

NATIONAL AUTHORITY IN CHARGE OF  
STATE ACTION AT SEA

No 2023-103/PR/ANCAEM/CAB/SP

**DIRECTIVE**  
**FOR**  
**THE PLANNING AND CONDUCT OF PETROLEUM PRODUCTS**  
**TRANSSHIPMENT (SHIP-TO-SHIP)**  
**AND SECURE ANCHORAGE OPERATIONS**  
**IN WATERS UNDER THE JURISDICTION OF BENIN**  
**"OPERATION DOKOUN"**

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Reference: Circular note n°23-102/PR/ANCAEM/CAB/SP dated July 31, 2023.

## 1. BACKGROUND

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The maritime area under the jurisdiction of Benin, a coastal country on the Gulf of Guinea, has long been prey to all kinds of threats; most of them are cross-border and spreading well beyond its territorial waters. In order to fight them effectively, Benin joined all the other Gulf of Guinea states in adopting in June 2013, the Yaoundé Code of Conduct, which aims at preventing and repressing acts of piracy, armed robbery against ships and illicit maritime activities in West and Central Africa.

This state of affairs has prompted the maritime authorities of Benin to take some measures to better ensure the security of waters under their jurisdiction, due to the lack of adequate nautical resources for an effective fight. One of these measures was the outright suspension of the transshipment of petroleum products and the anchoring of some ships in transit in Cotonou roadstead, despite the enormous economic and financial benefits the country was reaping.

The advent of the National Authority in charge of State Action at Sea / Autorité Nationale Chargée de l'Action de l'Etat en Mer (ANCAEM), also known as the Préfecture Maritime (Premar), and the policy of equipping those involved in ensuring security at sea, have led to the significant progress made in recent years in the waters under the jurisdiction of Benin.

The Préfecture maritime, in its role as facilitator and coordinator, has since authorized, planned and conducted security operations in waters under its jurisdiction, in collaboration with the National Navy and other administrations. These operations guarantee considerable peace of mind for users of these maritime areas. These convincing results are the leitmotiv for the resumption of transshipment operations for petroleum products and the secure anchorage of ships in transit in an area defined for this purpose, under conditions to be specified in this Directive.

On behalf of the Presidency of the Republic and under the aegis of Premar, this Directive aims to coordinate the action of the various administrations involved in the preparation and the execution of the said operations called "**OPERATION DOKOUN**".

## 2. OBJECTIVES

### 2.1. STRATEGIC OBJECTIVE

- Revitalizing the maritime economy of Benin in a secure environment;
- Coordinating and facilitating a prosperous and secure maritime market off Cotonou;

The main objective for the Préfecture maritime is to promote secure trade in waters under the jurisdiction of Benin in general, and in particular in the quadrilateral (A, B, C and D) set aside for this purpose.

This objective will be achieved through dynamic and static missions, with the human and material resources of the various actors involved.

### 2.2. SPECIFIC OBJECTIVE

Specifically, the aim is to:

- Ensure permanent safety and security of operations in the defined area;
- Issue licenses to shipping agencies;
- Issue authorizations to shipping agents to carry out operations;

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- Ensure the regularity of operations:
  - Control and monitor the operations area:
    - ✓ Control by Beninese authorities of any ship or boat operating in the defined area;
    - ✓ Boarding and detention of any ship or boat suspected of fishing offences or other illicit activities, on decision of the Beninese authorities;
  - Initiate any legal proceedings;
    - ✓ Build cases against potential offenders.
  - Train personnel involved;
    - ✓ Training of administrations agents taking part in Surveillance, Control and Monitoring operations to target illegal activities, including ship boarding and control procedures;

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### **3. GENERAL PHASING OF "OPERATION DOKOUN"**

The various phases of the operation are as follows:

#### **3.1 Preparation phase**

This runs until August 16, 2023;

#### **3.2 Operation phase**

Scheduled to start as soon as the first licenses are issued, this phase takes into account various items that will be developed in this directive according to a procedure defined in Paragraph 6.

#### **3.3 Feedback phase (Retex)**

This will take the form of scheduled meetings to regularly review the progress of the operation with a view to improving its execution.

### **4. RESPONSIBILITIES**

#### **4.1 National Navy**

- ✓ draw up an operations order before August 16, 2023, in accordance with the regulatory format, giving priority to an initial mode of action based on discretion;
- ✓ appoint, for the entire period, the back-up personnel needed to conduct the at-sea phase;
- ✓ appoint an officer from the National Navy as a member of the operation's Supervisory Committee, and an officer as a member of the Committee for the study and allocation of licenses to maritime agencies;
- ✓ The appointment notes for the above personnel must reach ANCAEM by August 16, 2023.

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#### 4.2 Port of Cotonou

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- ✓ Appoint an executive from the Harbour Master's Office of the Port of Cotonou to participate, without prior notice, in the work of the Committee for the Study and Allocation of Licenses to Maritime Agencies;
- ✓ Plan the reception in Cotonou of one or more ships in an irregular situation or in breach of the law (boarded, including those over 50 m long).
- ✓ Circulate to ANCAEM the appointment of the above personnel before August 16, 2023.

#### 4.3 Ministry of Economy and Finance

- ✓ Minister's office: appoint a senior executive to participate, without prior notice, in the work of the Committee for the Study and Allocation of Licenses to Maritime Agencies;
- ✓ Assist ANCAEM in drafting the Ministerial Decree that will later govern the financial component of the operation;
- ✓ DGD (Maritime and River Customs Service, SDMF): appoint an SDMF officer participate, without prior notice, in the work of the Committee for the Study and Allocation of Licenses to Maritime Agencies;

#### 4.4 Republican Police

- ✓ Maritime and River Special Police Unit (USPFM): appoint a Maritime Police Officer to participate, without prior notice, in the work of the Committee for the Study and Allocation of Licenses to Maritime Agencies;
- ✓ Special Police Station for the Port of Cotonou: assist the stakeholders involved in the operation with any border police requirements.

#### 4.5 Maritime Agencies

Maritime agencies are the only responsible actors designated to conduct petroleum products transshipment and secure anchorage operations in waters under the jurisdiction of Benin, and more specifically in the area dedicated to these activities.

To take part in OPERATION DOKOUN, all agencies must:

- ✓ Be duly incorporated in the Republic of Benin;
- ✓ Have a valid license;
- ✓ Be duly authorized for each operation in the secure area;
- ✓ Follow the application procedure for all operations in the secure area;
- ✓ Ensure that transshipment operations or secure anchorage operations run smoothly;
- ✓ Pay the provisional fees annexed to this Directive;
- ✓ Ensure that no boat connected with its operations enters the secure area without prior authorization from the national Navy.

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- ✓ Ensure that no boats related to its operations leave the Port of Cotonou after 6 p.m.

## 5. GEOGRAPHIC PERIMETER OF THE OPERATION

It is planned to operate within the quadrilateral the coordinates of which are as follows:

A :06° 16'N - 002°07'E

B :06° 15'N - 002°12'E

C :06° 13'N - 002°12 'E

D :06° 14'N - 002°07'E

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Exemptions may be granted on a case-by-case basis by ANCAEM if it is necessary to widen the said zone.

## 6. CONDUCT OF PETROLEUM PRODUCTS TRANSSHIPMENT OPERATIONS AND SECURE ANCHORAGE OF SHIPS IN TRANSIT

### 6.1 License of Maritime Agencies

Any agency wishing to conduct activities as part of the operation DOKOUN must apply for license valid for two (02) years, which will be processed by a Committee for the study and allocation of licenses to maritime agencies composed as follows:

- ✓ Chairman: Maritime Prefect
- ✓ Rapporteur: One (01) Representative of the National Navy

#### **Members:**

- ✓ One (01) Representative of the Maritime Customs Service
- ✓ One (01) Representative of the Maritime and River Special Police Unit (USPFM)
- ✓ One (01) Representative of the Préfecture maritime
- ✓ One (01) Representative of the Ministry of Economy and Finance (MEF)
- ✓ One (01) Representative of the Harbour Master's Office of the Port of Cotonou.

The said Committee shall meet at the request of its Chairman, taking into account pending applications or requests, and may call on any other expertise when the Chairman deems it appropriate.

The Committee shall reserve the right to withdraw any license granted to any maritime agency involved in any whatsoever offences.

**Application file:** The application file shall be composed of the following documents:

- ✓ Application Letter to the Maritime Prefect;
- ✓ Extract from the Trade Register;
- ✓ Certificate of non-bankruptcy;
- ✓ Up-to-date CNSS Certificate;
- ✓ Up-to-date Tax Certificate.

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License fees are provisionally set at CFA Francs Two Million (2,000,000), shall be paid into a special account at the Public Treasury.

## 6.2 Conduct of Activities (Procedure)

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### 6.2.1 Maritime Agencies

A Ship-To-Ship (STS) or Secure Anchorage (MS) operation application file shall be sent to the Maritime Prefect, 72 hours before the start of operations.

This file shall include:

- ✓ A STS or MS application form;
- ✓ Ships' particulars;
- ✓ Copy of License;
- ✓ Pollution Risks Insurance Certificate;
- ✓ Manifest for the ship being unloaded;
- ✓ Provisional Cargo Declaration.

In addition, the standard procedure for these activities in the field during actual operations is in force.

### 6.2.2 National Navy

After receiving authorization from ANACEM, the National Navy shall take over a zone security control, using its floating resources to ensure complete coverage of the defined zone. It shall deploy armed guard elements on ships engaged in STS or MS activities, for the duration of the activities. At the end of the activities, the deployed elements shall return to their initial position.

As these activities are authorized both day and night, the deployed elements must consider this when planning their operations.

All ships and boats of any kind are expressly forbidden to leave or enter the secure area without prior authorization and in agreement with the maritime agent(s) concerned.

### 6.2.3 Maritime Customs

The Maritime Customs will make every effort to carry out the various checks required in the exercise of its prerogatives.

## 6.3 Royalties

The various fees relating to the operations are appended to this Directive and shall be payable to the Public Treasury on the account provided for this purpose.

## 6.4 Clearance Procedure

This procedure is submitted by the maritime agency for signature by the national Navy, the USPFM and the Maritime Customs under the supervision of ANCAEM.

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7. BUDGET

ANCAEM shall bear the cost of maintenance, fuel and food supplies for the units, as well as support for the human and material resources involved, for as long as necessary, with a view to setting up a coherent support mechanism on the revenue generated by the execution of **OPERATION DOKOUN**.

8. MINUTES & MEETINGS

ANCAEM shall centralize the dissemination of reports to the authorities involved in the operation.

Periodic (monthly) meetings will be held to ensure better monitoring of the operation. However, the Maritime Prefect may convene intermediate meetings, as he deems necessary.

Cotonou, August 11, 2023.

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**The Maritime Prefect**  
Stamp and signature: illegible  
**Captain Major Fernand Maxime AHOYO**

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## **ANNEX TO DIRECTIVE N°23 - 103..../PR/ANCAEM/SP OF AUGUST 11, 2023**

This Annex provisionally sets the royalties payable by maritime agencies carrying out professional activities in the secure area within the strict framework of this Directive.

### **1. Transit in the Secure Area**

- All types of ships in STS operations or at Secure Anchorage for a period of ten (10) days:
  - ✓ Minimum Royalties: CFA F 650,000;
  - ✓ ISPS Royalties: CFA F 165,000

**NB:** For any 10-day period started, the two above royalties are due.

### **2. Transshipment of Petroleum Products (STS)**

The Royalties applicable to transshipment of petroleum products (Ship-To-Ship) operations in the authorized zone shall be as follows:

- ✓ Ships with a cargo of less than 10,000 MT: CFA F 150 /MT
- ✓ Ships with a cargo of more than 10,000 MT: CFA F 100 /MT

**NB:** These royalties shall be payable by all ships engaged in unloading operations.

All the above royalties are payable to the Public Treasury into the account dedicated to Maritime Operations, the details of which are available at the Préfecture Maritime.

In addition, any operation exceeding midnight on the day of commencement of activities will be counted as day "d + 1".

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