing resistance against loosening state control over the use of force” (Cusumano and Ruzzo 2015, 111).

Table 9.2 - Maritime governance in Djibouti

Agency	Core task	National collaboration	International collaboration
Office of the Director of National Security / Office of the President	Overall guidance and supervision of National Security	All agencies	International partners in security related matters
Djibouti Coast Guard (Ministry of Transport)	Surveillance of maritime domain and infrastructures	All agencies and port operators	International partners
Djibouti Navy (Ministry of Defence)	National Defence	All agencies	International navies
Djibouti Customs (Ministry of Finance)	Trafficking of Narcotics-cargo control	All agencies	UNODC, CMF, Interpol, France, US
Djibouti Maritime Administration (Ministry of Transport)	IMO flag state issues	Ministry of Transport and Port Authority	IMO
Port Security (Port Authority)	Ports Security-RSO	Port Operators	Users of different maritime facilities
Djibouti Regional Training Centre (Ministry of Transport)	Training	Ministry of Transport	IMO and partner agencies
Ministry of Justice	Prosecution	All agencies	International partners
Djibouti Central Bank	Money laundering	All agencies	International partners and agencies

Responses to piracy

Djibouti's primary contribution to counter-piracy operations has been as a launching point and supply and logistics base for international navies. It operates as logistics base for the EU's anti-piracy operation EUNAVFOR Atalanta and a base for Chinese and Japanese counter-piracy operations. Djibouti's small coast guard and largely symbolic navy lacked the capacity to meaningfully participate or patrol unilaterally. However, Djibouti has provided the World Food Programme with a strategic asset and allowed the naval escorts from the Port of Djibouti of UN emergency shipment convoys. Anti-piracy missions, therefore, have acted as a catalyst for a deepening array of cooperation initiatives, in turn enhancing the strategic importance of Djibouti (Styan 2013, 12). In addition, the escalation of piracy provided an opportunity for Djibouti to exploit the current state of relative peace and stability as well as its geopolitical location to generate investment from international states engaged in counter-piracy operations.

Led by the Ministry of Justice, Djibouti has also revised its domestic legislation in order to contribute to the regional fight against piracy in a more effective manner. Djibouti was one of the first countries to adopt the Djibouti Code of Conduct and amended its penal code accordingly. It has also voted positively for UN General Assembly and Security Council Resolutions on piracy; ratified applicable international conventions (such as SUA Convention); is a permanent member and active contributor to the Contact Group on Piracy off the Coast of Somalia and the International Trust Fund; contributes to the UN Operation in Somalia and the African Union Mission peacekeeping forces in Somalia; and has offered political support for the Somali Transitional Federal Government.

Countering illicit financial flows

The Central Bank - an integral component of the Government of Djibouti - identifies Somali based piracy as a major money laundering source and terrorism financing risk for the country and its developing economy. Its Financial Intelligence Unit - the Fraud Investigation Unit (FIU) - reportedly collaborates on a regular basis with other regional FIUs engaged in countering piracy but has not yet signed any formal (publicly available) agreement. To maintain economic growth, it will likely be necessary for the country to not only to improve its domestic financial criminal capacity but also formalise information sharing relationships with Somalia, Kenya, and the United Arab Emirates in particular, related to money laundering and piracy financing cases (Shetret et al. 2015, 10).

Responses to other maritime crimes

With several western Indian Ocean states facing conflict and maritime insecurity, the need for greater cooperation in countering the illicit Trafficking in Persons and Smuggling of Migrants (TiP/SoM) across its maritime domain has emerged as a regional priority. The UNODC Global Maritime Crime Programme (GMCP) hosted the first Indian Ocean Forum on Maritime Crime (IOFMC) technical meeting on TiP/SoM in Djibouti in March 2015 with participation from senior law enforcement and prosecution officers from eleven countries from across the region (UNODC 2015, 9). Discussions focused on the key challenges they face in tackling TiP/SoM and ways to improve international cooperation in their day-to-day work, particularly regarding the irregular migration occurring via the so-called eastern route from the East Africa via Djibouti, Puntland and Yemen to the Gulf countries.

The Djibouti Navy and Coast Guard work closely with the US Navy in developing capacity for Visit, Board, Search and Seizure procedures (VBSS), an important tactical capacity in enforcing constabulary maritime governance. For example, in 2015 the US and Djiboutian maritime forces spent three days exercising VBSS techniques and tactics on the open seas for the final stage of Exercise Cutlass Express in the Gulf of Tadjourah. Additionally, Djibouti frequently conducts joint patrols with partners by immersing a team from the Djiboutian navy to foreign navies patrolling its territorial waters.

Maritime capacity building activities in Djibouti

Maritime capacity building in Djibouti is a relatively recent activity; with few initiatives dating back more than eight years. During this time, it has had a positive impact in some areas, mainly strengthening pockets of capacity in specific organisations and institutions. However, this success has been limited and uneven. Given the scale of the experiment, the transnational and regionally situated nature of the maritime problem space, and narrow timescales and mandates, maritime capacity building in Djibouti has not been a transformative process. It is unique compared to the other cases considered in this book, as many of the prominent providers of capacity, already maintain a semi-permanent presence in Djibouti. This means that capacity building manifests differently compared to the more conventional systems of delivery, such as fixed term mandated missions in Somalia, for example. It tends to focus more on practice-based training exercises and activities using foreign naval assets as platforms.

Multilateral

As David Styan (2013, 4) states, “In a largely unplanned, incremental manner, Djibouti has become a laboratory for new forms of military and naval cooperation among and beyond NATO and EU forces”. While the primary aim of international forces stationed in Djibouti is not to deliver capacity building, it is a significant ancillary activity, which has benefitted Djibouti’s emergent maritime security sector. Reflecting the organisations examined in Chapter 6, this section explores the capacity building activities of the UN Office on Drugs and Crime (UNODC), the European Union (EU) and the International Maritime Organization (IMO), which have all engaged in multilateral capacity building activity in Djibouti. Unlike other western Indian Ocean states, such as Kenya and the Seychelles, this has been conducted on a mainly ad-hoc basis, without formal programmes and consists primarily of short term training courses and technical assistance.

UN Office on Drugs and Crime

The UNODC has had limited engagement in Djibouti compared to other regional states and has mainly been involved in providing capacity building to address human trafficking across land and maritime borders. As previously mentioned, the UNODC GMCP hosted the first IOFMC technical meeting on TiP/SoM in Djibouti with participation from senior law enforcement and prosecution officers from eleven countries. In addition, UNODC provided support to Djibouti and Ethiopia to counter and investigate trafficking in persons and assisted in a review of Djibouti’s law on trafficking in persons (UNODC 2016, 2). The UNODC, alongside institutions such as the International Monetary Fund, have also provided training to the staff of the FIU of Djibouti to help counter the illicit financial flows from the proceeds of maritime crime such as piracy.

European Union

The EU's civilian maritime capacity building programme EUCAP Nestor's geographical remit included Djibouti, but the programme had limited long-term impact on building capacity to support Djibouti's maritime security sector. It did, however, assist Djibouti in updating its domestic maritime legislation addressing piracy and maritime crimes. Both EUCAP Nestor and EU's MARSIC project were also headquartered in Djibouti City. More meaningful capacity building arguably resulted from port visits by EU assets to conduct local maritime capacity building training in support of the Djibouti Coast Guard and Navy. For example, in 2014 ten officers from the Djibouti Navy and four from the Coast Guard participated in a fire-fighting exercise and weapons handling training organised jointly by staff from the EUNAVFOR and EUCAP Nestor (EUCAP Somalia 2014). Commenting on the training, EUCAP Nestor maritime advisor to the Djibouti Navy stated, "Port visits by warships from the EU Naval Force provide an excellent opportunity to provide these invaluable exercises" (EUCAP Somalia 2014). EUCAP Nestor also donated medical equipment and provided medical training to the Coast Guard.

International Maritime Organization

The delivery of capacity building training under the DCoC agreement for national and regional maritime administrators and coastal law enforcement, is coordinated via the IMO funded DRTC building in Doraleh, which was formally opened in November 2015. The development and operationalization of the DRTC is also a priority of the Ministry of Equipment and Transport of Djibouti alongside building the capacity of the Djibouti Coast Guard. In this regard, as part of the arrangement for leasing coastal real estate to foreign entities, external naval experts agree to be seconded to DRTC to assist in training programs. Currently, the DRTC is facing issues in securing

sustainable financial investment. In response and, in a renewed push to fully operationalise the DRTC, the IMO installed a modern computer-based training simulator in 2017 and also demonstrated the training modules for Marine Communication, Global Maritime Distress and Safety System, and Search and Rescue (Walsh 2017).

Bilateral

While multilateral maritime capacity building engagement in Djibouti has been limited, it has significantly benefited from maritime capacity building on a bilateral basis. This is directly linked to the abundance of foreign military installations in the country illustrated by the fact that the two largest stationed foreign entities – China and the US – have engaged in the most significant capacity building work. Other states have also provided capacity building assistance to Djibouti. France, for example, has reinforced Djibouti’s coastal defences and maritime surveillance through technical cooperation and the provision of fast coastal patrol boats (Styan 2013, 12). Whereas Japan, through the Japan International Cooperation Agency, provided funding for the 2015 ‘Tripartite cooperation agreement for training of the Coast Guard crew of the Republic of Djibouti’. This education and training initiative aimed to enhance effective defense of coastal waters but also to enhance security relations between Japan and Djibouti (Japan International Cooperation Agency 2015). The Japanese Government also constructed and delivered two 20-meter patrol boats for the Djibouti Coast Guard under the same scheme in 2015 (Sumidagawa Shipyard Japan 2016). Next, we briefly zoom in on the two largest international capacity building providers – China and the United States.

United States

Djibouti hosts Camp Lemmonier, which is the primary base of operations for the US Combined Joint Task Force - Horn of Africa (CJTF-HoA) as part of the US Africa Command and is the only permanent US military base in Africa. Since the establishment of the base in 2003, the US has provided Djibouti with substantial security assistance and counterterrorism related training that focuses on building critical capacities within its maritime security and law enforcement sectors. US motivation for engaging in maritime capacity building in Djibouti is well summed up by a member of the US Coast Guard Mobile Training Team stationed there, “If we can help to keep our armed services personnel safe through capacity building and strengthening strategic relationships then we have accomplished our goals” (US Coast Guard 2014). This reflects broader US counterterrorism foreign policy approaches in the region through enhancing the military capacity of the countries in its area of operation. For example, the CJTF-HoA conducts counter-terrorism training and joint operations that focus on border security, improving airport security and undertaking better maritime security to limit the opportunities for terrorists to hide and organize (Mesfin 2011, 7).

The US Coast Guard training team has also recommended additional training for the Djibouti Coast Guard in the form of instructor development, small boat operator and outboard motor maintenance courses. According to a representative of the Mobile Training Team, “We provide a unique service to our foreign partners seeking an avenue to either establish a self-sustaining professionally trained and equipped Coast Guard capable of enforcing law within their territorial seas, or assist with refresher training as demand outpaces organic capabilities” (US Coast Guard 2014).

In 2015, the Djibouti National Police, the National Gendarmerie, and the National Security Judiciary Police received training through the Anti-Terrorism Assistance (ATA) program, as well as the International Law Enforcement Academy in Gaborone. ATA assistance focused primarily on building technical capacity for improved crisis response, counterterrorism investigations, and border security capabilities (KnowYourCountry 2014, 11).

The US has also engaged in joint maritime security capacity building initiatives with the Djibouti Navy. In 2009, for example, a harbour security force was established between the CJTF-HoA Navy component and the Djibouti Navy to enhance security operations for the port, increase capabilities to protect vessels transiting through the port as well as provide training and operational opportunities between US and Djiboutian personnel (Rockwell-Pate 2009).

China

One of the US's biggest rivals – China – has been the foremost foreign entity that has contributed to building the capacity for the development of Djibouti's maritime sector, mainly through infrastructure construction projects and capital investment. Chinese firms provide nearly 40 percent (US\$1.4 billion) of funding for Djibouti's major investment projects and, moreover, Chinese state-owned firms have built some of Djibouti's largest - and most potentially transformative - maritime related infrastructure projects (Downs et al. 2017, iv). These include the Doraleh Multipurpose Port; a new railway connection between Djibouti and Addis Ababa and the opening of China's first foreign military facility. China-Djibouti relations started initially with a series of port visits, but expanded after 2013 to include arms sales and weapons transfers, the

exchange of senior military delegations and training programs in China for Djibouti military personnel (Downs et al. 2017, 23).

Doraleh Multipurpose Port, which was opened in May 2017, was jointly financed by Djibouti Ports and Free Zones Authority and China Merchant Holding. The bulk terminal can handle 2 million tons of cargo per year, and space to store upwards of 200,000 tons of fertilizer and grain alongside warehouses for other goods (TesfaNews 2017). It is estimated to add 9 million metric tons of annual service capacity to Djibouti's port infrastructure, more than doubling the amount of cargo it can process (Djibouti Ports and Free Zones Authority 2017). In addition to the port, China has funded the construction of a new railway line to expedite the delivery of goods between the Port of Djibouti and Ethiopia. It is also engaged in smaller maritime sector reform projects including the refurbishment of Ghoubet Port and Tadjourah Port.

In addition to this, China opened its first and only overseas military support facility in Djibouti in 2017. According to a spokesperson for the Chinese Ministry of National Defense, the facility in Djibouti is designed to support the Chinese military in carrying out UN peacekeeping operations, escort missions in the Gulf of Aden and waters off the Somali coast, as well as humanitarian assistance and disaster relief operations (PRC Ministry of National Defense 2015). Aside from the obvious benefit of enhanced maritime security due to the increased presence of Chinese naval assets, it remains to be seen how China's expanding military footprint might enhance or damage Djibouti's own maritime security institutions and capacity long term.

Conclusion

In the Horn of Africa, Djibouti is unique. It enjoys a higher degree of peace and security in a volatile region and has displayed a willingness to engage with multiple international stakeholders. The small city-state has offered to host international missions against piracy and has adapted its legislation by outsourcing management of transiting private armed maritime security personnel to a private company with the oversight of the Office of the Director of National Security. Djibouti has also displayed political will to support Somalia to develop its capacity and has offered its assets and facilities as well as hosting multiple training programs for Somali officials and at a ministerial level through the DRTC.

The upsurge of Somali based piracy transformed Djibouti's focus on maritime affairs, in a similar way to other regional states such as Kenya and Seychelles. This resulted in a revised Maritime Code and updated legal tools, enhanced supervision capabilities of its Central Bank and increased capacity of its Coast Guard and Navy through equipment procurement and training programmes. The development of modern port facilities around the country and the opening of the new Chinese Navy logistics base have also created new opportunities for the maritime sector to be reviewed. The development of a National Maritime Security Strategy further implies that maritime security risks are acknowledged at a policy level and measures are being developed to mitigate them while foreign investment opportunities are also enhanced.

Best practices that have emerged from the study of Djibouti's maritime security sector include the importance of building efficient information sharing mechanisms and fostering a multilateral approach between states. In such circumstances, navies stationed in Djibouti can contribute

towards enhancing maritime security, not only in countering piracy, but also in disaster management, providing humanitarian assistance and limiting environmental maritime security challenges. Cooperation - despite clear differences between international stakeholders - can therefore be a force multiplier (in terms of maritime security) and is desirable in a region with limited enforcement capabilities and maritime domain awareness structures. Djibouti can therefore be viewed as a laboratory for military and civilian maritime security cooperation in a comparable manner to the wider western Indian Ocean, where international organisations have experimented with different methods of delivering maritime capacity building.

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