

IN THE FOURTH SESSION OF THE SEVENTH PARLIAMENT  
OF THE FOURTH REPUBLIC OF GHANA



# REPORT

*of the*

## COMMITTEE ON DEFENCE AND INTERIOR

*on the*

HEADQUARTERS AGREEMENT BETWEEN THE  
GOVERNMENT OF THE REPUBLIC OF GHANA AND  
THE ECONOMIC COMMUNITY OF WEST AFRICAN  
STATES (ECOWAS) ON THE ESTABLISHMENT OF THE  
HEADQUARTERS OF THE MULTINATIONAL MARITIME  
COORDINATION CENTRE (MMCC) OF ZONE F, IN  
ACCRA GHANA

JANUARY, 2021

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CLASS NO: CR1 ECOWAS (2)

## **1.0 INTRODUCTION**

The Ratification of the Headquarters Agreement between the Government of the Republic of Ghana and the Economic Community of West African States (ECOWAS) on the Establishment of the Headquarters of the Multinational Maritime Coordination Centre (MMCC) of Zone F in Accra, Ghana, was presented to the House on Tuesday 20<sup>th</sup> October, 2020 by the Hon. Minister for Communication, Mrs. Ursula Ekuful on behalf of the Minister for Defence.

Pursuant to Article 103 of the 1992 Constitution and Orders 158 of the Standing Orders of the House, the Headquarters Agreement was referred to the Committee on Defence and Interior for consideration and report.

## **2.0 DELIBERATION**

The Committee on Defence and Interior (hereinafter referred to as “the Committee”) subsequently met and deliberated on the Headquarters Agreement with the Minister for Defence, Hon. Dominic Bingab Aduna Nitiwul, the Minister for Foreign Affairs, Ms. Shirley Ayorkor Botchway, Deputy Minister for Defence, Hon. Major (Rtd) Derek Oduro as well as officials from the Ministry of Defence and the Ghana Armed Forces.

The Committee is grateful to the Honourable Ministers for Defence and Foreign Affairs, the Deputy Minister for Defence and the officials for their elucidation provided on the Agreement.

## **3.0 REFERENCE DOCUMENTS**

The Committee referred to and was guided by the following documents *inter alia* during the deliberations:

- i. The 1992 Constitution
- ii. The Standing Orders
- iii. The Cabinet Memorandum on the Headquarters Agreement
- iv. The Headquarters Agreement signed between the Government of

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Ghana and ECOWAS

#### 4.0 BACKGROUND

The ECOWAS Maritime Domain (EMD) includes the adjacent Atlantic Ocean, islands, estuaries, lagoons, archipelagos, deltas, wetlands, creeks, coral reefs, mangrove forests, sandy beaches and dunes, as well as inland waterways such as lakes, rivers, falls, dams and streams, which are the lifeblood of the Community. This ecosystem provides critical life-supporting activities for a majority of the West African population, most of whom depend on it directly or indirectly for their survival, whether through employment, trade, transport, arts and culture, and aqua-farming or as a primary source of protein. The West African countries, either individually or collectively, are confronted with growing and multifaceted challenges to their maritime domain. The main concerns relate to piracy, armed robbery at sea, smuggling, drug and human trafficking, illegal, unreported and unregulated (IUU) fishing and illegal migration which also have links to transnational criminal groups. The lack of security and safety of maritime navigation in the ECOWAS waters has made sea transportation more risky, expensive and most importantly, deadly.

It underscores the need for greater collaboration and partnerships between Maritime or coastal States in the Gulf of Guinea. Therefore, the ECOWAS Integrated Maritime Strategy (EMS) adopted by the 44<sup>th</sup> Ordinary Session of Heads of States and Governments on 29<sup>th</sup> March, 2014, in Yamoussoukro, Cote D'Ivoire, particularly paragraph 84 of its section III, mentioned the establishment of a Multinational Maritime Coordination Centre (MMCC) of Zones E, F and G. It was essential to establish these Centres (MMCC) to afford the Member States the ability to repress and suppress piracy, committed in the Gulf of Guinea.

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Accordingly, in January, 2015, the Government of Ghana, through the Ministry of Foreign Affairs and Regional Integration, proactively expressed interest to host the Headquarters of the Multinational Maritime Coordination Centre (MMCC) of Zone F in Accra, Ghana. The objective of this move, is to support maritime safety and security in the West and Central Africa Regions.

The countries comprising the membership of Zone F are Burkina Faso, Ivory Coast, Ghana, Guinea Liberia and Sierra Leone.

Following extensive engagement with the ECOWAS Commission, the Headquarters Agreement was signed on 10<sup>th</sup> August, 2018, between the ECOWAS Commission and the Government of Ghana, and is subject to the ratification of Parliament pursuant to Article 75(2) of the 1992 Constitution of the Republic of Ghana.

Subsequently, the Member States of Maritime Zone F signed a Memorandum of Understanding (MOU) on 25<sup>th</sup> July, 2019 in Accra, for Joint Combined Operations in the Zone F Maritime Domain, which makes the Centre, the secretariat and focal point for the planning and execution of the Joint Maritime Operations.

#### **5.0 PURPOSE OF THE AGREEMENT**

The Agreement when ratified by Parliament, will enhance the country's leverage in the region on matters relating to maritime safety and security. The ratification will also reaffirm Members States shared commitment to peace and stability and ensure common opportunities in addressing regional maritime security issues, which have been most critical for Governments along the Gulf of Guinea.

#### **6.0 KEY PROVISIONS**

- i. The Government of Ghana allocate premises for the centre including equipment, running water, electricity, firefighting equipment, ensuring security and providing accommodation for international staff seconded by their government.
- ii. The Government of Ghana shall guarantee inviolability of the premises of the Centre implying that the centre shall be accorded diplomatic status and the centre shall have legal personality with the capacity to enter into contracts and acquire and dispose of movable and immovable property needed for its operations

- iii. The centre may enter into subsidiary agreement with the competent Ghanaian authorities in the execution of its mandate and in conjunction with the Ministry of Foreign Affairs and Regional Integration.
- iv. The Centre is exempt from direct or indirect taxes except for charges and taxes on public utility services.
- v. Any dispute arising out of the interpretation and/or implementation of this agreement shall be settled amicable through diplomatic channels.

## **7.0 IMPLEMENTATION PLAN**

It is expected that upon ratification by Parliament, the Agreement shall enter into force on the date of receipt of the last notification between the Parties through Diplomatic channels and all the relevant Stakeholders will be informed accordingly.

## **8.0 OBSERVATIONS AND RECOMMENDATIONS**

### **8.1 Justification and Benefits**

The Committee observed that the Parliamentary ratification of the Headquarters Agreement, will enable Ghana give effect to the Agreement signed on 10<sup>th</sup> August, 2018. This Agreement must be ratified before Ghana completes the required legal and administrative processes for the establishment of the Multinational Centre in Accra pursuant to Article 27 of the Headquarters Agreement. Further, the operationalisation of the Agreement will afford Ghana the ability to protect, prevent and combat pirate activities, narcotic traffic and other high seas criminal activities, thus enhance comprehensive maritime security, since it will create a deterrent posture to ward-off potential criminals and saboteurs in Ghana's maritime domain.

~~This will also allow other Member States of Zone F – Burkina Faso, Cote D'Ivoire, Guinea, Liberia and Sierra Leone – to fulfil their obligations in respect~~

of the operations of the Centre, as well as to facilitate the performance of the duties of the Centre in its contribution to efforts to ensure maritime safety and security in the Gulf of Guinea and West-Africa as a whole.

## **8.2 Legal Implications**

The Committee noted that the Agreement, in its strict sense, does not create extensive rights and obligations under International Law. It requires Ghana to provide some basic facilities for the smooth functioning of the Zone and, among other things, to guarantee the inviolability of the Centre's premises. These legal obligations, are however, founded upon the mutual understandings and goodwill of the States involved. Consequently, disputes arising out of their interpretation or implementation are resolved through diplomatic channels.

## **8.3 Financial Impact**

The Committee further noted that there are financial implications and responsibilities for the Government of Ghana in hosting the Headquarters of the MMCC. These include the provision of office accommodation for the Centre and other logistics. Ghana has already provided a portion of the Osu Castle as premises for the Centre. In addition, the Government of Germany, through its International Agency, GIZ, has handed over monitoring and radio equipment worth One Million and Two Hundred Thousand Euros (€1,200,000.00) to the Centre to support its operations. Other responsibilities of the Government of Ghana include the provision of accommodation for International Staff seconded by their Governments, running water, electricity firefighting equipment and security. The Government required to make available to the Centre, service support and appropriate allowances to seconded staff from the relevant Ghanaian agencies. The relevant Ghanaian agencies will contribute to the operation of the Centre. The ECOWAS

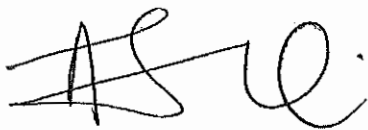
Commission is also expected to give financial support for the Centre's activities.

## **9.0 CONCLUSION**

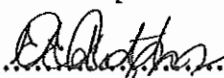
The Gulf of Guinea (GoG) has remained in global news for persistent piracy and blue crimes. Admittedly, since 2017, the GoG has recorded seventy percent (70%) increase year-on-year in actual attempted attacks on shipping across the region. In 2019, the GoG accounted for about eighty-six percent (86%) of kidnapping of ship crew for ransom. The phenomena which used to be concentrated in Nigerian maritime domain, has now spread rapidly to almost all coastal countries in the Region. Currently, Ghana and Congo account for about eight (8) to ten (10%) of piracy and related crimes in the Gulf of guinea.

The growing piracy and blue crimes across the Region are indications that no single country in the Region has the needed resources and capacity to contain and eliminate maritime as well as related transnational organized crimes in the Region. The ratification and establishment of the Centre will therefore, advance and complement the need to work towards bringing political commitment and readiness on one hand and operational capacity on the other hand since the Centre is currently under-resourced.

Respectfully submitted.



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**HON. SETH KWAME ACHEAMPONG**  
**(CHAIRMAN OF THE COMMITTEE)**



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**MS. EDITH EDILYN ADJEI**  
**(CLERK TO THE COMMITTEE)**