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SUSTAINABLE FISHERIES MANAGEMENT PROJECT (SFMP)

Trainer Of Trainers (TOT) Course For Marine Police and Fisheries Enforcement Unit Supervisors



AUGUST, 2017

THE
UNIVERSITY
OF RHODE ISLAND
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Friends of the Nation

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Cover photo: Cross section of participants in group photograph (Credit: Eric Mawuko Atsiatorme)

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ACRONYMS

SFMP	Sustainable Fisheries Management Project
USAID	United States Agency for International Development
UNODC	United Nations Office on Drugs and Crime
GMP	Ghana Marine Police
FC	Fisheries Commission
FEU	Fisheries Enforcement Unit
FoN	Friends of the Nation
PC	Petroleum Commission
SOPs	Standing Operations Procedure
IUU	Illegal Unregulated Unreported fishing
GIS	Ghana Immigration Service
TS	Territorial Sea
MPAs	Marine Protected Areas
UNCLOS	United Nations Convention on the law of the sea
E&P	Exploration and Production
ACP	Assistant Commissioner of Police
ASP	Assistant Superintendent of Police
DSP	Deputy Superintendent of Police
Sgt.	Sergeant

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INTRODUCTION

The Ghana Sustainable Fisheries Management Project (SFMP) is being implemented with funding from USAID/Ghana for a 5-year period from 2014 to 2019. The key objective of the project is to contribute to the rebuilding of marine fisheries stock (small pelagics) and catches through adoption of responsible fishing practices.

However, in order to promote responsible fishing there is the need for strengthened fisheries law enforcement and effective deterrence to promote high compliance of the fisheries laws. It is important that fisheries enforcement officers are equipped with the relevant Knowledge, Skills and Attitude (KSA); which include Knowledge of all relevant laws of fishing, Skills to identify illegal fishing gears and practices, and Attitude to effectively collate adequate evidence, conduct effective arrest and successful prosecution.

In view of this, FoN under the SFMP conducted series of trainings on basic fisheries enforcement for Marine Police personnel and Fisheries Enforcement Unit (FEU) in SFMP year 1 & 2. In line with this, stakeholders also recommended the need to build a cadre of FEU and Marine Police personnel, who can advance internal trainings within the various Marine Police ranks to ensure that the KSA they have acquired from the trainings is shared and transferred to others including new recruits and other personnel that have not benefited for the trainings.

Therefore, in Year 3, SFMP/ FoN in conjunction with the United Nations Office on Drug Control, (UNODC) conducted an 8-day training Trainer of Trainers (ToT) course to equip 26 Marine Police personnel (2 female and 24 male).

The main objective of the Trainer of Trainers (ToT) workshop was to equip participants with key Knowledge, skills and Attitude (KSA) in fisheries enforcement and maritime security so that the trainees could facilitate knowledge transfer to new recruits and other police personnel.

The aim of the ToT was that information shared to trainers could be use in a structured process to advance internal transfer of KSA within the entire Marine Police Unit and ensure continuity and sustained on-the-job knowledge sharing.

To support the process a competence-based staff assessment and planning tool was used during the training to equip the participants on how to assess the competence level of members of their units and design tailored trainings to upgrade their capacity.

The competence-base staff assessment tool was also used to outline key on-the-job trainings and learning required to enhance the competence of personnel in the various ranks of the Marine Police Unit.

1.0 BACKGROUND

The United States Agency for International Development (USAID) has committed approximately \$24 million US Dollars to the implementation of the USAID/Ghana Sustainable Fisheries Management Project (SFMP). The objective of this five-year project (October 2014-October 2019) is to rebuild marine fisheries stocks and catches through adoption of responsible fishing practices. The project contributes to the Government of Ghana's fisheries development objectives and USAID's Feed the Future Initiative. More than 100,000 men and women involved in the local fishing industry will benefit from this project.

Working closely with the Ministry of Fisheries and Aquaculture Development and the Fisheries Commission, SFMP aims to end overfishing of key stocks important to local food security through:

- Improved legal enabling conditions for co-management, use rights and effort-reduction strategies.
- Strengthened information systems and science-informed decision-making.
- Increased constituencies that provide the political and public support needed to rebuild fish stocks.
- Implementation of applied management initiatives for several targeted fisheries ecosystems.

Some of the key highlights of the Life-of-Project Results in the M&E Plan for the SFMP include contribution to:

- Declines in Illegal, Unreported or Unregulated (IUU) fishing due to an increase in arrests and successful prosecutions and improved voluntary compliance.
- Inclusive participation by under-represented groups, women and youth in decision-making.
- A decline in child labor and trafficking in the fisheries sector in the Central Region (CR).

Effective deterrence through strengthened fisheries law enforcement is a key requirement to achieve the above Life-of-Project Results. Strengthen law enforcement is also crucial to promote responsible fishing and implementation of the Fisheries Management Plans to contribute to rebuilding the marine fish stock.

Towards this, Friends of the Nation (FoN) under the SFMP have been working with the marine police administration, Ghana Navy and the MCS Unit of the Fisheries Commission to strengthen the capacity of the Fisheries Enforcement Unit (FEU). SFMP areas of support are focused more on shore-based and community level monitoring control and surveillance (MCS) improvements and to a lesser extent on understanding and coordinating regional and high seas IUU fishing issues where other donors are quite active. As part of SFMP's support to the Marine Police Unit (MPU), the project assisted the MPU in developing a set of competencies for Marine Officers.

Also in April 2015, the UNODC Global Maritime Crime Programme conducted an assessment mission to develop support program in Ghana. The support program was designed to improve the maritime law enforcement capacity in Ghana, to respond to the threats of maritime crime in their waters including IUU.

2.0 TRAINING METHODOLOGY AND OUTPUT

In light of the above, USAID/SFMP/FoN in collaboration with UNODC organized a train-the-trainer workshop for the Marine Police unit from the 15th to 22nd of August, 2017 at the Marine Police Academy in Anyinase, Ghana.

2.1 Methodology

The workshop was facilitated by experienced resource persons drawn from key agencies including; UNODC, the Attorney Generals Department, the Fisheries Commission, the Ghana Immigration Service, the Petroleum Commission, the Ghana Navy, Interpol and FoN.

The resource persons delivered lectures and presentations on subject areas including, fisheries laws & regulation, fishing violations and offences, Inspection of vessels, piracy, marine hot pursuit, evidence gathering, cross examination tactics, prosecution of maritime crime, etc.

The facilitators used a combination of participatory tools to promote participant's understanding of the topics, this included;

- Interactive Power-Point Presentations
- Experience sharing
- Syndicate exercises
- Open forum segment

English language was the main medium of communication during the training. However, Fante and Twi were occasionally used where appropriate.

2.1 Training Output

The training workshop provided the platform for participants to be equipped with key Knowledge, Skills and Attitude (KSA) in fisheries law enforcement operations and in other maritime security disciplines. Participants were trained on how to present and deliver lectures using interactive approaches to ensure that they could successfully conduct training to others.

Participants were also taught how to plan and conduct peer-to-peer and on-the-job trainings and promote learning within their various ranks.

Also participants were trained to use the competence-base assessment tool to assess competence gaps and identify specific training needs of members of their units. They were also trained to use the information gathered through the competence-base assessment process to design periodic but simple training sessions for members of their unit.

The workshop provided that platform for participants to work in small teams to practice the knowledge and skills gained including presentation skills, assessment of training needs, planning of training sessions and other relevant communication skills.

At the end of the training session participants were tested and the feedback indicated that they understood the various materials and sessions and the training content.

3.0 DETAILED SESSION

3.1 Opening Session

The training workshop began with an opening session, this session provided the platform for key dignitaries and resources person to share the goal, objective and purpose of the training. The opening session was also used to prepare participants and inform them about the expected output and outcome of the training. The speakers at this session also stressed on the expected role and responsibilities of the trainees and how the knowledge they will gain were expected to be transmitted into active deterrence to combat IUU and promote responsible fishing.

Key statements were delivered by the following Dignitaries shown in the picture below:

- Mr. Andrew van Veen from UNODC (top left picture).
- Mr. Donkris Mevuta, the Executive Director of FoN (top right picture).
- ACP Samuel Owusu- Berko, Director Marine Police, Port and Railway (bottom left picture).
- Western Region Principal State Attorney Madam Patience Klinogo (bottom right picture).



Figure 1 Dignitaries giving their welcome statements.

Statements

- Mr. Andrew Van Veen of UNODC in his statement said, 90% of global trade is carried by sea and 85% of Ghana's marine trade goes through Tema and Takoradi Ports. He highlighted the strategic importance of Ghana in maritime trade. He said Ghana's marine environment holds about 5% of the World's global oil reserve. He noted that these important economic variables make Ghana a potential target for maritime crime. He said maritime crime does not only include crimes in piracy, trans-shipment but also include use of the sea to commit trans-national crimes such as smuggling of people including slavery and abduction, child trafficking, smuggling of drugs and weapons. He added that other serious maritime crimes include IUU fishing which pose incredible human consequences on the marine eco-systems, fishing livelihood and poses social economic treats to Ghana. He was happy Ghana has done extremely well to prevent and reduce criminal activities such as piracy, smuggling of drugs and weapons in her maritime jurisdiction. He concluded that the purpose of the train of trainers' (ToT) course was to improve the knowledge of participant to provide adequate maritime security.
- The executive director of Friends of the Nation, Mr. Donkris Mevuta in his statement noted that the ToT training workshop was design to provide an opportunity to participants to learn and discuss practical ways to protect the marine space through enhanced security. He was happy to announce the commitment and continued support for responsible fisheries in Ghana by the American People through USAID and the Sustainable Fisheries Management Project. He stated that FoN through the SFMP project had already drafted a competence-based fisheries curriculum for adoption by the Ghana Police and have also provided training materials and equipment such as computers, furniture, etc. to the Marine Police Training School at Ayinase for training purposes. He advised the police directors to use the facilities and training materials to advance internal trainings for new recruits and other personnel of the Marine Police Unit.
- ACP Owusu Berko, Director of Marine Police in his statement thank USAID and the SFMP project for the support the Marine police unit. He noted that the role of the Marine Police Unit in maritime security was very crucial. He explained that the ocean has become an important focal point for coastal states due to the vast economic wealth associated with it. He said one of the key challenges confronting Ghana's maritime environment was IUU and fishing around oil and gas installations by fishermen mainly due to poor communication and weak enforcement of the fisheries regulations. He was concerned about the rapid depletion of Ghana's fish stock and noted that the Country risk paying a heavy price if immediate steps were not taken to reverse this dangerous trend. He observed that the ToT workshop would provide the Marine Police participants with the needed knowledge and skills required for effective policing of the marine activities. Additionally, he was confident the ToT would build the capacity of the Ghana Marine Police to help them deal adequately with maritime jurisdiction issues including IUU fishing.
- Madam Klinogo, Western Region Principal State Attorney advised the police to be meticulous with evidence gathering and endeavor to preserve the evidence to support successful prosecution. She further counselled the Police to respect their witness and protect their identity. She also admonished the police to take responsibility to appear in court after arresting and investigating offenders. Madam Klinogo also shared that the Attorney Generals Department in Western Region has prosecuted IUU cases with the support of previous trainings provided to marine police personnel. She added that

the ToT will was design to equip participants with presentation skills to enable them to train other personnel. She concluded her statement by advising the police to use knowledge to be gained from the training to enhance their work.

3.2 Presentations

Key presentations delivered at the ToT workshop included the following:

- Legal Frame work for Maritime Security.
- Ghanaian Judicial and Criminal Law System.
- Ghana Marine Police Jurisdiction for Maritime and Littoral Law Enforcement Operations.
- Offshore Petroleum Activities, Common Offences and Enforcement Operations
- Principles of Evidence Gathering.
- Preventing Unsafe Migration, the role of Ghana Immigration Service and the Marine Police.
- Interaction with Petroleum Commission.
- Organization role of Ghana Navy: History, roles capabilities and general operations.
- Fisheries Law Enforcement: Prohibition and Offences in the existing Fisheries Laws.
- Interactions with US Enforcement Working Group at the US Embassy in Ghana.
- Standing Operation Procedures (SOPs) for Fisheries Enforcement.
- Drug Importation and Trafficking.
- Highlights of Fisheries Regulations.

Other integral Topics discussed included the following:

- General Ghanaian Domestic Criminal law jurisdiction.
- Law enforcement jurisdiction under the *Constitution of the Republic of Ghana* and the Police Service Act of 1970 (Act 350).
- Law enforcement jurisdiction under the Ghana Maritime Zones Delimitation Act 1986 (PNDCL 159) and International Maritime Legal Regimes;
- Bases for Jurisdiction to act in the Maritime Environment; as to particular offences, as to Vessels to include Foreign Flag Vessels and Stateless Vessels; and Jurisdiction as to Hot pursuit in the Maritime Environment.
- Ghanaian Legal and Criminal Court System.
- Fishing Violations, Offences.
- Activities Causing Environmental Harm; the role of Petroleum Commission.
- Operational planning process (OPP) for marine patrol.
- Operational implementation and SOPs for fisheries Enforcement.
- Competence -based staff assessment.

3.2.1 Legal Framework of Maritime Security



Figure 2 Mr. Andrew van Veen, giving his presentation on Legal Framework of Maritime Security

This session was delivered by Mr. Andrew van Veen who provided some vital statistics of Ghana's marine waters. He noted that, 24 billion barrels of oil representing 5% of the World's oil reserve was in Ghana's marine waters. This, he said, makes Ghana a potential target for piracy. He observed that 40% of oil consumed by the Europe comes from West Africa, and 20% of oil consumed by the USA also comes from West Africa. He said the sea is the main routes for imports and exports for major ships and Ghana has the major ports in West Africa.

He said major threats such as illegal fishing, weapons, narcotics and release of chemicals puts transportation, shipping, and maritime infrastructure at risk. He said significant intelligence gathering by the police is very important in confronting maritime threats. A summary of his presentation is provided below.

3.2.2 Port Risk

He said the activities of drug barons posed enormous risk to port security. He observed that criminal gangs' exploits choked points such as the Panama Canal, mouth of the Volta lake at Ada-Foh as transit routes to smuggle illicit drugs to Libya, and cross the Mediterranean Sea to Europe. "This makes Boat lakes vulnerable and security services must pay attention to transport through such routes", he said.

3.2.3 Challenges

Mr. Veen noted, that the difficulty with evidence gathering techniques and handling is that, more often the evidence gets washed away. He said the sea state and the jurisdiction also present another dimension to the problem. He was of the view that by law, the Ghana Marine Police was restricted to operate within the 12 nautical Miles of Ghana's coastal waters and by this reason, crimes committed within the 200 Nautical Miles EEZ requires the combined effort of the Ghana Marine Police and the Ghana Navy to initiate and maintain a hot pursuit.

3.2.4 Criminal Code

He said Ghana's criminal code is a very old code (1960). "The criminal code of 1960 does not have an effective definition of piracy because the Act says piracy must be offenses committed by ships." The implicit meaning of such provision is that criminal offenses committed at sea by canoes cannot be enforced by the law (criminal code 1960). However, the Ghana criminal code 1960 (Act 29) and its subsequent amendments empowers the GMP to enforce certain offences committed within the territorial waters of Ghana.

3.2.5 Weapons of Mass Destruction by Sea

WMD includes nuclear weapons, biological and chemical weapons. He said if a Ghana Marine Patrol boat on normal duty discover a foreign vessel with WMD in Ghana's territorial waters, the marine police must immediately notify the Inspector General of Police (IGP). He said, the Ghana Marine Police (GMP), to be abreast with other regional codes such as the Yaoundé Code, and must be aware of the elements of offence for example 'constructive presence', 'possession of illicit device'. Veen said under such circumstances, the GMP must collaborate with other security agencies (Immigration), communicate with other Countries (because different laws in different Countries).

3.2.6 Drug, human trafficking, and Illegal Fishing

He said drug and human trafficking was a very big issue and if the GMP has reasonable grounds to believe a vessel is involved in human or drug trafficking, one of the routine operational procedure is to ascertain the identity and nationality of the people onboard the vessel. He said to determine an unlawful catch, the GMP must take the type of the vessel, the location of the vessel at the time of fishing, the type and size of nets and other materials onboard the vessel into consideration.

3.2.7 Universal Jurisdiction

He said the GMP has jurisdiction over piracy, slavery and illegal radio station at sea within the territorial waters of Ghana and can arrest offenses including drug importation, robbery, arms smuggling, extortion and other fishing violations. However, the GMP must have reasonable and probable grounds to arrest a vessel.

3.2.8 Hot Pursuit

He said for the GMP to initiate and maintain hot pursuit, there must be reasonable grounds to believe the vessel has violated the maritime laws within Ghanaian waters. In hot pursuit, the GMP must use strategies such as firing flares, giving warning shots, radio signaling and cutting the suspect vessel off. Veen said hot pursuit must be continuous, until the vessel moves into a third-party State in which case clearance or permission is required from the third-party State to continue hot pursuit. Veen said where a foreign ship outside territorial sea, but working as a team with other ship such that the pursued ship is a "mother ship" the "mother ship" may be regarded as having a constructive presence and therefore must be considered as a suspect ship for hot pursuit.

3.2.9 Maritime Terrorism threats

He observed that Ghana has very good laws on terrorism and the GMP must take advantage of that to enhance security patrol of the coast. This he said is very important due to the presence of vital installations such as oil and gas pipelines in both Takoradi and Tema ports. He reminded the participants to always watch out for under water explosion, cyber-attacks, biological and chemical attacks on passenger vessels. Veen concluded his presentation by encouraging the participants to know the criminal code, the constitution and the relevant provisions of the law in their area of operation.

3.3 Ghanaian Judicial and Criminal Law System



Figure 3 Madam Patience Klinogo, taking participants through Ghana's Judicial and Criminal Law System

This session was facilitated by Madam Patience Klinogo. Her introduction touched on the 3 arms of government which she said included the Executive (President), the Legislative (Parliament) and the Judiciary.

3.3.1 Role of the Judiciary

She then focused her presentation on the role of the Judiciary which according to her was grounded in article 125 clause 1 of the 1992 constitution and stated inter-alia, that justice emanating from the people shall be administered in the name of the Republic by the Judiciary which shall be independent and subject to only to the Constitution. She said the Judiciary have jurisdiction in all matters civil and criminal including matters relating to the Constitution as provided in clause 5 of article 125.

3.3.2 Structure of the Judiciary

Madam Klinogo said, article 126 clause 1 of the 1992 constitution separates the Judiciary into two Courts categories;

- (a) the superior Courts of Judicature comprising the Supreme Court, the Court of Appeal, and the High Court and Regional Tribunals.
- (b) the Lower Courts or tribunals as Parliament may by law establish.

3.3.2.1 Supreme Courts;

She highlighted some of the functions of the Supreme Court and noted that the Supreme Courts which was the highest decision-making body of the Judiciary among other things shall be the final court of appeal and shall have such appellate and other jurisdiction as may be conferred on it by this Constitution or any other law, and shall not be bound to follow the decisions of any other court. She further stated that the Supreme Court may while treating its own previous decisions normally binding, depart from a previous decision when it appears to it right to do so, and all other courts shall be bound to follow the decision of the Supreme Court on question of law.

3.3.2.2 Court of Appeal

The Court of Appeal, she explained, has no original jurisdiction except to consider appeals from a judgement, decree or order of the High Court and Regional Tribunals and such other appellate jurisdiction as may be conferred on it by the 1992 Constitution or any other law. Madam Klinogo said in Ghana, the Court of Appeal is the highest court to handle petition relative to an electoral dispute of a member of parliament.

3.3.2.3 High Court

The High Court as She observed has original jurisdiction in all matters both criminal and civil. She stated that except for treason, all appeals go to the Court of Appeal. She further underscored the relevance of section 17 of the High Court acts 459 of 1993 which she maintained, grants the High Court exclusive right to try acts of piracy wherever it is committed on board a Ghanaian ship, or an act of piracy committed within the territorial waters of the Republic, or an act of piracy committed by a citizen of Ghana on high seas or in a foreign port or harbor or in a foreign territorial or tidal waters.

She observed that, section 193 and 194 of Act 29/60 that deals with acts of piracy does not actually provide definition of piracy but reading through the provisions, under Section 193 one can deduce the definition of piracy in conformity with internationally acceptable one which states “a person is guilty of piracy if he sails on the high seas for private ends without any authorization from government of any state with the intention of perpetrating depredations upon property or committing acts of violence against a person”. Piracy she said, is regarded in international law as a crime against all nations. She added that under section 193 of the law, preliminary trial of acts of piracy should be tried under indictment in a circuit court before trial continues at the High Court.

She was however, critical of the law that deals with piracy and noted that under Ghanaian law, piracy can be committed not only on the high seas but also within the territorial waters which according to her is problematic and unacceptable under international law. She was quick to add that there is an ongoing process to have a law on maritime offences for Ghana and also an act to provide for the suppression of piracy and other criminal offences at sea. “This is to bring our law on piracy and other maritime offences in line with international law” she said.

Madam Klinogo also pointed out that section 115 of fisheries Act 625 gives the High Court jurisdiction to deal with acts and omissions committed by a person on board a foreign vessel. She however, added that, not until November 2010 there was no provision for the forum for dealing with acts and omissions involving local fishing vessels

3.3.2.4 Lower Courts

She said article 126 clause 1b provides for lower courts as comprising, the Circuit Courts, which has jurisdiction over civil and criminal trials except for treason and cannot impose fines exceeding ten thousand Ghana cedis. She added that by Practice Directive (Practice Note) dated 29th November 2010, the Circuit Courts in the Regional Capitals have been designated as courts to adjudicate cases or offences committed by a local fishing vessel as stipulated in section 115 (1) (a) (b) and (c) of the fisheries Act, 2002, Act 625.

She said the other lower courts namely; the District Courts, is cloth with power to adjudicate cases whose penalty do not exceed 500 penalty units, and Chieftaincy Institutions which has no criminal jurisdiction but mainly apply customary law in their jurisdictions.

3.4 The Ghanaian Criminal Court System

The criminal Court system in Ghana as Madam Klinogo observed was adversarial or accusatorial and not inquisitorial. She explained that, contrary to inquisitorial prosecution, an adversarial prosecution was subject to the provisions of Article 19 (2) (c) of the 1992 constitution, which regards an accused person as innocent until proven guilty by the prosecution or unless he pleads guilty. “The accused is not to prove his innocence but the prosecution is to prove the guilt of the accused beyond reasonable doubt” she observed.

3.4.1 Role of the Attorney General in criminal prosecution

Madam Klinogo noted that it is only the Attorney General that is clothed with the power to initiate criminal prosecution in accordance with the provisions of article 88 clause 3. She continued her submission by stating that Clause 4 of Article 88 provides that all offences prosecuted in the name of the Republic of Ghana shall be at the suit of the Attorney General or any other person authorized by him in accordance with any law.

She noted that, in the case of the power of the Police to prosecute criminal cases, the authority of the Attorney General has been given by the Appointment of Public Prosecutor’s Instrument 4 (EI4) as amended by E19 of 1999 made by the Attorney General in exercise of his powers under section 56 of Act 30/60. Incidental to this, she observed that the bulk of offences before the district and circuit courts are prosecuted by the Police.

3.4.2 Institution of Criminal Proceedings

Madam Klinogo said there were 3 main grounds by which criminal proceedings could be instituted under section 60 of act 30. These grounds include;

- (a) A person who has reasonable grounds to believe that another person has committed an offence may make a complaint of the offence to the appropriate district magistrate and apply for the issuance of a warrant or a summons to compel the personal attendance in court of the accused person. (Section 60 (1) (a) Act 30)
- (b) By bringing a person arrested without a warrant before the court on a charge contained in the charge sheet (Section 60(1) (b) Act 30)
- (c) Where an offence is committed in the presence of a magistrate, by the magistrate arresting or ordering another person to arrest the offender and committing the offender to custody (this procedure is adopted for offences like insulting the court (Section 224 Act 29/60) or disturbing the court (Section 223) Act 29/60 which offences are often committed in the presence of the magistrate.

She noted that by the provisions of Article 19 (3), the trial of a person charged with a criminal offence shall take place in his presence unless:

- (a) He refuses to appear before the court for the trial to be conducted in his presence after he has been duly notified of the trial; or
- (b) He conducts himself in such a manner as to render the continuation of the proceedings in his presence impracticable and the court orders him to be removed for the trial to proceed in his absence.

She said a trial commences by reading and explaining the charge to an accused and his plea taken. If he pleads guilty without adding any words, (simpliciter) the facts are given and if the facts support the charge, he is convicted on his own plea of guilty. However, if he pleads not guilty, the prosecution has the burden of proving his guilt. This she noted, is done by calling witnesses who give evidence in chief and are subjected to cross examination by or on behalf of the accused. After cross examination, the witness may be re-examined by the prosecutor to clear doubts that arose during cross examination.

Madam Klinogo said prosecution closes its case by calling his last witness, very often, the investigator who tenders the exhibits. At the close of prosecution's case, the court is to rule as to whether there is a case for the accused to answer. The accused's lawyer may make submission on his behalf and the prosecution may respond.

3.4.3 Nolle Prosequi

She noted that under section 59 of Act 30, the Attorney General may discontinue any criminal prosecution in any court by entering *nolle prosequi* (np) before judgement is pronounced or before an order of committal is made.

3.5 Legal classification of crimes

According to Madam Klinogo, crimes in Ghana are classified into two categories based on the degree or gravity of the offence and the mode of trial. She said first degree felonies, second degree felonies, and misdemeanors were classified as crimes based on the gravity of the offence. She admitted that an offence was regarded as of high degree if it carries high sentence. She gave some examples of first-degree offences such as murder, attempted murder, genocide, manslaughter, robbery, piracy, and hijacking, and further cited some offences such as causing harm to a child at birth, causing harm, female genital mutilation, threat of death, kidnapping, child stealing, stealing and defrauding as second-degree felonies.

Touching further on the crime classification based on the mode of trial, (summarily or on indictment), Madam Klinogo said section 2 of Act 30 provided that an offence shall be tried summarily if;

- The enactment creating the offence provides that it is punishable on summary conviction and does not provide for any other mode of trial, or
- The enactment creating the offence makes no provision for the mode of trial and the maximum penalty for the offence on first conviction is a term of imprisonment not exceeding six months, whether with or without a fine.

Madam Klinogo concluded her presentation by stating that suspects with elements of criminal liability such as imbecility, idiots, or mental derangement makes such suspects an unfit subject of prosecution. There were questions after her presentation. For example, Sgt Wonder Kpedator wanted to know if Ghana can try an offence committed by a vessel with Ivory Coast license but flies the Ghana flag. She responded that, under such circumstances, Ghana could try such offence but Ivory Coast could also initiate extradition process to have the vessel tried under Ivorian law. She emphasized that under international maritime law, if the offence relates to piracy, it should be committed on the high sea and not in territorial waters.

4.0 GHANA MARINE POLICE JURISDICTION FOR MARITIME AND LITTORAL LAW ENFORCEMENT OPERATIONS

This session was conducted on the 2nd day of the training. The session mainly involved presentations and lectures by the UNODC mentor Andrew van Veen. His lectures covered domestic legal authority, maritime jurisdiction, boarding and use of force policy.



Figure 4 UNODC Mentor, Andrew van Veen, presenting on littoral law enforcement operations

4.1 Domestic Legal Authority

Touching on the subject of domestic legal authority, he noted that the creation of the Ghana Marine Police was not grounded on any legal provisions of the 1992 constitution. He agreed, however, that the mandate of the Ghana Marine Police appears to be part of the general mandate of the Ghana Police Service as established under article 190.

He said pursuant to the Police Service Act (1970), the Ghana Police has a duty to prevent and detect crimes including crimes committed within 12 nautical miles of Ghana's coastal waters to apprehend offenders, and to maintain public order and the safety of persons and property.

4.1.1 Ghana Maritime Zones Delimitation Act 1986 and the Fisheries Act 625

Mr. Veen said the Ghana Maritime Zones Delimitation Act 1986, the Fisheries Act 2002 (as amended 2014), and the security master plan for Ghana's oil and gas industry were some of the legal and policy frameworks within which the Ghana Marine Police was empowered to

deal with issues of maritime jurisdiction and other fishing offences to ensure the effective security of Ghana's oil and gas industry in accordance with international best practices.

4.1.2 Maritime Jurisdiction

Mr. Veen said under UNCLOS 1982, Coastal States (CS) were permitted to establish a limit of up to 12 nautical miles seaward from the baseline of a Coastal State. He noted however, that States with opposite or adjacent coasts which has less than 24 nautical miles apart may not generally extend their territorial sea (TS) beyond the median line without an agreement. He said article 8(1) of UNCLOS 1982 further provides definition for internal waters (lakes, rivers, harbours and canals) as waters that are landward of the baseline from which the TS is measured.

He said for purposes of law enforcement, certain elements relative to maritime jurisdiction need to be taken into consideration. These elements which require consideration, he said included the location, type of offence, nationality of vessel and persons on board the vessel.

4.1.3 Right of innocent and non-innocent passage

He stated that, under the provisions of article 18(2) of UNCLOS 1982, vessels are granted the right of innocent passage which included stopping and anchoring, but only in so far as the same are incidental to ordinary navigation or are rendered necessary by *force majeure* or distress or for the purpose of rendering assistance to persons, ships or aircraft in danger or distress. He said per such provisions under UNCLOS rules, Merchant ships have implied permission, but not a right, to enter the internal waters of a foreign state to visit a port.

He further stressed that certain acts such as any threat or use of force against CS, weapons exercise or practice, intelligence collection against CS, act of propaganda directed against CS, launching or recovery of aircraft or military devices, loading or unloading of goods or persons contrary to CS laws, willful and serious pollution, fishing without appropriate license constitutes non-innocent passage. He admonished the participants to endeavor to be conversant with the specific provisions of the international and domestic maritime laws to avoid committing diplomatic incident. He said it was important merchant vessels seek permission and provide advance information to port authorities before entering Ghana's waters and ports.

4.2 Responsibility of Coastal States

He said that Coastal States whiles claiming their right of sovereignty over territorial sea are equally mandated to enact legislation to deal with incidents of maritime crime, ensure safety and security of vessels in TS (particularly those at anchor), and provide effective law enforcement of the maritime space.

4.3 Criminal Enforcement Powers in Territorial Sea

Mr. Veen also took participants through the enforcement of maritime laws and intimated that, criminal jurisdiction of the coastal State should not be exercised on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation relating to any crime committed on board the ship during its passage, save only in the following cases:

- (a) if the consequences of the crime extend to the coastal State;
- (b) if the crime is of a kind to disturb the peace of the country or the good order of the territorial sea;

- (c) if the assistance of the local authorities has been requested by the master of the ship or by a diplomatic agent or consular officer of the flag State; or
- (d) if such measures are necessary for the suppression of illicit traffic in narcotic drugs or psychotropic substances.

4.4 Boarding

He said boarding a vessel could occur under consensual, non-cooperative or opposed and as such opposed boarding may be beyond the capability of the Ghana Marine Police and are normally in the purview of Naval or Army Special Forces. He observed that neither the Ghanaian Maritime Authority Act nor the Ghana Maritime Security Act identifies criminal offences or assign criminal law enforcement jurisdiction to any other Ghanaian entity.

He posited that due to the gaps identified in the Ghana Maritime and Ghana Maritime Security Acts, the Ghana Marine Police may exercise powers of arrest, entry, search or seizure where there are reasonable grounds to believe such an offence was committed in Ghana or in Ghana's territorial waters in accordance with the Ghana criminal code and Ghana common law.

4.4.1 General boarding procedures

He said boarding a vessel may be part of Ghana Marine Police routine checks within the 12 nautical miles territorial waters. He noted that before boarding commences, the Ghana Marine Police must carefully consider certain operational procedures which include but not limited to the following.

- The boarding team composition and command structure
- The number of people in the boarding team,
- Prior rules of engagement
- Awareness of the sea state

Further, as part of the operational procedures, Mr Veen said it was important that two members of the boarding team enters the vessel and conduct initial security sweep to secure the vessel before signaling the other team members to join. He advised that, once on board the vessel, the boarding team must review the ships papers, (one person trained in evidence gathering) and initiate a search to gather evidence if the boarding team has reasonable grounds to believe an offence has been committed. He said for safety and security reasons, it is always advisable to get the crew to open the hatch and other confined spaces of the vessel. He further said that as per the rules of engagement, the authority to shoot or fire a warning shot should always rest with the chain of command.

4.5 Use of force policy

Mr. Veen provided insights into the use of force policy. He noted that force must be limited to the use of reasonable force which should be commensurate with the crime.

He said force may be necessary to compel compliance with a lawful order, or to neutralize a culprit to eliminate the threat. He said although a Police Officer is not required to retreat, it is the position of the law that they are ultimately responsible for the use of force and may be liable for the excessive use thereof. He concluded his presentation by reminding the participants that the use of force is limited to stopping the vessel, and that the Marine Police must always consider the jurisdiction and the nature of the offence before thinking about what to do under the law to ensure compliance.

5.0 OFFSHORE PETROLEUM ACTIVITIES; COMMON OFFENCES AND ENFORCEMENT OPERATIONS



Figure 5 Mr. Kusi Ampofo, giving his presentation on offshore petroleum activities; common offences and enforcement operations

Mr. Solomon Kusi Ampofo, Project Coordinator of FoN delivered the presentation on the topic offshore petroleum activities; common offences and enforcement operations. He explained that the Ghana Marine Police have the mandate to effectively ensure adequate protection of Ghana’s offshore oil and gas installations in order to safeguard the security of such vital installations.

5.1 Petroleum Activities

Mr. Ampofo highlighted some of the offshore petroleum activities which he said included offshore seismic survey, drilling of different types of wells (production wells, exploratory wells, water injection wells and gas injection wells.), and offloading operations. He said it is important the Ghana Marine Police and fishermen are adequately provided prior information during seismic surveys and other offshore oil and gas related activities to enable the Police to provide adequate protection for the safety of the oil and gas operations.

5.2 Common Offences

He noted that fishing around oil and gas installations by fishermen within the 500m restriction zone, and the use of offshore oil and gas installations by fishermen to anchor their canoe were among some of the common offences committed by fishermen.

Some of the participants recounted their experiences of hostile interactions with fishermen especially those involved in hook and line fishing around oil and gas installations.

He advised the Marine Police to look-out for drifting canoes in distress towards oil and gas installations for the purposes of avoiding collision between such canoes and offshore installations which could have catastrophic impacts on both the environment and on the human life. Contributing to the discussion, Sgt Wonder Kpedator was concerned that, the lack of clear demarcation of the 500m exclusive zone was being used by fishermen as an excuse to enter and fish within the zone. He suggested that buoys with flashlights be installed to warn local fishermen and other intruders approaching the 500m exclusive zone.

5.3 Environmental impacts and National Oil Spill Contingency Plan

Mr. Ampofo said oil and gas exploration and production activities were sometimes accompanied with serious environmental impacts. Some of the impacts he observed, included;

- oil spillages.
- loss of biodiversity.
- physical destruction of the sea bed.
- air pollution through gas flaring.
- and ballast water discharge.

He said under the National Oil Spill Contingency Plan, the Ghana Marine Police was mandated to coordinate emergency response activities and provide protection in the event of an oil spill.

5.4 Enforcement operations

He noted, that the criminal code of 1960, and section 56 of Act 30/60 provides some of the legal remit within which the Ghana Marine Police was empowered to under- take enforcement operations to protect the Country's coastline (12 nautical miles) against criminal activities including sabotage of offshore oil and gas installations.

5.5 Legal and regulatory frameworks

Mr. Ampofo revealed that activities within Ghana's marine environment was heavily sanctioned under certain legal and regulatory frameworks which included;

- the National Energy Policy, 2010.
- GNPC Law, PNDCL64, 1983.
- Petroleum Commission Act, 2011, Act 821.
- Ghana Maritime Authority Act 2002, Act 630.
- Fisheries Act 2002, Act 625.
- Petroleum (Exploration and Production) Act 919, of 2016.
- Environmental Assessment Regulation 1999 (LI1652).
- and the Petroleum Revenue Management Act 2010, Act 815 as amended Act 893, 2015.

He said regulation 11 of the Fisheries Act, for example prohibits fishing around designated oil and gas exploration and production areas. He concluded his presentation with a call on the Ghana Marine Police to be abreast with the relevant legal and regulatory provisions of Ghana's marine environment to enable the Marine Police to effectively discharge its duties. He also agreed with the recommendation by Sgt. Wonder Kpedator that buoys with flashlights could be installed to warn local fishermen and other intruders approaching the 500m exclusive zone.

6.0 PRINCIPLES OF EVIDENCE GATHERING

The evidence gathering session presented by Andrew van Veen was mainly by interactive Power-Points delivery. His presentation covered types of evidence, guidelines for giving evidence, common faults to avoid when giving evidence, evidence gathering, principles of evidence, chain of custody, relevance, admissibility and cross examination tactics.

He said the cardinal principle underlying evidence is that the evidence must have probative value, relevant, reliable and must be admissible. He was emphatic that the job of the Police is to adduce evidence that can prove (probative) something and allow the judge to determine its relevance.

6.1 Types of evidence

He highlighted several types of evidence including original evidence which encompassed direct, oral, real, documentary, physical, electronic evidence and other types of evidence such as circumstantial and hearsay evidence.

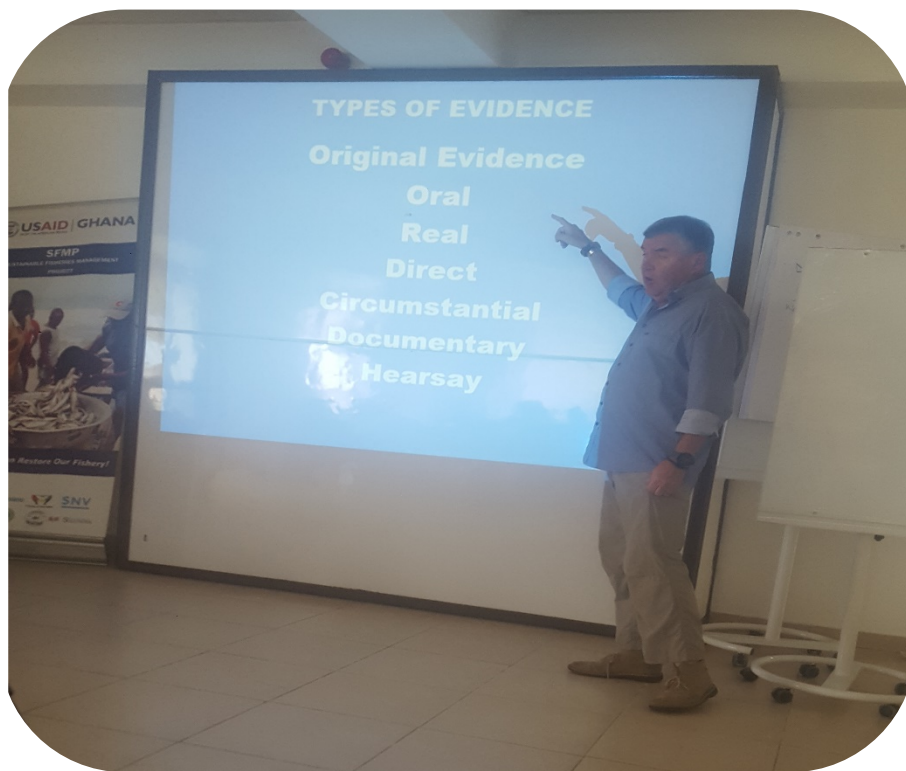


Figure 6 UNODC Mentor, Andrew van Veen presenting on evidence gathering

6.1.1 Original Evidence

Mr. Veen observed that original evidence could be any oral or documentary statement made by the actual observer that is produced in court. He explained that original evidence was different from hearsay evidence. He said original evidence is what the witness perceives with his/her own senses, by sight, hearing (not what they have been told by another party), touch, taste and smell. He cautioned that, a person cannot give evidence on what someone else saw.

6.1.2 Circumstantial Evidence

He defined circumstantial evidence as the testimony of witnesses to other facts from which the facts in question may be inferred. He said circumstantial evidence is often contrasted with direct evidence. "All evidence is direct in so far as it expresses the actual observations of

witnesses, but evidence is circumstantial if it merely supplies material for inferences as to the facts at issue” he stated.

Mr. Veen further explained that both forms of evidence are equally admissible, although in the case of circumstantial evidence there is the disadvantage that while the facts stated are true, different inferences may be drawn from them. He intimated that circumstantial evidence alone can be sufficient to convict, but a prosecution based purely on circumstantial evidence must be very carefully considered and examined by the prosecuting authority before proceeding. He again maintained that circumstantial evidence can convict if it results in an “irresistible inference.”

6.1.3 Hearsay Evidence

Hearsay evidence, he said, is the oral or written statement of a person who is not present in court, but conveyed to the court by another person or by the instrumentality of a document, tendered as evidence of the truth of what is stated. He noted that hearsay evidence was not admissible in court because it is not made on oath so there is no guarantee of its truth or otherwise and is held to be unreliable and untested. Mr. Veen was of the view that truth depreciates in the telling (statements repeated from one person to another are likely to become distorted), and if countenanced, would encourage the use of less reliable evidence and means of proof.

He, however, said there were some exceptions to the hearsay rule which included statements adverse to the interests of the maker, such as lawful confessions, dying declarations, statements in public documents, trade or business records and certain opinion evidence (the opinion of a professional example a Medical Doctor)

6.2 Guidelines for giving evidence

Mr Veen said based on his over 32 years as a practicing lawyer, it was important for every prosecutor to enhance his or her credibility before a judge. To achieve this, he outlined a few simple guidelines that must be followed during evidence presentation in court. Some of the guidelines outlined included

- Use of a quiet, but clear, voice throughout the proceedings.
- Do not become heated; be detached, even in the face of lying evidence by the defense, or personal or insulting remarks, or reflections or imputations made by the defendant or his/her solicitor — the Judge will deal with their behavior.
- On no account, be drawn into an argument as a witness.
- Describe the circumstances of the offence, not in general terms, not in the nature of an opinion, but with the facts as recorded. Create a picture of the facts in the Judges mind.
- State the offence clearly and confidently.
- Mention the circumstances dispassionately; include both aggravating and mitigating evidence.
- Take the oath with due solemnity, and do nothing to disturb the court whilst the oath is administered to anyone else.
- In a defended case, be sure to cover, by evidence, every element of the offence.

6.2.1 Techniques and conduct when giving evidence

Mr. Veen noted that giving evidence in his view requires a lot of techniques. These techniques he said involved:

- flawless appearance.
- standing at attention while the Oath is being taken or administered.
- speaking in a clear distinct tone of voice and not speak too quickly.
- using simple language to makes one's testimony accurate and simple.
- being impartial and calm.
- speaking in first person and not adding good ideas to the statement later in another Court.
- knowing the evidence that is required to be given.
- facing examiner during the questioning but directing the answer towards the clerk.

He said it was normal to refer to notes to refresh memory.

6.2.2 Common faults when testifying

Some of the common faults outlined included:

- being over-zealous and answering questions before the examiner has finished asking the question.
- forgetting facts and being reluctant to give testimony which may favor the defendant.
- replying evasively or flippantly, or pretending not to hear the question in order to gain time to consider the answer.

He reminded the personnel to be mindful of their demeanor and remain professional as Judges give professional witnesses less latitude.

6.2.3 Gathering Evidence

Evidence, he observed was about the depth of the evidence itself (Actus Reus) and the intent to commit crime (Men-rea). He said in evidence gathering, generally, one Police Officer should be designated as the Evidence Gathering Officer and his/her duties must include ensuring that all physical evidence is collected, catalogued and recorded upon the completion of all events. He added that in the event of a boarding, these responsibilities should be divided between two persons comprising the Witnessing Officer of the Police Boarding Party (PBP) and the Evidence Gathering Officer.

6.2.4 Elements of the offence

Mr. Veen listed a few elements to consider when investigating an offence. These included but not limited to;

- the identity of the accused.
- the date of the offence.
- the nature (or type) of offence.
- the location of the offence.
- Actus reus.
- Mens rea.

6.2.5 Evidence preservation and chain of custody

Evidence preservation, he said, required that the evidence be accounted for from the moment it is seized until it is admitted in court. This he noted will ensure that there was no time where it could have been altered or swapped precluding any defence motions that the evidence had been tampered with and is therefore neither reliable or admissible. To do this, he pointed out that, all members of the PBP shall hand all the evidence that may have acquired directly and personally to the Evidence Gathering Officer or the Witnessing officer on board the vessel of

Interest (VOI). He cautioned that no other method is authorized as any thing else could breach the continuous chain of possession

He added that in some instances, notation of special identifying features required the careful inspection of all suspicious objects to note all observable features, or, in some cases, to place distinctive markings on an object. These markings can then be referred to in court to prove that the object to be admitted in evidence is in fact the object originally seized he said.

He said evidence preservation must have a proper chain of custody which is demonstrated by three types of testimony as a pre-requisite to maintaining the sanctity of the evidence. These included;

- Testimony that a piece of evidence is what it purports to be (e.g. a species of fish).
- Testimony of continuous possession by everyone who has had possession of the evidence from the time it was seized until the time it is presented in court.
- Testimony by each person who has had possession, that the particular piece of evidence remained in substantially the same condition from the moment one person took possession until the moment that person released the evidence into the custody of another (e.g. testimony the evidence was stored securely).

He noted that these processes (chain of custody) must have a continuous record of the life of the evidence from the moment it was seized to the moment it is used in court. He charged that, every step must be recorded to ensure it is not tampered with, changed or lost. He subsequently outlined the steps involved in the chain of custody.

A summary of the steps is provided below.

- identification and collection.
- Analysis.
- Storage.
- Preservation.
- Transportation.
- presentation in court.
- disposal or return to owner (as appropriate).

6.2.6 Evidence admissibility and relevance

Mr. Veen defined admissible evidence as one which comprises all relevant evidence which is not subject to a rule of exclusion. He said the general rule governing the subject of evidence was that, all evidence which is sufficiently relevant to the issue before the Court is admissible and all that is irrelevant, or insufficiently relevant, should be excluded. He continued that Once evidence which is relevant and admissible is admitted, its weight, probative value, or evidentiary value will then be considered by the Court

He further stated that for evidence to be admissible in court it generally needs:

- to be both relevant and probative (proves something).
- to be collected in a transparent way.
- to be formally recorded.
- a notice of seizure to be provided to the owner as appropriate.
- a protected chain of custody.

6.2.7 Examination-in-chief and cross examination

He distinguished between examination-in-chief and cross examination. He said examination-in-chief relates to a narrative with almost no leading questions while cross examination

provides leading questions. He contended that the object of cross-examination was mainly to test the honesty of a witness and the truth, accuracy and completeness of his/her story. He reminded the personnel that cross-examination can weaken, qualify or destroy the case of the other party and even establish the cross-examiner's own case through the use of the opponent's witnesses. The different approaches to cross examination can be found in Appendix A.

7.0 PREVENTING UNSAFE MIGRATION, THE ROLE OF THE GHANA IMMIGRATION SERVICE (GIS)

The session on unsafe migration was delivered by Supt. Pamela Codjo of the anti-human smuggling and trafficking in persons unit of the Ghana Immigration Service. The mode of delivery was mainly by Power-Point Presentation and interactions with the participants. Supt. Codjo's presentation covered the role of the GIS, irregular migration, prevention of unsafe migration, the immigration amendment Act 848 (2012), and the creation of the document fraud expertise centre.

7.1 Functions of GIS.

Supt. Codjo gave a brief overview of the mandate of the GIS and stated as per section 52 of the immigration Act, the GIS was mandated to manage the migration of people in Ghana. She highlighted some of the functions of the GIS which included;

- Patrolling of all our borders in Ghana.
- Regulating the exit and entry of persons into Ghana.
- Monitoring and regulating all activities of migrants in Ghana.
- Aiding the Passport office to provide travel documents to Ghanaians out of the Country.

7.1.1 Irregular Migration

She said for purposes of understanding how migration is managed, it was important to understand what constitutes irregular migration. She went on to define irregular migration as any form of migration or movement that is undocumented and takes place outside the regulatory norms of the Country. She said people who migrate to Ghana or other Countries without proper documentation are usually trafficked under coercion or promise of a job.

7.1.2 Human trafficking defined

She said Article 3, paragraph (a) of the Protocol to prevent, suppress and punish Trafficking in Persons defines Trafficking in Persons as:

“The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

Supt Codjo further expanded the legal definition of exploitation to include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices like slavery, servitude or the removal of organs.”

She contended that smuggling of migrants was a crime that involved the procurement for financial or other material benefit of illegal entry of a person into a State of which that person is not a national of resident.

7.2 Preventing unsafe migration

She told the gathering that the GIS has chalked some remarkable successes in preventing the smuggling of people from Ghana. She said, in 2016, the GIS through collaborative intelligence sharing was able to intercept the trafficking of 170 girls being trafficked from Ghana to Saudi Arabia. She noted that unconfirmed reports suggested that most young girls who are smuggled from Ghana to the Arab Countries such as Saudi Arabia, Kuwait, and Dubai mostly end up in forced labour including prostitution.

She said the GIS has resorted to innovative ways in fighting unsafe migration through a series of measures introduced some of which included:

- The creation of the Migration Management Bureau(MMB) in 2007 to deal was created with preventing irregular migration with information campaign strategies.
- It also had a desk for dealing with issues of trafficking and a refugee desk.
- The formation of Anti Human Smuggling and Trafficking in Persons Unit(AHSTIP) via the operationalization of the trafficking desk under MMB in 2013.

Supt. Codjo was happy to note that the MMB has been restructured with more concentration on preventing unsafe migration.

She announced that under the EU-GIMMA project, GIS in partnership with international organization on migration (IOM) have developed a well-structured Migration Information Center(MIC) in Sunyani and Migration Information Bureau(MIB) in Accra. These she said would be replicated in selected Regions to spread the message about unsafe migration and its harmful effects.

7.3 Protection against unsafe migration

She said in 2012, government in a bid to protect people against unsafe migration criminalized migrant smuggling through the Passage of the Immigration Amendment Act 848(2012) which it spelt out the punitive measures for persons who engage in migrant smuggling.

Supt. Codjo added that the GIS in stepping up the fight against unsafe migration also set up an intelligence unit in 2010 to support the fight against irregular migration and other forms of transnational crimes. The GIS she said has also gone through a number institutional capacity building which has resulted in birth of the following units within the GIS which included;

- The anti-human smuggling and trafficking of immigrant persons unit (AHSTIP) which has put in place more operational measures by GIS to handle cases of smuggling and trafficking.
- AHSTIP organizing training for officers to detect and investigate cases of trafficking or smuggling at their duty post.
- The creation of Document Fraud Expertise Center (DFEC) in 2010 under an EU funded project dubbed AENEAS I.

Inspector Robert Kakah at this point wanted to know if it was standard practice that a crew list is provided to the GMP and immigration only after the crew is disembarking from a voyage. Besides this, he noted that the crew which is available to the Authorities sometimes differs from the names and nationality of the people actually on board the vessel. He said these were some of the observations they as GMP have made in their line of duty.

Responding to the question, Supt. Codjo said it was against standard procedure for crew list to be provided the relevant agencies only after a voyage. She said the crew manifest must be given to the Police and immigration service before the crew depart on their voyage. She

noted that the crew list or manifest is always with the Ghana Ports and Harbors Authority (GPHA) which bears the responsibility of sharing the data with other relevant agencies.

ASP Kotoku contributing to the discussion observed that most people who are arrested for illegal migration offences usually have in their possession permits granted by the labor and employment Ministry to such people seeking employment in these Gulf States. He wanted to find out how the Immigration Service is able to intercept and stop such letters?

Supt. Codjo reacting to ASP Kotoku's statement acknowledged that the labor office constantly feeds the GIS with information on such exit letters (Permits). She said the labor office was mandated to interview every prospective individual embarking on migration to other Country and feed GIS with the information. She however admitted that there were some inter-agency collaboration challenges and this is currently being worked on to improve information sharing between the relevant agencies.

7.4 Inter-Agency collaboration

Supt Codjo was happy to inform the participants that GIS has played its role successfully by fostering partnership with all stakeholders both locally and internationally. She gave examples of agencies that have collaborated with GIS to reduce unsafe migration. These agencies collaborating with the GIS included:

- Collaboration with Ghana Police Service (GPS), Bureau of National Investigation (BNI), and National Security.
- Ministry of Gender and Social Protection.
- Labor Department.
- Attorney Generals Department and all other Government Agencies
- International Organizations-IOM, EU, UNODC and Embassies and High Commission.
- Media partnerships.
- CSO and NGO.
- Regional Partnerships –NAPTIP (Nigeria).

She concluded her presentation by calling on the participants to see the prevention of unsafe migration as a collective responsibility.

The day's activities came to an end with participants being presented with another syndicate exercise relating to violations of the fisheries regulations.

8.0 INTERACTION WITH THE PETROLEUM COMMISSION.

This session was represented by Madam Humu-Annie Seini of the legal department of the Petroleum Commission. Her presentation touched on the mission and vision of the Petroleum Commission, the regulatory framework of the upstream petroleum industry, the functions of the Commission, offences and penalties and general recommendations.



Figure 7 Madam Humu-Annie Seini of the legal department of the Petroleum Commission.

8.1 Purpose of the Petroleum Commission

Ms Seini began her presentation by briefly examining the mandate of the Petroleum Commission. She said the Petroleum Commission Act 2011, Act 821 mandates the Commission to regulate and manage the utilization of petroleum resources and co-ordinate the policies in relation to them. She noted that the mandate of the Commission was limited to regulating and managing upstream petroleum activities (offshore exploration and production activities)

8.2 Vision and Mission of the Petroleum Commission

She said the vision of the Commission is to become world class regulator promoting Ghana as an upstream petroleum hub. The Commission, Ms. Seini observed also has on its agenda to promote, regulate and manage the efficient conduct of upstream petroleum operations and all allied activities and the utilization of petroleum resources on a sustainable basis for the overall benefit of the citizens of Ghana.

8.3 Functions of the Petroleum Commission

Ms. Seini also highlighted some of the core functions of the Commission. Below is a summary of the core functions of the Petroleum Commission:

- Ensure compliance with fiscal metering requirements in petroleum production activities.
- Monitor petroleum activities and carry out inspections and audits.
- Promote planned, well executed, sustainable and cost-efficient petroleum activities to achieve optimal levels of resource exploitation for the overall benefit and welfare of citizens.
- Monitor and ensure compliance with national policies, laws, regulations and agreements related to petroleum activities.
- Monitor and ensure compliance with national policies, laws, regulations and agreements related to petroleum activities.
- Ensure compliance with health, safety and environmental standards in petroleum activities in accordance with applicable laws, regulations and agreements.
- Permitting specific petroleum activities.
- Perform any other function related to the object of the Commission.
- Issuance of orders and instructions pursuant to objects and functions (Section 20).
- promote local content and local participation in petroleum activities in accordance with applicable laws.
- monitor petroleum activities and carry out the necessary inspections and audits.
- Ensure that those involved in petroleum activities comply with relevant laws.
- receive applications and issue permits as required under petroleum laws.

8.4 Regulatory Framework for the Upstream Petroleum Sector

Ms. Seini explained that the Ghana's upstream petroleum activities was heavily regulated under the provisions of the 1992 constitution. She gave an outline of the regulatory framework of the upstream petroleum sector. These regulations included but not limited to the following:

- The 1992 Constitution of the Republic of Ghana.
- Petroleum Commission Act, 2011 (Act 821).
- Petroleum (Exploration and Production) Act, 2016 (Act 919).
- Petroleum (Local Content and Local Participation) Regulations, 2013 (LI 2204).
- Petroleum Commission Fees and Charges Regulations L.I 2221.
- Petroleum (Exploration and Production) (Measurement) Regulations 2016, (L.I.2246).
- Draft Ghana Petroleum Regulations (HSE and Data Management.)

She said section 93 of the exploration and production Act 919 (2016) prescribes sanctions for failure to comply with the provisions of the law. The table 1.0 below contains the relevant offences and their corresponding penalties imposed by law.

Table 1 offences and punishment under section 93 of Act 919

Section 93	Minimum PUs	Maximum PUs	Minimum term	Maximum term
Obstruction or interference with the exercise of a right under the Act	1,000	10,000 + 1,000	1 year	5 years
Wilful obstruction, hindrance, assault of a person exercising a right or power in the performance of a function	ditto	ditto	1 year	2 years
Commencement of petroleum activities in contravention of the Act	10,000	50,000 + 1,000	Ditto	ditto
Exploration, development or production of petroleum without a petroleum agreement	400, 000	500,000		
Assignment of a PA without the approval of the Minister	100,000	200,000		
Implementation of PoDO without ministerial approval	On pain of incarceration, fixed Adm. Penalty \$ 1 m for 1 st 90 days	Additional 800,000 Possible termination of PA	2 years	5 years
Failure to submit a decommissioning plan in accordance with section 43	Fixed Adm. Penalty of \$120,000 1 st 30 days + fine of 200,000	+500,000	1 year	3 years
Failure to meet minimum work obligations	Adm. penalty of \$100,000 for 1 st 30 days +fine of 100,000	200,000		
Failure to provide requested information	Adm. Pen of 10,000 +10% per day			

8.5 Local Content and local participation.

She said to ensure that there was knowledge and technology transfer to indigenous Ghanaians, LI 2204 was introduced to promote the maximisation of value-addition and job creation through the use of local expertise, goods and services, business and financing in the petroleum industry value chain and their retention in the country. The local content and local participation regulation also aimed at developing local capacities in the petroleum industry value chain to achieve minimum local employment level and in-country spend.

Consequent to this, the Petroleum Commission monitor illegal work in Ghana's upstream industry to ensure expatriates do not engage in work reserved for Ghanaians. She revealed that under the local content and local participation regulation, there must be a Ghanaian counterpart for every expatriate in the upstream industry to ensure successful knowledge transfer. She said, this was an important area the GMP could help ensure compliance by requesting from expatriates to produce their Ghanaian counterparts whenever the GMP was on routine inspection on board the FPSO. Failure to produce a Ghanaian counterpart constitutes a violation of the law for which the appropriate penalties must be imposed on the Company by the Petroleum Commission.

A summary of the offences and the corresponding penalties under regulation 46 of the local content and local participation of LI 2204 is provided in table 2.0 below.

8.6 Conclusion and Recommendations

She concluded her presentation by admitting that the Commission has a major role to play in protecting the marine environment and combatting crime. Ms. Seini also recommended for effective collaboration with Ghana Police Service and other key institutions to combat crime in the marine environment and promote maritime security and safety.

After her Presentation, there was a break in proceedings to receive visiting party from OXFAM and the US law enforcement working group at the embassy. Photographic excerpts of the courtesy call are provided below.

Table 2 showing the relevant offences and punishment relative to the breaches of the law

Regulation 46: Offences and Penalties	Minimum fine	Maximum fine	Minimum term	Maximum term
Knowingly making a false statement	100,000 penalty units	250,000 penalty units	2 years	5 years
Fronting or conniving with a foreign citizen	ditto	ditto	1 year	2 years
Conniving with a citizen or indigenous Ghanaian company	ditto	ditto	ditto	ditto
Failure to meet minimum local content levels (regulation 10)	Fixed administrative penalty of 200,000 penalty units	If a contractor is involved and the contravention continues, permits and approvals shall be withheld		
Failure to retain the services of only a Ghanaian legal practitioner or firm	ditto	ditto		
Failure to employ only Ghanaians in junior or middle level positions	ditto	Subcontractors, licensees etc. expunge from records		
Failure to provide information within period specified in request	Fixed administrative penalty of 200,000 penalty units	10 % administrative penalty for each day the non-compliance persists		
Failure to: meet local content requirements; submit local content plans; satisfy the content requirement of a local content plan	Administrative penalty of 5% of the value of the proceeds obtained from the petroleum activity	Cedi equivalent of \$5 M		



Figure 8 ACP Samuel Owusu-Berko interacting with officials from OXFAM and US Embassy.

9.0 PROHIBITIONS AND VIOLATIONS IN THE EXISTING FISHERIES LAWS OF GHANA.

The session on prohibitions and violations in the existing fisheries laws of Ghana was handled by Mr. Papa Yaw Atobrah, through a series of Power-Point presentations. Mr. Atobrah currently serves as the Chief Director of the Western Region Fisheries Commission. His presentation covered the existing fisheries laws, types of offences and common offences within the fisheries sector.

9.1 Existing fisheries laws

The existing fisheries laws of Ghana was outlined by Mr. Atobrah. He listed among others the following;

Fisheries Act 625, 2002
Fisheries Regulation LI 1968
Fisheries Amendment Act 880, 2014
Fisheries Amendment Regulation LI 2217 2015

Mr. Atobrah said the types of offences committed in the fisheries sector were varied based on location, fishing method, type of resource exploited and regulation prohibition related.

9.2.1 location related offences

He explained that location related offences occur when fishing activities are carried out at prohibited location, such as fishing in marine reserves contrary to section 91 of the fisheries regulation, fishing operations of foreign fishing vessels in fishery waters of Ghana contrary to section 61 of the fisheries regulation, transshipment without supervision contrary to section 132 of the fisheries regulation, and unauthorized vessel fishing within the inshore exclusive zone contrary to section 81 of the fisheries regulation.

9.2.2 Fishing Methods related offences

Mr. Atobrah stated that fishing methods related offences were based on the fishing methods employed in the fishing operation. Such methods he noted involved drifting fishing activities contrary to section 87 of the fisheries regulation, prohibited fishing methods as prescribed in section 88 under regulation 11 of the fisheries regulation, manufacturer, importation, sale and use of unauthorized fishing nets and gears in violation of regulation 10.

9.3 Common offences in the industrial fishing sector

Mr. Atobrah listed some of the common offences committed by industrial vessels in the sector. These he said included

- Fishing in the IEZ by trawlers.
- Tampering with VMS equipment.
- Mesh size problems.
- Use of chafers.
- Safety and sanitation problems.
- Transshipment.
- National and Non-Ghanaian ratios.

9.2 Types of offences



Figure 9 Mr. Atobrah explaining types of offences in the fisheries sector.

9.4 Common offences in the inshore sector

Common offences committed by fishermen in the inshore sector were also considered by Mr. Atobrah. He said such offences involved use of light as fish aggregating device (FAD), mesh size problems, fishing without license and building of boat without authorization.

Mr. Atobrah Concluded his presentation by stating that fisheries offences by small artisanal canoes carry a minimum of 25 to 500 (between three thousand to six thousand Ghana cedis) penalty units whereas pair trawling carry a minimum fine of 250,000 penalty units equivalent to 2million US dollars.

10.0 ORGANIZATION AND ROLE OF THE GHANA NAVY.

Naval Commander Ek Yirenyki who is the director of naval intelligence conducted participants through the organization and role of the Ghana Navy. His mode of delivery was through Power-Point presentation. Commander Yirenyki's presentation focused on the organizational structure of the Ghana Navy, its functional departments, roles, capabilities, challenges and achievements. Participants asked a series of questions after his presentation.

Commander Yirenyki commenced his presentation with a quote by Sir Welter Raleigh (1554-1618) who stated that "For whosoever commands the sea commands the trade; whosoever commands the trades of the world commands the riches of the world, and consequently the world itself."

10.1 Brief History of the Ghana Navy.

Commander Yirenyki reviewed the history of the Ghana Navy. He established that Dr. Kwame Nkrumah in 1959 founded the Ghana Navy with two decommissioned ships namely GNS Sebo and GNS Achimota. He said, this made Ghana the only Country within the West African sub-region with a dedicated naval base.



Figure 10 CDR EK YIRENKYI, Ghana Navy

10.2 Organisational structure of the Ghana Navy.

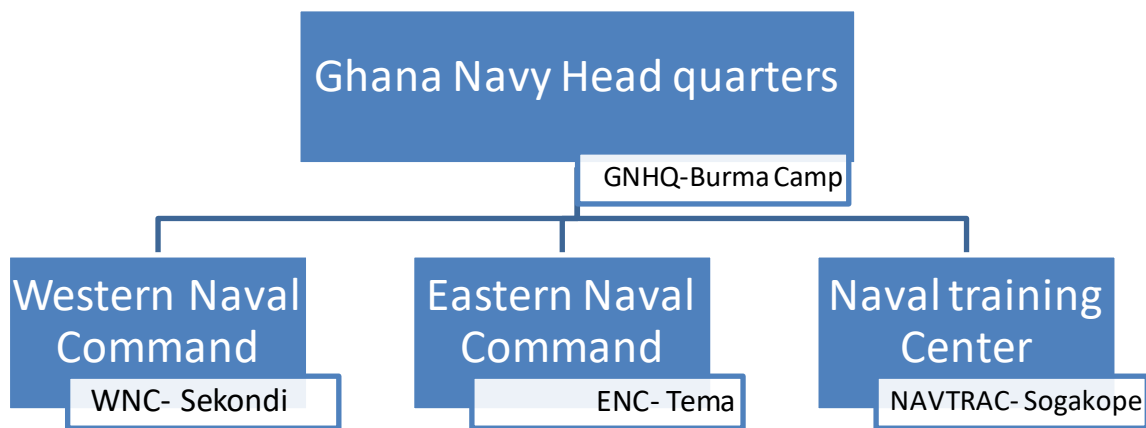


Figure 11 Flowchart showing the Organizational structure of the Ghana Navy

Commander Yirenkyi explained that the WNC host the naval fleets and is equipped with a dry dock, and store department. He added that the ENC based in Tema comprises the Navy Band and some fleets of navy patrol boats. The NAVTRAC in Sogakope he said has the special boat unit (SBU), and serves additionally as a training centre. He noted that all these were functional departments involved in operations, training, technical, administration and supply.

10.3 Roles of the Ghana Navy

Commander Yirenkyi said the role of the Ghana Navy could be classified into four main levels. These he said included military roles, policing roles, diplomatic roles and benign roles.

10.4 Capabilities of the Ghana Navy

He informed the participants that almost all the naval fleets were 'used ships' that were donated to the Country by the US, Germany, China and Britain. He said the navy was presently equipped with two warrior class ships (FPB) namely GNS Yaa Asantewaa, and GNS Naa Gbewaa. Additionally, there were four snake class (FPB) with each class being about 45m in length consisting of GNS Chemle, GNS Garinga, GNS Eheor and GNS Blika. He said other classes such as the PKM class was among the supply vessel, and the Defender class Boats were for conducting sting operations.

10.5 Maritime Operation Centres

Accra, Tema, Sekondi, Newtown and Aflao were the centres equipped with Coastal Surveillance System (AIS, RADAR, and VTIMIS) to monitor the borders of Ghana. He said these centres were very important in ensuring adequate security for Ghana's upstream petroleum industry.

10.6 Achievements of the Ghana Navy

He said the Ghana Navy has been involved in peace keeping missions in around the world. He indicated the Navy played key role in evacuating Ghanaians and other refugees from Liberia during the civil war.

10.7 Challenges

Poor technical state of the naval ships, lack of spare parts, inadequate fuel supply, inadequate fleets were some of the challenges Commander Yirenkyi highlighted. He said currently ships could only be at sea for maximum three days due to fuel constraint and lack of refueling

capability. The participants were provided the opportunity to ask questions. The table below provides a summary of the questions asked and the corresponding responses.

Table 3 Summary of questions and corresponding responses

No	Questions from participants	Responses
1	Can you explain why fishing around 5 nautical miles around the Osu Castle area is prohibited?	The Osu Castle used to be the seat of Government hence that enclave was declared a controlled zone
2	Does the Navy have any special incentives?	No. it is only the Pilot that is given some incentive because they have been able to classify their risk.
3	Can you provide advice on boat handling?	Generally, boat handling comes with constant practicing.
4	Does the Ghana Navy have the ability to acquire brand new fleets of ships?	That depends largely on political will of the Government.
5	Would you recommend complete retooling of the Navy if you had the opportunity?	Absolutely. There is the need for the navy to maintain presence to deter criminals and this require advanced fleets of ships with high fuel storage capacity to increase the length of navy patrol at sea.



Figure 12 Cross section of the participants engaging the resource person during the question and answer session

11.0 INTERACTION WITH US LAW ENFORCEMENT WORKING GROUP AT THE US EMBASSY

This was mainly an interactive session with Thomas Henderson who shared light on how the US law enforcement group collaborate with other departments and agencies around the world. He said the department of defense (DOD), the department of justice (DOJ) and the department of State (DOS), all work hand in hand with each other. He said representatives of the agencies meet every Friday to access the security of the US and allied Countries. He said the agencies work was mainly focused on protecting US citizens home and abroad but. In Ghana, the US intelligence service work with the Ghana Police and the Immigration Services to ensure safety of the citizenry.



Figure 13 Thomas Henderson from the DOD attached to the US Embassy in Ghana.

12.0 STANDING OPERATIONS OF FISHERIES ENFORCEMENT

The presentation on standing operations of fisheries enforcement was delivered by Mr. Atobrah. He used Power-Point and video footage as the medium of delivery. His presentation touched on health safety and security, powers of enforcement, risk assessment, pre-boarding, boarding and post boarding. He implored the participants to endeavor to know the types of vessels and the dangers that may be encountered in the course of operation. Mr. Atobrah projected some samples of the vessels in operation. He explained to the participants that vessel can be identified by their call sign and added that any vessel of Ghanaian origin has 9G call sign.



Figure 14 Trawler Boat

12.1 Health safety and security (HSS).

He said, health safety and security was paramount to the success of enforcement operations. He noted that, under operational conditions, everyone was morally, and legally responsible for his or her own safety, the safety of colleagues, and the safety of others. He added that it was also the collective responsibility of the operational team not to do anything that jeopardizes their own safety and that of others. Mr. Atobrah intimated that the responsibility for planning HSS for inspections lies with the boarding officer.

12.2 Risk assessment

Mr. Atobrah underscored the fact that risk assessment was an essential part of a pre-inspection briefing so that everyone in the boarding party understands the risks and their responsibilities. The risk assessment he said, must be conducted by the boarding officer to

establishes potential risks, the likelihood they might occur, and the potential consequences and takes steps to mitigate against those risks.

12.2.1 Common hazards

He said marine enforcement operations was among one of the most hazardous activities undertaken by a boarding party, adding that it was important the boarding party demonstrate awareness of common hazards incidental to their job. He gave examples of such common hazards including the following:

- Un-safe boarding and danger of falling between quay and vessel.
- Fish or cartons falling from overhead hoists.
- Crane hooks swinging overhead.
- Falling into open hatches.
- Slippery deck.
- Cables on the deck snatching up under tension from winches being started up.
- Poorly stored fishing gear creating hazardous footing on or below decks.
- Refrigeration gas leakage.
- Smoking in unauthorized places.

He advised the participants never to go up a mast without permission. This he said can result in radiation burns and physical injury from rotating radars.

12.3 Powers of enforcement.

He said the legitimate powers of enforcement comes from legislation, individual delegation, one's role personality and uniform. He said fisheries officers were clothed with powers from a myriad of both international and national legislations. He listed the sources of enforcement powers of fisheries officers which included international law, the fisheries Act 625 which specifies powers to investigate, gather evidence and report breaches. He added that Ghana's fisheries legislation confers powers of Police on enforcement officer in the course of his or her duty.

He said fisheries enforcement officers had power to stop, board, enter, and search any State flagged fishing vessel outside the fishery waters, inspect documents and other information from any vessel or premises, examine gear, equipment, records or other document found in or on any vessel or premises, seize, take, detain and secure any fish, fishing equipment, documents and other evidence that may reasonably be used as evidence of an offence, arrest a person believed to have committed a serious offence and detain or arrest a vessel.

12.4 Pre-boarding and post-boarding

Touching on preparations before boarding, Mr. Atobrah said the boarding team must prepare, and plan very well before boarding. He said it was at the planning stage critical assessment of the boarding is done. The assessment he noted would have to take into consideration allocation of roles (who will do what), knowing about the vessel and crew, risks that needs to be managed, procedure to follow for hold, gear, deck and bridge inspections, safety equipment that will be required, measurement equipment that will be needed, communications procedures, and emergency procedures.

He said it is important to take post-boarding precaution seriously to avoid jeopardizing the safety and integrity of the operation. He also cautioned that boarding party must always carry a recorder along and endeavor to engage the Master of the vessel before engaging the crew on board.

Mr. Atobrah's presentation attracted some questions from the participants. A summary of the questions is provided in Table 4.0 below.

Table 4 summary of questions to Mr. Atobrah from participants and the corresponding responses.

No	Questions	Responses
1	Must every member in the boarding team be in life jacket?	Yes. The law even requires fishermen to have life-jacket before fishing can be done
2	Who amongst the crew must be in custody of the crew-list as the Master sometimes refer the boarding team to contact the agent upon request.	That is wrong. The 2nd Master (administrator) must provide the crew-list on demand. They must even have the crew-list of every trip they have made and produce same on demand. Failure to produce the crew-list on demand constitute a violation of the fisheries regulation.
3	What happens when a vessel with a license to fish in Ghanaian waters is caught with crew-list composition of Nigerians and Ivorians on board and the vessel?	The law requires that for any foreign vessel fishing in Ghanaian waters, 75% of the crew must be Ghanaians. Failure of this provision constitute an offence.
4	Some of the navigational equipment operational manual are written in Chinese language, is that acceptable?	No, that is unacceptable if the vessel is fishing in Ghanaian waters.
5	Who takes final custody of the evidence gathered? Is it the Police or the Fisheries Commission?	The chain of custody must always be with the Police
6	Sometimes, the China boats upon noticing the GMP patrol boats, deliberately drop their illegal nets in the water, what do you do under such circumstance	Request them to haul the gear for inspection

13.0 SITUATION OF DRUG TRAFFICKING IN THE WEST AFRICA SUB-REGION

Drug trafficking and organised crimes within the West African Sub-Region has become more sophisticated. This was in the considered view of CID David Hukportie of Interpol and drug enforcement unit during his presentation at the train the trainer course organized by the UNODC, USAID and FoN at Ayinase.

He touched on the foundations of drug trade which he said began with small use of drugs within the community which is often ignored.



Figure 15 Mr. Hukportie, delivering a presentation on drug trafficking in W/A Sub-Region

13.1 Guinea-Bissau, a failed State

Mr. Hukportie showed a video documentary on Guinea-Bissau which has been classified as a failed narcotics State. He said it was a common practice in Guinea-Bissau for merchant vessels to cargo huge chunks of drugs from Columbia, Portugal into the Country. He noted that most public workers in Guinea-Bissau were not regularly paid and so rely on narcotics trade for survival. He said these drugs are then trafficked through Burkina Faso, Boku and finally into other parts of Ghana.

13.2 Source Countries for cocaine and heroin

Drug trafficking, he said has become more sophisticated over the last two-decades with many South American Countries becoming a source for cocaine production due to favourable climatic conditions. He said the West African Sub-Region has become an important transit route for cocaine trafficking with Countries such as the UK, USA and Germany as the final destination. He noted that Countries such as Cambodia, Thailand, Burma, Iran, Afghanistan, and Pakistan (Karachi) were major source of heroin production. He said these drugs are not trafficked in isolation but are attached to legal businesses such as rice, sugar, vehicle parts, and frozen chicken importation.

13.3 West Africa network.

Mr. Hukportie acknowledged that drug trafficking was a global trade with many regional networks involved. He said the development has seen the rise of Nigerian criminal networks extending their fields of action to other parts of West Africa, Latin America and Bulgaria. He gave a brief statistics of drug trafficking incidents in Cote D'Ivoire, Benin, Togo and Ghana.

13.3.1 Cote D'Ivoire

- 2016: Bolivian anti-narcotics seized 8 tons of cocaine hidden in a load of 80 tons of barium sulphate with Abidjan port as the final destination
- 2016: 30kgs of cocaine was captured in a cargo of sugar originally from Brazil transiting from the port of Abidjan to Burkina Faso
- 2015: only 18kgs were seized in Abidjan.

13.3.2 Benin

- 2016: 265 kilos of cocaine concealed under mechanical parts was seized
- 2015: 21 kilos of cocaine seized
- 2013 171 kilos of cocaine seized

13.3.3 Togo

- 2016: 19.7 kg of cocaine seized.
- The reopening of the direct airline from Sao-Paulo to Lomé by Ethiopian airlines on 21st August 2016 has presented another dimension to the drug trafficking challenge for law enforcement agencies.

13.3.4 Ghana

- 2017: 4.2 tons of cocaine seized on the “Lady Michelle”
This vessel was sighted off the coast of Trinidad and intelligence passed to the Ghana Navy who had attempted to intercept the vessel near the Ghanaian coast but to no avail

Mr. Hukportie was concerned that it was becoming increasingly difficult to obtain information from the fishermen because of the crackdown on IUU.

13.4 The menace of cannabis use in Ghana

Highlighting on the rampant use of cannabis among the Ghanaian populace, Mr. Hukporti observed that Ghana in a few years has become the first cannabis herb producing Country in the Sub-Region to the extent that it exports to its neighbouring Countries. He said, in 2016 alone over 90% of cannabis seizures in Burkina Faso originated from Ghana. He said there were other interceptions of cannabis trafficked from Ghana to Mali (2.5 tons of cannabis from Ghana)

Mr. Hukportie observed a worrying trend where those incarcerated for minor offences such as possession of weed without lawful authority end up becoming hardened criminals. He suggested a review of the punitive measures to include fines for such minor offences.

13.5 Tools of the trade for traffickers

Drug traffickers he noted exploit the weak and vulnerable (addicts), the poor and those in debt to advance their trade. He advised the participants to maintain high integrity, honesty, professional pride, avoid greed and strive for self-development.

14.0 SYNDICATE PRESENTATION EXERCISES

This session which was facilitated by the Programs Manager of FoN, Mr. Kwadwo Kyei Yamoah included participants being given the opportunity to develop their comprehension of the issues discussed over the training period. It involved participants being put into four syndicate groups to consider various scenarios on maritime jurisdiction, fisheries offences and understanding of standing operational procedures. Figures 16-21 below gives a photographic report of the responses by the syndicate groups. The scenarios can be found in Appendix 2.



Figure 16 Group 3 presenting on fisheries related offences



Figure 17 Group 1 presenting on maritime jurisdiction and transshipment



Figure 18 Group 1 presenting on transshipment, child labour and drug trafficking offences

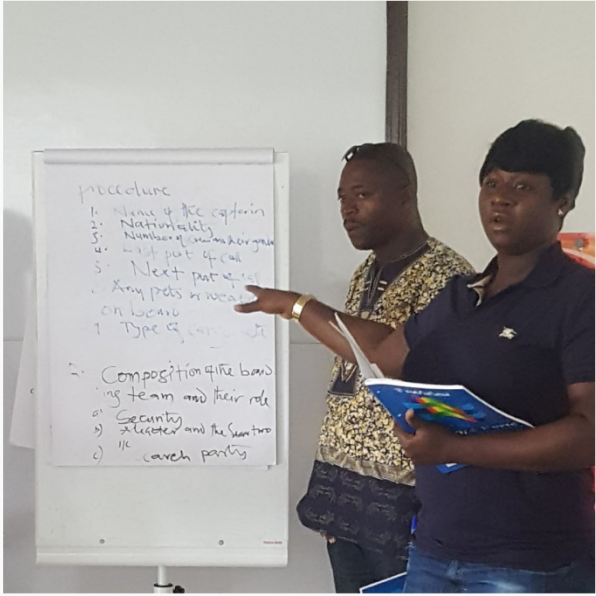


Figure 19 Group 2 presenting on boarding procedure and inspections

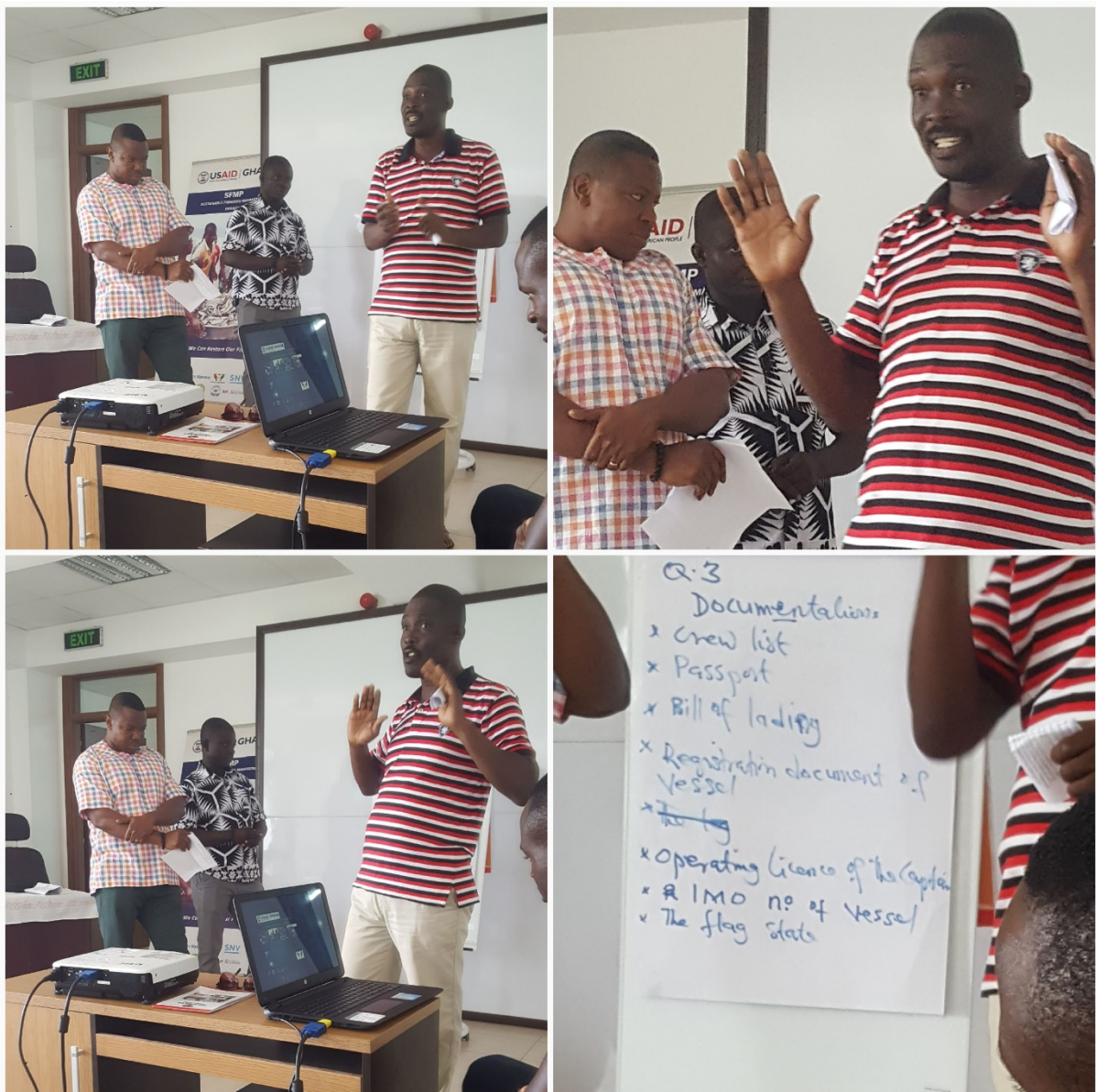


Figure 20 Group 1 presenting on boarding procedures and inspections

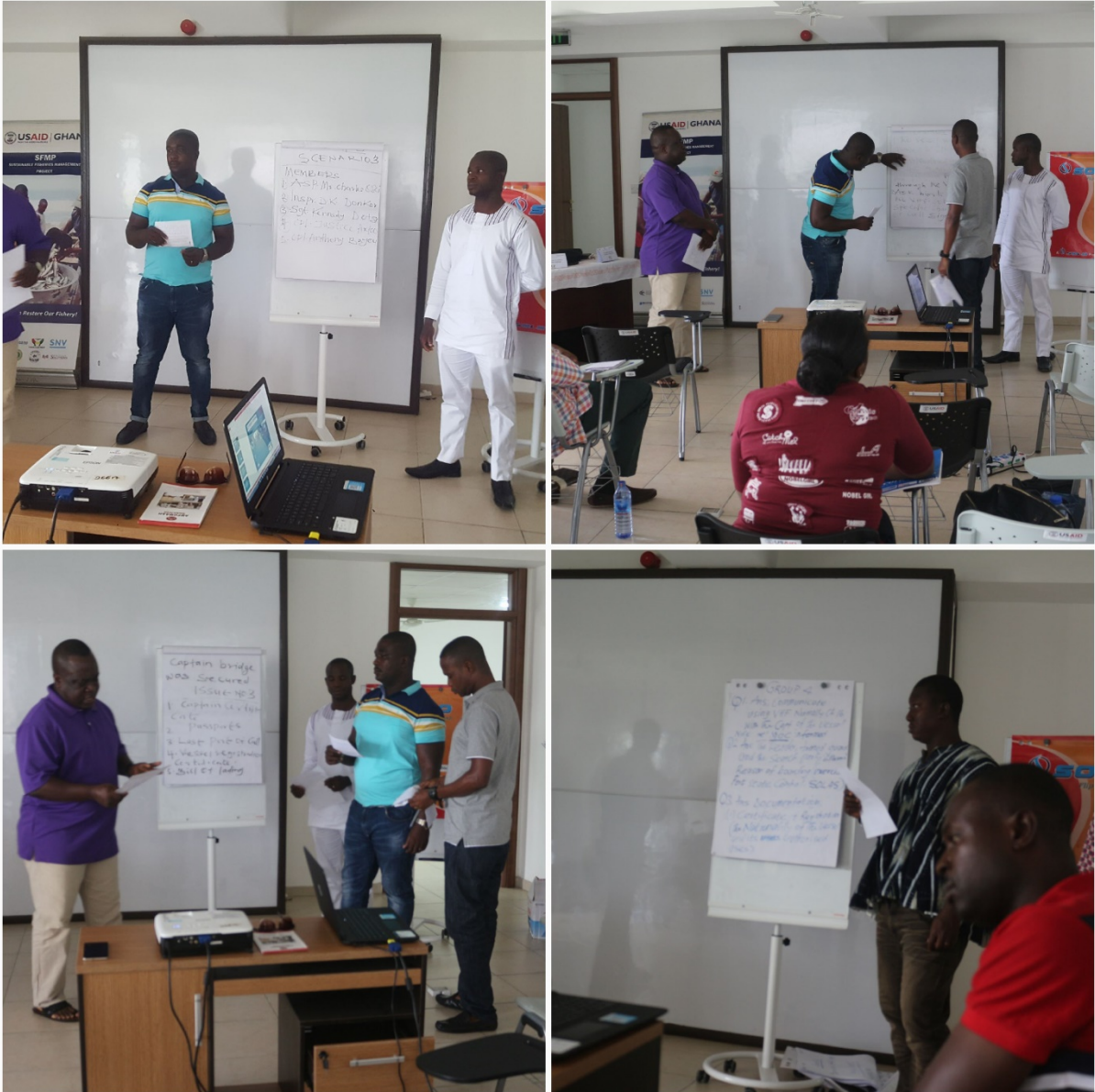


Figure 21 Group 1 presenting on boarding procedures and inspections

15.0 HIGHLIGHTS OF FISHERIES REGULATIONS



Figure 22 Mr. Kyei Yamoah, FoN Programs Manager, giving the highlights of the fisheries regulations.

He used Power-Point and interactive approach to conduct his presentation which covered the background of the fisheries LI, its purpose and ecological justifications.

15.1 Background of the fisheries legislative instrument 2204 (LI 2204)

He said section 39 of the Fisheries Act 625 as amended, Act 880 of 2014 mandates the Minister upon the recommendations of the Council, by LI, make regulations for the purpose promoting international cooperation to promote the effectiveness of international conservation and management measures adopted by a regional fisheries management organization to which the Republic is a member and to combat Illegal, Unreported and Unregulated fishing.

In accordance with such provisions, he noted that, the Fisheries Regulations were promulgated to prescribe measures for conservation, management, development, licensing,

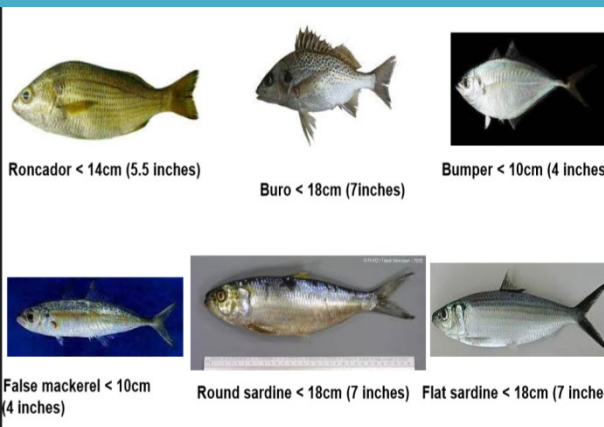
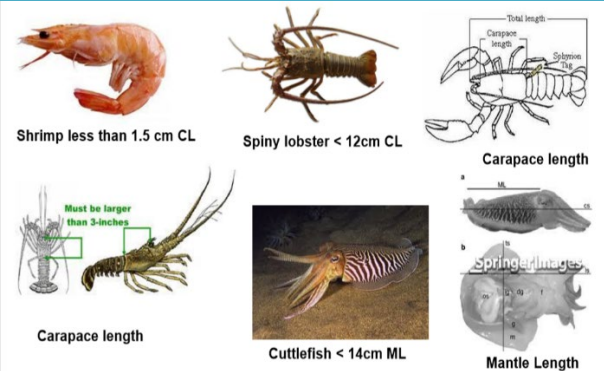
and regulation of the types and sizes of fishing gears and other fishing devices. Mr. Yamoah touched on several of the Fisheries Regulations and used photographic images to support his explanation of the regulations. The table 5.0 contains a summary of the regulations covered by Mr. Yamoah.

Table 5 Summary of Fisheries Regulations supported with relevant photographic images

Regulation Heading	Specific Regulations
<p>Fishery plans and vessels (R1-5)</p>	<p>R1: preparation of fishery management plan</p> <p>R2: prohibits the use of local industrial and semi-industrial fishing vessels without license</p> <p>R4: unauthorized use of registration and ID numbers</p> <p>R5: markings on fishing vessel</p>
<p>Fishing nets, fishing devices & fishing (R6-17)</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%; text-align: center;">  <p>Shrimp trawl net of mesh size less than 50mm (2-inches)</p> </div> <div style="width: 33%; text-align: center;">  <p>Large Purse seine net of mesh size less than 100mm (4-inches)</p> </div> <div style="width: 33%; text-align: center;">  <p>Trawl net of mesh size less than 60mm (2.4 inches)</p> </div> <div style="width: 50%; text-align: center;">  <p>Fishing in designated oil and gas E&P areas</p> </div> <div style="width: 50%; text-align: center;">  <p>Pair trawling</p> </div> </div>	<p>R 7: prohibits setting of fishing gear across an inland waterway to obstruct navigation</p> <p>R8: prohibits use of</p> <ul style="list-style-type: none"> • Multifilament set-net of mesh size less than 50mm (2inches) • Monofilament set-net of mesh size less than 75mm (3inches) in a riverine system • Monofilament set-net in marine waters <p>R9: prohibits use of</p> <p>Beach seine net in estuaries and MPAs</p> <p>R10: prohibits</p> <p>manufacture, importation, sale of fishing net of mesh size less then 25mm (1-inch)</p> <p>R11: prohibits</p> <p>Fishing in designated oil and gas (E&P) areas</p> <p>R12: prohibits the use of;</p> <ul style="list-style-type: none"> • Shrimp trawl net of mesh size less than 50mm • Large purse seine net of mesh size less than 100mm (4inches) • Trawl net of mesh size less than 60mm <p>R13: Mesh size definition</p> <ul style="list-style-type: none"> • Maximum inside measurement between the two opposite knots of a stretched mesh



- monofilament set-net of mesh size less than 75mm (3 inches) in a riverine system
- monofilament set-net in the marine waters



Fishing equipment (R18- 22)



- Mesh size to be measured when net is wet and by an approved flat gauge or with calipers

R14: prohibits catching, landing and purchasing of fish less than the ff.

Shrimps less than 1.5cm, spiny lobsters less than 12cm, cassava fish less than 18cm, Barracudas less than 30cm, Canary dentex (red fish) less than 22cm, false mackerel less than 10cm, round sardine less than 18cm, flat sardine less than 18cm, Anchovy less than 6cm.

R16: prohibits the use of:

- Shrimp net without a turtle excluder device
- Turtle caught shall be released immediately

R17: prohibits the use of:

- Fishing of marine mammals or fresh water mammals without permission.

R19: a power-driven vessel of less than 7m must have the following;

Life Jacket, Anchor, Compass, Fire extinguisher, Horn or sound producing device

R19: a power-driven vessel of less than 12m but more than 7m must have the following;

Life Jacket, Anchor, Compass, Fire extinguisher, Horn or sound producing device, life buoys

R19: a power-driven vessel of more than 12m must have the following:



Cable chain



Nylon rope 24-30mm



Life jacket



Horn or sound producing device

Life Jacket, Anchor, Compass, Fire extinguisher, Horn or sound producing device, life buoys, flare, inflatable life rafts, and Tow rope.

R19: a non-motorized fishing vessel may carry

Cable chain, nylon rope 24-30mm, life jacket, horn or sound producing device

Fishing license (R 23-33)



R27: prohibits operating a canoe without license

R28: canoe license is not transferable except with permission

R31: prohibits

Taking by-catch of gravid lobsters, other crustaceans and any juvenile fish

R32: prohibits Dumping from any vessel, fish for commercial use, personal use or for sea food, which has been caught and suitable for human consumption.



R33: prohibits transshipment of fish unless authorized of under verifiable emergency situations



Monitoring mechanisms (R 41-51)

R41: Fisheries Monitoring Centres shall be established at designated locations to monitor, search or rescue fishing vessels in distress regardless of the waters or the port they operate in

R 50: A local fishing vessel shall have a monitoring device, a fishing log book and any other mandated books

15.2 Ecological justifications

Mr. Yamoah explained some of the ecological justifications behind some of the regulations. He said, the prohibition on the use of monofilament net in marine waters for example was essential to prevent ghost fishing. He added that marine protected areas including estuaries served as important spawning grounds for most fishes hence the prohibition of any fishing method in these designated areas. He concluded his presentation by calling on the GMP to endeavour to study and familiarise with fisheries regulations to enhance effective enforcement.

16.0 COURSE ASSESSMENT AND EVALUATION, CLOSING REMARKS AND AWARD OF CERTIFICATES

This session marked the end of course activities. The course assessment forms were distributed to the participants and there was a plenary discussion of the assessment lead by Mr. Kwadwo Kyei Yamoah.

16.1 Plenary discussion on the course assessment.

Mr. Yamoah explained the essence of the assessment. He said it was very important to assess the course to ensure each one understood the content to build his or her capacity. He added that the assessment was also needful in addressing gaps. He concluded by thanking USAID, the UNODC for seeking to building the capacity of the Marine Police to help combat illegal fishing. He is encouraged the men in uniform to endeavour to know the fisheries laws to be able to spot offences.

16.2 Closing remarks

Mr. Andrew van Veen thanked the participants for demonstrating high sense of commitment and enthusiasm during the period. He was confident participants were better informed to continue the fight against drug trafficking and other fisheries related offences. He assured the UNODC's support for the Marine Police and announced that he was going to request for funding to train the Marine Police in advance first aid. He also indicated that plans were advanced to have a joint marine operation simulation exercise between the Marine Police, the Ghana Navy and other drug law enforcement agencies.

On his part, ACP Samuel Owusu-Berko expressed his excitement about the program. He was confident the Marine Police would become a beacon of Maritime law enforcement operation within the Sub-Region in the next few years. He advised the personnel to continue to remain dedicated and serve as a shining example to the other units within the Ghana Police. He thanked, the UNODC, USAID and FoN for their kind support to the Marine Police. He wished all a safe journey.

16.3 Conclusions

The training which brought together resource persons from key agencies such as the UNODC, the Attorney Generals department, the Fisheries Commission, the Ghana Immigration Service, the Petroleum Commission, the Ghana Navy, Interpol, USAID, and FoN to deliver lectures and presentations on the various subject areas was a success. The training saw improvement in the presentation skills of the participants.

Moreover, the participants through their presentations showed high level of knowledge and understanding of the United Nations Convention on the Law of the Sea (UNCLOS), the Criminal Code (1960), the Ghana Maritime Zones Delimitation Act 1986 (PNDCL159), and the Fisheries Act 625, boarding procedures, hot pursuit, inspections, detention, evidence gathering techniques and arrest.

16.4 Certificates and Awards

The participants were awarded certificates of participation. Figure 23 below shows excerpts of the award presentations.



Figure 23 Awarding of certificates to participants

APPENDIX 1 CROSS EXAMINATIONS TECHNIQUES

Rapid-fire questioning: one question after another with little time to answer; to confuse witnesses and force inconsistent answers — witnesses should take time to consider the question, ask to have the question repeated, and remain calm.

Condescending counsel: benevolent in approach, over-sympathetic in questioning to the point of ridicule; making witnesses feel inept, display lack of confidence or show they may not be reliable witnesses —witnesses should give firm, decisive answers, ask the questions to be repeated if improperly phrased and remain calm.

Friendly counsel: Very courteous, polite questions, taking witnesses into their confidence; lulling them into a false sense of security where they may give answers in favor of the defense witnesses should stay alert, remembering the purpose of the defense is to discredit them and their evidence.

Badgering, belligerent counsel: Counsel staring witnesses in the face and shouting to make them angry so that they lose their sense of logic and calmness, and firing rapid questions at them —witnesses should stay calm, speak in a steady, deliberate voice giving the prosecutor time to make objections.

Mispronouncing witnesses: Counsel may mispronounce witness names and using wrong titles to draw their attention to the error of pronunciation rather than enabling them to concentrate on the questions, thereby causing them to make errors in their testimony — witnesses should ignore the mispronunciations and concentrate on the question being asked.

Asking suggestive questions or leading questions: e.g. *'What colour was the boat?'* to suggest an answer to the question in an attempt to confuse witnesses — witnesses should concentrate carefully on the facts, disregarding the suggestion, and answer the question.

Demanding 'yes' or 'no' to a question that requires explanation: e.g. *'Did you actually see the fishing nets in the water?'*; to prevent all pertinent details from being considered by the Judge — witnesses should explain the answer to the question. If stopped by counsel demanding 'yes' or 'no' they should pause until the Court instructs them to answer in their own words.

Reversing witness's words: e.g. the Fisheries Officer answers that the boat registration was *'9GML'* and counsel says *'you say '9GLM'*; this is done to confuse witnesses and demonstrate a lack of confidence in them — witnesses should listen intently when counsel repeats back something, and, if there is an error, correct the counsel.

Repeating questions: Asking the same questions several times over with slight rephrasing to obtain inconsistent or conflicting questions from witnesses — witnesses should listen intently whenever counsel repeats anything back, and, if there is an error, correct counsel.

Conflicting answers: e.g. *'but the C/O and Fisheries Officer said'* to show inconsistency in the investigation. This tactic is normally used when evidence is given to establish positions, time etc.; witnesses should remain calm, and be guarded in their answers unless they have exact knowledge, using the term 'approximately' and requesting that they be allowed to refer to their notes.

Staring: After witnesses' answer, counsel just stares as though there is more to come. If there is a long pause witnesses may feel it must be filled so may say more than necessary — witnesses should remain quiet and wait for the next question.

APPENDIX 2 EXERCISE

Normally, criminal jurisdiction is limited to those circumstances:

- where the consequences of the crime extend to coastal state
- where the crime disturbs the peace of state or good order of territorial sea
- where assistance has been requested by master of ship or flag state official
- where it is necessary for suppression of drug trafficking

There is a right to arrest vessel on high seas when in hot pursuit

- Defined as continuous pursuit conducted with reasonable diligence, so that pursuit and capture along with the commission of the offence may be considered as forming part of a single transaction

Requirements for hot pursuit:

- good reason to believe the ship has violated the law
- commenced when ship or one of its boats in territorial sea, or EEZ or continental shelf if laws apply
- Uninterrupted
- Visual or auditory signal to stop given at distance at which may be seen heard

Pursuit must end in territorial sea of other state unless permission is obtained.

- Note principle of “constructive presence”
- Where foreign ship outside territorial sea, but working as a team with other ship, such that the pursued ship is a “mother ship”, there may be hot pursuit of mother ship
- Applies both where other ship is from the same flag state, or from the coastal state

Cypriot vessel met Ghanaian vessel, just beyond territorial sea to import cocaine into Ghana. Ghanaian vessel enters Ghanaian Territorial sea and is intercepted and arrested by GMP Ghanaian Navy with GPS/GMP police officer on board pursue Cypriot vessel in the high seas and arrest it.

Syndicate Questions

- Does the doctrine of hot pursuit apply and is the arrest legal even though pursued was never in territorial sea?
- What is the implication that vessels were working as a team and using the pursued ship as a mother ship?

Syndicate Exercise Scenario 3

The Ghana Marine Police commence the conduct of Approach and Visit Operations within the anchorage of Tema port

The vessels approached are selected at random

The GMP patrol RHIB approach one vessel that appears to Panama Flagged.

The GMP Patrol commander hails the vessel to be approached and visited.

1. What questions should the patrol commander ask?

The captain of the vessel permits the patrol to board the vessel

2. What should the makeup of the GMP Boarding Party be?
3. What documentation should the GMP check?

The vessel is classified as a general cargo freighter with the last port being Lagos. It's bill of lading indicates that the bulk of the cargo is grain from South Africa. Upon checking the 10-person crew (9 men & 1 woman), it is determined that the nationality of most of the crew is Filipino. After being assembled on the foredeck, the crew looks nervous as their documents are checked. There appears to be a significant disparity between the various Filipino passports adduced. Suddenly one of the crew bolts below.

4. What is the response of the GMP Boarding Party to this person's action?

While present on the bridge of the vessel, one of the GMP officers hears a number of other voices through one of the vents adjacent to the bridge. The voices sound as if they are from persons in distress.

5. What actions can the GMP team take as regards the voices given that the entire crew was to have been marshalled on the foredeck?

6. Upon inspection, it is determined that some 20 persons are being held down below. They appear haggard and ill-kempt and they have no documentation. They appear to be French speakers.

7. What further actions should the GMP team consider and take?

APPENDIX 3 CONCEPT NOTE

USAID/SFMP / FoN AND THE UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNDOC) TOGETHER WITH THE GHANA MARINE POLICE TRAIN THE TRAINER COURSE 2017

Background

The Ghana Sustainable Fisheries Management Project (SFMP) is being implemented with the support from USAID/Ghana for a 5-year period from 2014 to 2019. The key objective of the project is to contribute to the rebuilding of marine fisheries stock (small pelagics) and catches through adoption of responsible fishing practices.

Effective deterrence through strengthened fisheries law enforcement is a key requirement to promote responsible fishing and implementation of the National Fisheries Management Plan (NFMP) that will contribute to rebuilding the marine fish stock.

Also maritime crime poses a serious threat to the safety of seafarers, international trade and regional stability. As over 90% of global trade is carried out by sea, the economic effects of maritime crime can be crippling. Maritime crime includes not only criminal activity directed at vessels or maritime structures, but includes the use of the seas to perpetrate transnational organized crimes such as smuggling of persons, illicit substances **and illegal unreported and unregulated fishing (IUU)**. Maritime crimes such as piracy, terrorism, drug smuggling or IUU can have devastating human consequences. Due to the unique nature of the high seas - falling outside the jurisdiction of any single state, but within the collective responsibility of all - a coordinated and comprehensive approach must be taken to tackle crimes both occurring at sea and being carried out through the use of the maritime domain. This includes interrupting criminal activities at sea, strengthening domestic maritime law-enforcement capacity, and addressing the root causes of maritime crime on land.

In view of this, FoN conducted series of trainings on basic fisheries enforcement for Marine Police personnel in SFMP year 1 & 2 to address challenges in fisheries enforcement. Also in April 2015, the UNODC Global Maritime Crime Programme conducted an assessment mission in Ghana and São Tomé & Príncipe, two countries which were not then receiving extensive bilateral or multilateral assistance and were therefore selected as pilot countries in the Gulf of Guinea to take part in a full GMCP support program. The purpose of the project is to improve the maritime law enforcement capacity and capability, in both Ghana and Sao Tome & Principe, to respond to the threats of maritime crime in their waters.

However, stakeholders have recommended the need to build a cadre of FEU and Marine Police personnel, who can advance internal trainings within the various Marine Police ranks/units to ensure that the knowledge they have received from the trainings is shared and transferred to other persons including new recruits.

In light of the above, UNODC and USAID/SFMP/FoN propose the conduct of a train-the-trainer course to be held from **15 to 22 Aug, 2017** at the GMP Academy in Ayinase, Ghana. This training is intended for personnel with key Knowledge, skills and Attitude (KSA) to become more knowledgeable about the planning for, and conduct of maritime and Fisheries law enforcement techniques with the objective of enabling these personnel to conduct training at the local, regional and national levels.

JOINING INSTRUCTIONS

Ghana Marine Police - Train The Trainer Course 2017

Objective and Location: The United Nations Office on Drug and Crime and the Friends of the Nation, a USAID collaboration will conduct a train-the-trainers on Law Enforcement in the Maritime Environment to be held from **15 – 22 August, 2017** at the Ghana Marine Police Academy in Ayinase, Ghana

Timings: The workshop starts on 15 Aug 2017 at 0900.

Assignment of candidates to syndicates and introduction of directing staff and syndicate leaders will be done during the administration period at the beginning of the course

Dress: the dress throughout for law enforcement and naval officers is business casual or as prescribed by service regulation. For civilian attendees, dress is business casual.

Reading material: Candidates should be familiar with the United Nations Convention on the Law of the Sea (UNCLOS), the Ghana Criminal Code (1960) and the Ghana Maritime Zones Delimitation Act 1986 (PNDCL 159).

Accommodations: Wantapa Hotel

Meals: Lunch will be provided at the venue as will both morning and afternoon coffee/tea and snacks.

Parking: Parking is available at the Academy

Administration:

The course Coordinator is Mr Bernard Henebeng Asamoah, UNODC National Programmes Coordinator (bernard.henebeng.asamoah@unodc.org) +233 (0) 24 541 8506.

The USAID/Friends of the Nation contact is Mr Kyei Yamoah (kkyeyiams@gmail.com) +233 (0) 24 481 7020. The course Director is Andrew van Veen, UNODC Mentor Ghana Marine Police (andrew.van-veen@unodc.org) +233 (0) 20 220 4824.

APPENDIX 4 AGENDA

GHANA MARINE POLICE

TRAIN THE TRAINER COURSE 2017 Dates: 15 – 22 August 2017

TIME AND THEME	ACTIVITY	
	DAY 1 15 AUGUST 17	
Serial 1 0900 - 1000	<ul style="list-style-type: none"> • Registration • Opening Prayer • Introduction of Participants and Directing Staff • Welcome Statement from UNODC (Andrew van Veen) • Welcome Statement from GPS/GMP (TBD) • Statement from USAID/SFMP/FoN (Donkris Mevuta) 	ALL
Serial 2 1000 – 1045	CRIMINAL OFFENCES TO BE ENFORCED BY GMP <ul style="list-style-type: none"> • Ghana Criminal Code 1960 (Act 29) and its subsequent amendments • Fisheries Act 2002 (Act 625) and its subsequent amendments • Ghanaian Counter-Terrorist Legislation • Ghanaian Immigration and Migrant Smuggling Legislation • Fisheries Legislation • Other relevant Ghanaian law enforcement Legislation 	Andrew van Veen, UNODC
Serial 3 1045 – 1115	COFFEE/TEA BREAK	
Serial 4 1115 – 1200	GHANAIAN JUDICIAL AND CRIMINAL LAW SYSTEM <ul style="list-style-type: none"> • Ghanaian Legal System; • Ghanaian Criminal Court System; • Legal Classification of Crimes and Criminal Responsibility; and, • Review of Criminal Procedure 	Patience Klinogo, Attorney Generals Department, W/R
Serial 5 1200 – 1330	GHANAIAN JUDICIAL AND CRIMINAL LAW SYSTEM (Con'td)	Patience Klinogo
Serial 6 1330 - 1430	LUNCH	
Serial 7 1430 – 1600	GMP JURISDICTION FOR MARITIME AND LITTORAL LAW ENFORCEMENT OPERATIONS <ul style="list-style-type: none"> • General Ghanaian Domestic Criminal Law Jurisdiction • Law Enforcement Jurisdiction under the <i>Constitution of the Republic of Ghana</i> and the Police Service Act 1970 (Act 350) • General Elements of Jurisdiction • Law Enforcement Jurisdiction under the Ghana Maritime Zones Delimitation Act 1986 (PNDCL 159) 	Andrew van Veen, UNODC

1600 – 1630	DISTRIBUTION OF SYNDICATE PROBLEM 1	Kyei Kwadwo Yamoah, USAID/SFMP/FoN
	CLOSE OF DAY 1	

**GHANA MARINE POLICE
TRAIN THE TRAINER COURSE 2017**

DAY 2		
16 AUGUST 17		
0900 – 0945	SCENARIO 1 SYNDICATE PRESENTATION	Kyei Kwadwo Yamoah, USAID/SFMP/FoN
Serial 8 0945 - 1030	GMP JURISDICTION FOR MARITIME AND LITTORAL LAW ENFORCEMENT OPERATIONS (CONT'D) <ul style="list-style-type: none"> • Bases for Jurisdiction to act in the Maritime Environment; • Jurisdiction as to particular offences; • Jurisdiction as to Vessels to include Foreign Flag Vessels and Stateless Vessels; and • Jurisdiction as to Hot Pursuit in the Maritime Environment 	Andrew van Veen
Serial 9 1030 1130	OFFSHORE PETROLEUM ACTIVITIES COMMON OFFENCES AND ENFORCEMENT OPERATIONS <ul style="list-style-type: none"> • Introduction to Offshore Petroleum activities. • Petroleum Sector Legal and regulatory framework. • Common Offences including fishing, etc. • Global Best practices and Recommendations 	Mr. Solomon Kusi Ampofo Coordinator Advocacy and Campaigns, FoN
Serial 10 1130 - 1200	COFFEE/TEA BREAK	
Serial 11 1200- 1330	INTERACTION WITH OTHER LAW ENFORCEMENT AGENCIES <ul style="list-style-type: none"> • People Smuggling/unauthorized entry (GIS/CBSA) 	Ms Pamela Codjo AHST Supt of Immigration
Serial 12 1330 – 1430	LUNCH	
Serial 13 1430 - 1600	EVIDENCE <ul style="list-style-type: none"> • Types of Evidence • Guidelines for giving evidence, When giving evidence • Common faults which should be avoided, Gathering evidence, Principles of Evidence • Chain of custody, Relevance • Admissibility, Cross examination tactics 	Andrew van Veen
1600 - 1700	DISTRIBUTION OF SYNDICATE PROBLEM 2 Fisheries Regulation	Kyei Kwadwo Yamoah, USAID/SFMP/FoN

	DAY 3 17 AUGUST 17	
0900 - 0945	Discussion of Syndicate 2	
Serial 14 0945 - 1045	INTERACTION WITH OTHER GHANAIAI AN GOVERNMENT DEPARTMENTS Environmental Protection Agency	Ms Humu-Annie Seini
Serial 15 1045 - 1145	INTERACTION WITH OTHER GHANAIAI AN GOVERNMENT DEPARTMENTS (Cont'd) Ghana Petroleum Commission	Ms Humu-Annie Seini
Serial 16 1145 - 1215	COFFEE/TEA BREAK	
Serial 17 1215 - 1330	INTERACTION WITH OTHER GHANAIAI AN GOVERNMENT DEPARTMENTS (Cont'd) Ghana Maritime Authority	Mr Kwame Owusu Director General GMA
Serial 18 1330 - 1430	LUNCH	
	INTERACTION WITH OTHER LAW ENFORCEMENT AGENCIES Fishing Violations and Offences (Ghana Fisheries Commission);	Mr Atobrah Papa Yaw Fisheries Commission (To Be Confirmed)
Serial 20 1530- 1700	EVIDENCE:- Fisheries <ul style="list-style-type: none"> • Types of Evidence • Guidelines for giving evidence • When giving evidence • Common faults which should be avoided • Gathering evidence 	Mr Atobrah Papa Yaw Fisheries Commission (Cont'd)

	DAY 4 18 AUGUST 17	
Serial 21 0830- 1100	<p style="text-align: center;">RECAP EVIDENCE: Fisheries</p> <ul style="list-style-type: none"> ● Principles of Evidence ● Chain of custody ● Relevance ● Admissibility ● Cross examination tactics 	Mr. Atobrah Papa Yaw, Fisheries Commission
Serial 22 1100 - 1130	COFFEE/TEA BREAK	
Serial 23 1130- 1230	<p style="text-align: center;">INTERACTION WITH OTHER LAW GHANAIAN ENFORCEMENT AGENCIES (Cont'd)</p> <p>Fisheries Commission SOPs: Fisheries enforcement, etc</p>	Mr. Atobrah Papa Yaw Fisheries Commission
Serial 24 1230 - 1330	<p style="text-align: center;">INTERACTION WITH OTHER LAW GHANAIAN ENFORCEMENT AGENCIES (Cont'd)</p> <p>Fisheries Commission SOPs: Fisheries enforcement, etc</p>	Mr. Atobrah Papa Yaw, Fisheries Commission
Serial 25 1330 – 1430	LUNCH	
Serial 26 1430 – 1530	<ul style="list-style-type: none"> ● GHANA NAVY ● History ● Organization ● Roles ● Capabilities ● General Operations ● Law Enforcement Operations 	
1530- 1700	<ul style="list-style-type: none"> ● DISTRIBUTION OF SYNDICATE PROBLEM 3 ● Child Labour and Trafficking in Fisheries 	Kyei Kwadwo Yamoah, USAID/SFMP/FoN

DAY 5		
19 AUGUST 17		
0830 - 0900	DISCUSSION OF SYNDICATE PROBLEM 4	Kyei Kwadwo Yamoah, USAID/SFMP/FoN
Serial 27 0900 – 1100	THE OPERATIONAL PLANNING PROCESS (OPP) <ul style="list-style-type: none"> • Definition of the OPP • Types of planning • OPP Steps • Phases of an operation under the OPP • Estimates • Time Appreciations • ROE planning • Detainees 	Andrew van Veen/ Mr. Atobrah Papa Yaw. Fisheries Commission
Serial 27 1100 – 1130	COFFEE/TEA BREAK	
Serial 28 1130 - 1330	OPP IMPLEMENTATION AND SOP's <ul style="list-style-type: none"> • Preparation for Operations • Orders Formats • Evidential Issues and Post Operations Procedures • Use of Force • Detainee Handling; • After Action Activities; • Reports and Returns: 	Andrew van Veen / Mr. Atobrah Papa Yaw, Fisheries Commission
Serial 29 1330 – 1430	LUNCH	
Serial 30 1430 – 1700	BOARDINGS INDUSTRIAL FISHING VESSELS AND INSPECTIONS	Mr. Atobrah Papa Yaw, Fisheries Commission

DAY 6 20 AUGUST 17		
Serial 31 0900 - 1000	DETENTION, ARREST and Prosecution of fisheries cases	SUPT. ANTWI ABABIO, Marine Police
Serial 33 1100 - 1130	COFFEE/TEA BREAK	
Serial 34 1130 - 1330	EVIDENCE for Prosecution of fisheries cases	DSP Sandra Marine Police.
Serial 35 1330 - 1430	LUNCH	
Serial 36 1430 - 1630	TTX SEA GUARDIAN III	

DAY 7 21 AUGUST 17		
Serial 37 0830 - 0930	SYNDICATE PRESENTATIONS SEA GUARDIAN III	
Serial 38 0930 - 1100	ASSESSMENT /GRADING Competence-Based Staff Assessment Kyei Kwadwo Yamoah, USAID/SFMP/FoN	
Serial 39 1100 - 1130	GRADING & COFFEE/TEA BREAK	
Serial 40 1130 - 1200	CLOSING ADMINISTRATION	
Serial 41 1200 - 1300	CLOSING CLOSING REMARKS FROM UNODC CLOSING REMARKS FROM USAID/SFMP/FoN STATEMENT FROM GPS/GMP CERTIFICATE AWARDS INSTRUCTIONS, PICTURES AND INTERVIEWS	
Serial 42 1300- 1400	LUNCH & DEPARTURE	