



Two-Day Training for Public Prosecutors on Maritime Crimes

Background

Maritime crimes are an increasingly significant threat to global security, impacting national economies, sovereignty, and the safety of international shipping routes. These crimes usually include piracy, human trafficking, drug smuggling, and illegal, unreported, and unregulated (IUU) fishing.

Maritime law enforcement is not a linear process, but a cycle that requires a clear understanding of legal frameworks throughout all stages, from surveillance to prosecution, highlighting the need for legal input from the very beginning of maritime law enforcement efforts. While the focus has often been on the "legal finish" (prosecution and penalization/sentencing), this has overlooked the critical role of legal advisors in the earlier phases of operations, such as anomaly detection, analysis, and operational decision-making. This gap undermines the effectiveness of maritime operations and the subsequent legal outcomes.

In line with this perspective, the Atlantic Centre has consistently emphasized the importance of capacity building for multilateral cooperation in maritime security and fostering political dialogue. Their work highlights the need for better integration of legal expertise at all stages of maritime security operations, strengthening both regional and international (Atlantic) efforts to tackle maritime crimes. Through both its initiatives, such as the *Maritime Security Course*, the *International Maritime Security Conferences*, and capacity building projects such as *The Visit Boarding Search and VBSS Training Centre*, the Atlantic Centre is actively supporting countries in enhancing their maritime security frameworks, which perfectly aligns with the goals of this proposed training.

This two-day training, organized by the Atlantic Centre and the Portuguese Ministry of Foreign Affairs (MNE), in partnership with the Enhanced Maritime Action in the Gulf of Guinea (EnMAR) project, the United Nations Office on Drugs and Crime (UNODC), the United Nations Institute for Training and Research (UNITAR), the Maritime Analysis and Operations Centre Narcotis (MAOC-N) and the Portuguese Judiciary Police (PT PJ), aims to bridge the gap in maritime law enforcement by equipping public prosecutors with the necessary knowledge and tools to effectively combat maritime crime. The programme will cover both legal frameworks and operational challenges associated with prosecuting maritime crimes, ensuring that prosecutors are involved from the initial stages of the maritime security cycle to its conclusion. It will also be platform for regional sharing of experience and practices and peer-to-peer learning.

Objective

The main objectives of this training are to provide public prosecutors with the knowledge and skills needed to:

1. **Understand Maritime Crimes:** Recognise the various forms of maritime crimes and their global impact.
2. **Navigate Legal Frameworks:** Familiarise participants with relevant international, regional and national legal frameworks governing maritime crimes, including agreements and conventions.



3. **Integrate Legal Advisors and prosecutors early in Operations:** Stress the importance of involving legal advisors in all phases of maritime law enforcement, from monitoring and anomaly analysis to operational decision-making.
4. **Improve Investigative Skills:** Equip prosecutors with the tools to effectively gather and preserve evidence at sea.
5. **Strengthen Regional and Atlantic Cooperation:** Promote collaboration among neighbouring states and international organizations to combat maritime crime more efficiently.

Target Audience

This training is designed for:

- **Public Prosecutors:** Involved in prosecuting maritime crimes, especially those from coastal and port states, or states with significant maritime interests.
- **Legal Advisors:** Providers in legal support in maritime law enforcement, particularly those working in regional organisations (like ECOWAS and ECCAS) or international partnerships.
- National and Regional Maritime Operational Centres and other Law Enforcement Structures.

Training Structure

Day 1: Understanding Maritime Crimes and Legal Frameworks

- **Session 1:** *Overview of Maritime Crimes*

An introduction to the various types of maritime crimes, with an impact on Human Security, such as piracy, human trafficking, drug smuggling, IUU fishing, oil bunkering, pollution amongst others, and the global implications these crimes pose to security and safety and the blue economy. Through real-world case studies from the Atlantic region, the discussion will examine both current incidents and historical examples to offer valuable insights..

- **Session 2:** *International and Regional Legal Instruments*

Analysis of international conventions such as the United Nations Convention on the Law of the Sea (UNCLOS), the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA), and regional frameworks for combating maritime crime, including ECOWAS supplementary acts. Special attention will be given to the role of international organisations and the Global Maritime Crime Programme (GMCP) of the United Nations Office on Drugs and Crime (UNODC) in facilitating and coordinating legal actions.

- **Session 3:** *National Maritime Legal Frameworks*

This session will discuss how national laws can be adapted to address maritime crime more effectively, focusing on jurisdictional issues as well as countries' legal capacities. Lessons from



GoG countries with particular legal frameworks for cooperation across borders, will be integrated.

Day 2: Investigative Techniques and Regional Cooperation

- **Session 4: *Investigation of Maritime Crimes***

A practical session on the best practices for investigating maritime crimes, including evidence collection and its preservation at sea. The session will highlight challenges specific to the maritime environment, as well as tools and methodologies for overcoming these challenges.

- **Session 5: *Integrating Legal Advisors and prosecutors into Operations***

This session will emphasize the need for legal advisors to be involved early in the decision-making process, particularly in operational stages. It will draw on the UNODC and UNITAR training programmes and publications that advocate for stronger legal integration into maritime security operations, ensuring better legal outcomes.

- **Session 6: *Regional Cooperation and Information Sharing***

This session will explore how regional and international cooperation can enhance the prosecution of maritime crimes. Case studies from the Atlantic region, including successful collaborations and lessons learned, will be discussed. Participants will be encouraged to consider how they can improve communication and collaboration with neighbouring states and international bodies, potentially leading to the development of protocols/MoUs.

Methodology

- **Lectures and Presentations:** Delivered by experts from the PJ, MNE, EnMAR UNODC, UNITAR, MAOC-N, PT PJ, regional and international law enforcement agencies, and maritime legal professionals, including those who have contributed to the Atlantic Centre's publications.
- **Case Studies:** Real-world examples, particularly from the Atlantic region, will be used to analyse the challenges and successes in prosecuting maritime crimes.
- **Interactive Discussions:** Facilitated sessions where participants can engage in practical problem-solving and scenario-based exercises.
- **Workshops and Simulations:** Practical exercises on evidence collection, legal decision-making and coordination among different agencies.

Expected Outcomes

By the end of the training, participants will:

1. **Deepen their understanding** of maritime crimes and their global impact.
2. **Improve integration of legal advisors** into early stages of maritime operations, ensuring that legal considerations are tailored into all phases of enforcement.



3. **Enhance investigative capabilities**, particularly in evidence collection and preservation at sea.
4. **Strengthen cooperation** with regional and international partners to address maritime crime more effectively.

Conclusion

The success of maritime law enforcement hinges on the integration of legal advisors throughout the entire cycle of operations, from the detection of anomalies to the final legal adjudication. By aligning the training with the resources and expertise from the Atlantic Centre, EnMAR, UNODC, UNITAR, MAOC-N and Judiciary Police and Regional Law Enforcement agencies, this programme will provide public prosecutors with a comprehensive understanding of maritime crime prosecution. It will ensure they are better prepared to engage in all phases of maritime law enforcement, from initial surveillance to the final prosecution, thereby contributing to a more robust and coordinated global response to maritime crime.