HOW CAPACITY BUILDING IS NEGOTIATED:

The case of maritime security projects in Ghana

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Introduction

Looking at capacity building for maritime security, the case of Ghana is relevant partly because the country continues to suffer acts of maritime insecurity, including maritime piracy, and partly because Ghana is experiencing 'a heavy push' by various external actors interested in helping the country to strengthen maritime security.[1] Although piracy is commonly the main focus of external actors' maritime security engagements, piracy is neither the only nor necessarily the most pressing maritime security challenge confronting Ghana.[2] For example, for coastal communities in Ghana, and in several other Gulf of Guinea states, illegal fishing represents a critical challenge to livelihoods, jobs and food security.[3]

Collaborating with Ghana to counter maritime piracy, and to a lesser extent other threats at sea, many external actors view maritime capacity building as a preferred form of engagement. Through maritime capacity building, external actors – like the European Union (EU), the United Nations (UN), the United States of America (USA) or other individual countries (e.g. Denmark, Japan, United Kingdom) – assist Ghana (and other Gulf of Guinea states) in improving maritime security through different programmes aimed at strengthening various necessary capacities, ranging from Special Forces training to training of judges. Capacity building can take various forms, focusing for instance on the level of individuals (e.g. training), institutions or equipment and donations (e.g. boats). The idea is that the different dimensions of capacity building are interdependent: training of individuals will have little effect if they have no equipment to apply their skills. Yet, as we shall come back to, at least two blind spots characterize this approach.

First, capacity building commonly does not include 'background' flows like salaries, fuel or other running costs needed to, for example, turn boats into useful capacity. However, there can be no counterpiracy without fuel for donated boats. While things like fuel or salaries are necessary in order for training and donations to translate into improved maritime security, donors however commonly do not include these items in their long-term capacity building programmes. The argument being that such support risks contradicting with the aim of ownership and sustainability.

Secondly, for individuals who have received capacity building training, lack of equipment, fuel or other 'technical' gaps are not the only difficulties that may inhibit putting the newly acquired skills into practice. Indeed, in addition to such 'background' flows, broader contextual and political challenges that individuals may encounter represents a second blind spot of current approaches to maritime capacity building. Even a well-trained individual, with fuel for donated boats may be confronted with additional challenges when seeking to put these capacities into practice – challenges that stem from the broader political context, relocations being just one example.

That said, this policy brief zooms in on trainings, workshops and other engagements, aimed at strengthening the capacity of individuals in Ghana to deal with issues concerning maritime security. Specifically, it examines donor-sponsored capacity building in the maritime security sector, and at how such programmes are negotiated. These engagements are explored from the perspective of actors in Ghana who are involved in capacity building programmes, on the administrative side or as participants.

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Had donors been the focus of this policy brief, advantages and challenges would likely have been described differently.[4] Prior to offering capacity building assistance, most donors will generally consider what host state agencies are interested in or are in need of. Yet, donors may have insufficient awareness of the context, what is most needed and what would work. What host state actors experience as imposition (see below) may therefore also be an expression of well-intentioned donors applying approaches and concepts that are insufficiently attuned to a given context. As an interviewee explains about maritime capacity building focused on legal frameworks and training of judges and prosecutors: 'In Europe, we see this as a central point to maintain law and order, but in Africa, prosecutions are so costly (both time and financially) that it is very challenging to achieve successful results.' With reference to this example, the interviewee sought to illustrate how approaches that seem intuitive to certain actors may however work differently in settings where other dynamics are at play, potentially bringing about other effects than anticipated.

The views and practices of donors are often the focus when capacity building engagements are analyzed by scholars and often with important results like rendering visible the need for better coordination among the plethora of donors involved in capacity building. This policy brief, however, focuses on capacity building actors in Ghana. Views on donor funded capacity building programmes of course vary tremendously depending on who is being interviewed; between donors, between host state actors, and indeed, between donors and host state actors. Attending to diverse perspectives and experiences is crucial. In moving an often polarized discussion between donors and host states agencies (who sometimes feel that programmes and priorities are imposed upon them) forward, shared considerations and evaluations of why specific engagements 'fail', discussing issues like unintended consequences of capacity building, could perhaps be one mechanism through which to change the character of mutual exchange.

One concern in relation to donor-sponsored capacity building is the abovementioned issue of ownership among host state actors vis-à-vis the specific capacity building engagement and its sustainability, beyond a one-off donor-funded project. This also include the critical issue of appreciation of the underlying prioritization of security challenges to be addressed via such newly acquired capacities – with challenges emerging from divergences in host state and donor perceptions of maritime threats (like piracy versus illegal, unreported and unregulated (IUU) fishing), or from diverging perceptions of and priorities afforded to maritime versus land-based security challenges.[5] Less so in Ghana, and more so in other Gulf of Guinea states, maritime threats often have a lower priority than land-based security challenges, for example from terror groups like Boko Haram. Placing individuals who have just received donor-funded security training towards a lower-priority threat (like piracy) is indeed an important yet often implicit and largely unaddressed challenge to the effectiveness of maritime capacity building in contexts where donors and host state agencies do not share common security priorities – at sea (piracy vs. IUU fishing) and/or between maritime and land-based security challenges.

Though ownership is often discussed, what is commonly not included or understood in sufficient depth is *how the content of capacity building engagements is negotiated* between providers and receivers. Among the many external actors involved in capacity building programmes in Ghana, there are various approaches to the question of how best to develop, design and carry out such programmes. As a form of engagement that involves external actors, but unfolds within a host state, maritime capacity building does not take shape in a

power vacuum. This is neither the case during implementation, nor during the prior design phase, where such engagements are defined and agreed upon in the first place. Adding nuances to accounts of capacity building as simply imposed by donors, the focus of this policy brief is on how negotiations take place within a capacity building context defined by power relations.[6]

From that point of departure, how can we understand the emergence of maritime capacity building engagements as a process of negotiations between donors (with resources and placed at advantageous positions) and host state actors, for example in Ghana, that at the same time have leverage to assert during such negotiation? Put differently, this policy brief examines how capacity building programmes in the field of maritime security are negotiated and delivered in Ghana.

How negotiations unfold: a 'host state agencies' perspective

Four remarks emerged from the interview data and the focus group discussions conducted as part of the project 'Analysing Maritime Insecurity in Ghana' (AMARIS), funded by the Danish Ministry of Foreign Affairs, administered by the Danida Fellowship Centre, regarding donor-funded capacity building engagements in Ghana.[7] From the gathered data, it seems that a) it is necessary to look at the external actors' agency, as well as that of host state actors, and b) for each, at least three approaches can be distinguished when seeking to understand the nuances of how negotiations unfold, including the different ways in which power is at play. The four observations about donor-funded maritime security capacity building negotiations are highlighted and discussed as follows:

'Forced upon us' and the 'right to disagree'[8]

Key principles guiding development cooperation broadly defined, are outlined by the Organisation for Economic Co-operation and Development (OECD) in the Paris Declaration and in the Accra Agenda for Action; both emphasize the importance of harmonizing objectives even when such cooperation takes the form of capacity building.[9] Yet, though not the case for all capacity building programmes, it is worth noting that – contrary to such cooperation principles – some stakeholders perceive maritime capacity building engagements in Ghana as impositions. An interviewee describes maritime capacity building programmes as 'imposed, albeit surreptitiously' by donors seeking to 'protect their own interests.'[10] Another interviewee describes a case of a maritime capacity building engagement being proposed by a donor without any prior process and was simply accepted by Ghana with no objection or query.

Yet, host state actors are of course not entirely passive in this process. Accordingly, such statements should not lead us to forget the agency of host state actors and the strategies through which such actors in different ways 'push back' against, respond to or influence the design and conduct of maritime capacity building programmes. A third interviewee notes that they sometimes agree whilst aware of their 'right to disagree': 'They tell us what programmes they have for us and we agree to such programmes even though *we have the right to disagree*' (italics added). Thus, even in cases where capacity building negotiations unfold within a context of uneven power relations, often such negotiations cannot be fully described as impositions, because there is always an element of consent by the recipients.

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In some negotiations, for instance, those with formal academic institutions, run professionally with little government control, like the Kofi Annan International Peacekeeping Training Center (KAIPTC), recipients are sometimes allowed or have the right to design their own programmes and submit their own drafted proposals for funding to donors to enable them to carry out their own activities to promote maritime security, based on their own needs. The complication however is that regardless of how home-brewed such proposals may be, there are contexts in which they are requested to fit the predefined preferences and broader objectives of donor projects in order to attract funding.[11] Therefore, as captured by one respondent: 'They will give you a little say, but eventually, it would be an imposition.'[12]

Following from this, one key question is how possibilities for influencing capacity building programmes play out and are defined, including questions about whether and in what ways negotiations may reinforce unequal power relations or possibly be viewed as potential entry point through which to change such power relations, for example, via more genuinely mutual discussions over capacity building engagements. Another issue concerns a potential inconsistency on the donors' part who, on the one hand, build capacity of host state actors on the assumption that these actors will use this capacity to achieve shared objectives. On the other hand, donors risk discouraging that assumed agency, in instances where engagements are designed from a position that allows for *little* host state agency and influence. Such conflicting assumptions entail a risk in seeking to strengthen the capacities of various host state actors, the agency of such actors and their sense of ownership may potentially be undermined in the very process of defining such engagements, depending on the donors' approach.

'Asked to apply':[13] A limited negotiation space
Other interviewees indicated a different type of negotiation, suggesting a more implicit power play with 'hosts' of capacity building projects being asked to apply for funding within predefined frames developed by donors and often implicitly reflecting the interests and priorities of donors. As a stakeholder noted, this is a more tacit mode of donor influence: 'You must apply for things that donors are interested in.'[14] Another interviewee noted that sometimes 'we are allowed to design our own programmes, but these must be in line with the broader project objectives of the donor. You are free to describe this level of say in words that are appropriate.' An example of this is when host state partners are 'asked to apply for funding for an already existing donor project'; the broader framing and focus of which they are unable to influence.

Thus, *other* maritime capacity building projects are developed in ways that allow participating countries to influence decisions about which capacity building needs they prefer to see addressed. Yet, such priorities vis-à-vis which issue areas and problems to be addressed (piracy, IUU fishing, narcotic smuggling, human trafficking) may be negotiated within frameworks that to some degree are predefined by donors.[15] At an even more subtle level, the kinds of solutions that are possible to fund (within a wide range of subject areas) are also limited and those limits represent another type of implicit power at play in such capacity building negotiations. Donors may prioritise specific 'capacities'. They may for example wish to see the development of law enforcement capacity – be it vis-à-vis piracy, IUU fishing or other types of crime – or they may prioritize capacity building of maritime security staff, or a combination.

In short, with this second mode of bounded influence donors exert considerable influence in setting the parameters of negotiation in two ways, both in terms of what type of 'challenge(s)' to be addressed (what type of maritime insecurity) and in terms of what type of capacity to accept as a relevant or necessary 'solution' for addressing challenges. Issues to consider in this regard concerns the limits of host state actors influence and the possible implication of that on issues of sustainability, ownership and success of the eventual capacity building engagement. There is also the heightened risk of leaving unaddressed – and perhaps implicitly reinforcing – longstanding unequal power hierarchies.

Strategies of host state actors
While these are continuing issues in various types of cooperation negotiation – including for maritime security capacity building – including questions of who sets the agenda, making policy, distributing resources, such questions often become even more salient when the type of cooperation touches upon the security sector. The security sector is where the state's principal function as provider of security to its population, defender of its territorial integrity and ensure the monopoly of power comes into play. Accordingly, sometimes even at the point of discussing potential assistance by external actors in this domain (that is the security sector) may be seen to indicate a degree of weakness, sometimes even state failure. For this and various other reasons, the state that hosts a maritime security capacity building programme seeks ways of influencing such engagements in its security sector. Strategies to influence capacity building engagements can be observed not only during the development phase as programmes are defined with varying degrees of influence exerted by donors and host state agencies. Negotiations may also occur once agreed programmes are being implemented. Host state partners may have more room for exerting influence during this phase. One space for expanded influence of host state actors emerges due to donor incoherence. Where multiple donors engage with a single host state from separate entry points, it creates a situation where host state agencies have more room for exerting influence on the implementation of uncoordinated donor-funded capacity building engagements.

From our engagements with stakeholders, it is instructive to distinguish between different modes of (maritime) capacity building negotiation and different phases – design and implementation – and to take into consideration both the role of external actors and the strategies of host state agencies, though negotiations often play out on an uneven playing field. The nuances in modes of capacity building negotiation and in strategies for exerting influence at different phases are often overlooked. This blind spot has implications. It risks devoting too little attention to questions of how different modes of negotiation and influence affect the resulting engagements. For example, repetition or known overlaps of different donor-funded capacity building programmes, seems to be one implicit strategy through which host state actors may seek to benefit from 'imposed' capacity building engagements. Some agencies for example allow and accept that the same, often high-ranking, person attends a specific course several times. An interviewee noted how, in the case of Ghana, a person attended the same course thirteen times.[16] Several interviewees further explained that, sometimes this interest in attending a course multiple times is, for example, to collect per diem and daily allowances.

Sometimes repetition may become 'useful by default', rather than by deliberate design, for instance, when attendees have been moved to other job postings.[17] For security forces, this could for example be because their everyday focus and the priorities of their work are on

land-based challenges, not on deep offshore piracy.[18] In other cases, however, rotation of newly trained staff happens because of existing systemic logics, rather than deliberate decisions. Interviewees for example mentioned that in Ghana, judges and other legal staff often rotate to new positions. This means that maritime capacity building in the legal sector confronts challenges, as gaps continue to emerge where newly trained legal staff are moved to positions where their focus is no longer on enforcing maritime laws.

From this, a picture emerges about how donor and host state agency may relate to affect capacity building programmes. The ways in which donors influence the early phases of capacity building development (e.g. the ways in which negotiation spaces are limited) may impact the kinds of strategies through which host states seek to exert influence during implementation.

Crosscutting challenges. Beyond capacity: political context and framing limitations
Not all challenges are specific to one type of negotiation dynamics. Worth highlighting for all three modes of capacity building negotiation, is that another type of power unfolds at a different level, namely in the very framing of something as an issue to be addressed through capacity building engagements. Once framed in this manner, implicit implications are that certain questions may not be asked once different challenges are framed as 'solvable' via capacity building. Longstanding challenges risk being back-grounded with capacity building inviting a 'technological view' of fundamentally political issues, thereby leaving out crucial aspects of the challenges (which capacity building is assumed to tackle). The context of capacity building; a discrepancy between the focus of capacity building programmes on specific trainings or exercises that are limited in scope, on the one hand. On the other hand, the broader context within which these engagements unfold – contexts that are not without challenges as well, though the assumption is that challenges exist at the level of capacity, thus overlooking the wider context and challenges therein. Maybe indicative of a more general challenge with 'intervention by invitation' as maritime capacity building is but one example of.

Put differently, the potential tension between specific training programmes and context or broader circumstances that may not always allow those who receive training to effectively put the newly acquired skills into practical use, is unearthed. It was in this regard that a respondent observed that 'I received training but did not have the infrastructure needed to carry out that function.'[19] From this latter point, we recommend that more attention is devoted to the question of how skills and capacities acquired during capacity building programmes are subsequently being put to use, including with attention to the individual 'recipient' rather than only to overall 'effects' on very broadly defined objectives, like improving maritime security in the Gulf of Guinea. Thus, another question, which is often overlooked, regards how differences in power relations influence the aim of building sustainable capacities for maritime security. In terms of the effects that these various power dynamics have on donor-funded capacity building, we conclude this section by highlighting two different ways in which donor-funded capacity building engagements may entail 'distortion' effects. Firstly, a technological view on a fundamentally political issue which leaves out crucial aspects of the challenge. Secondly, an enormous focus on piracy at the expense of other local challenges to maritime security, particularly, IUU fishing.

Conclusion

To make capacity building more effective and to bring out often overlooked power dynamics at play in these engagement forms, a greatly nuanced response is required to understand how donor-funded capacity building programmes are negotiated. Ultimately, it would not be entirely accurate to describe all gestures of donors as authoritative impositions. Actors with intention to benefit from such programmes may have possibilities to influence the process, ultimately to reject proposals made to them.[20]

Such options are however constrained by various factors including training needs, financial incentives, and relationships to the donor, among other things – factors that vary from one host state to another. Nuance is necessary to understand modes of capacity building negotiation between 'imposition' and 'rejection'. Ultimately, it helps to better appreciate how different modes of capacity building negotiation may affect such programmes once agreed upon, as well as the long-term relations of external actors and host states. Summarizing the findings presented in this policy brief, it seems helpful to distinguish between three different kinds of negotiation dynamics. One type of dynamic where host state actors perceive a capacity building design as imposed or overly predetermined externally – a type of dynamic that besides reflecting and reinforcing an uneven power dynamic between supposed partners, risk causing a high risk of refutation or resistance.

A second type is where capacity building negotiations unfold within donor-defined frameworks that allow host state actors 'a say', though within a limited space. A third type is when 'negotiations' unfold at the implementation stage, in which the conditions change. Relevant across all three negotiation dynamics is the cross-cutting risk that framing something as an issue to be addressed via capacity building often invites an appreciation of this issue that foreground technical rather than political dimensions of the challenge at hand. Yet, the political dimensions that risks being back-grounded will not disappear. Rather, insofar as they remain unaddressed, we should expect such political challenges to limit the effects of capacity building engagements, their implementation and long-term effect.

[1] Interview with a centrally placed donor, June 2021.

[2] See Mensah, et al. (2021) Maritime Security in the Gulf of Guinea: Ghana's Actual Maritime Crime Picture, AMARIS Policy Paper 3 on the prevalence of other types of maritime crime – notably illegal fishing.

[3] For example, Okafor-Yarwood, Ifesinachi. (2019). Illegal, unreported and unregulated fishing, and the complexities of the sustainable development goals (SDGs) for countries in the Gulf of Guinea. *Marine Policy*, 99: 414-422.

[4] Instead, those interviewed for this policy brief were individuals that were directly involved in capacity building programmes in Ghana, both on the administrative side, but also as participants/beneficiaries.

[5] Lindskov Jacobsen, Katja (2017) Maritime security and capacity building in the Gulf of Guinea: On comprehensiveness, gaps, and security priorities. *African Security Review* 26 (3): 237-256.

[6] Lindskov Jacobsen, Katja (2017) Maritime security and capacity building in the Gulf of Guinea: On comprehensiveness, gaps, and security priorities. *African Security Review* 26 (3): 237-256.

[7] Data gathered for the AMARIS Project on Donor Funded Capacity Building Programmes in Ghana, between April and December 2020; and a Focus Group Discussion held on 10 June 2021 to validate findings.

[8] During an interview with Nana Boakye-Boampong, Senior Maritime Administrative Officer at the Ghana Maritime Authority in Accra on 15 September 2020, he noted that even though proposals may be forced on recipient stakeholders, they have every right to reject or disagree with their contents. Captain Derick Attachie, Head of the Education and Training Division of the ICC and Director of Naval Intelligence of the Ghana Navy, made similar points in an interview on 28 September 2020: 'In projects like Exercise OBANGAME, participating countries were allowed to determine, which capacity building need they preferred, but within a broad set of capacity building areas presented to them under the programme.'

[9] See for example Paris Declaration and Accra Agenda for Action, https://www.oecd.org/dac/effectiveness/parisdeclarationandaccraagendaforaction.htm.

[10] Nana Boakye-Boampong, Senior Maritime Administrative Officer at the Ghana Maritime Authority, noted in an interview on 15 September 2020 that, generally, it appears that capacity building programmes aimed at boosting maritime security on the Gulf of Guinea, were imposed, albeit surreptitiously, by donor countries seeking to protect their own interests. For example, in economic and trade, and also contribute to achieving a global position on the issue. This view was also widely shared by participants at the Focus Group Discussion held on 10 June 2021 in Accra.

[11] Separate views expressed by respondents and general consensus at Focus Group Discussion on 10 June 2021 in Accra.

[12] View expressed by Captain Derick Attachie and corroborated by other participants at the Focus Group Discussion on 10 June 2021.

[13] Participants of the Focus Group Discussion unanimously agreed on the fact that sometimes, stakeholders are asked to apply for funding for programmes. In such applications, they are allowed to design their own programmes and submit their own draft proposals for funding to donors to enable them carry their own activities to promote maritime security, based on their own needs.

[14] View expressed by DCOP Seidu Iddi of the Marine Police Unit and Reverend Ray Yaw Lartey of the Maritime Security and Counter-Terrorism Unit of the Ghana Revenue Authority, during Focus Group Discussion on 10 June 2021 and corroborated by participants.

[15] An interviewee noted that there is enormous focus on piracy at the expense of attention for issues, such as IUU. Interviewee: 'Something [IUU] that external actors have scant interest in' (anonymous interview, July 2021).

[16] Anonymous interview, Accra, August 2021.

[17] John Mark Pokoo, Project Manager of a Project on Developing Maritime Security Culture in the Gulf of Guinea, made this point in Accra on 9 December 2020 during an AMARIS Project Progress Meeting. Similarly, during the Focus Group Discussion held on 10 June 2021, same point was made.

[18] For deep offshore piracy, see UN Office on Drugs and Crime (UNODC) (2021) Pirates of the Niger Delta. Between Brown and Blue Waters. Vienna: UNODC Global Maritime Crime Programme UNODC Report, June 2021. https://www.unodc.org/documents/nigeria//documents/UNODC_Pirates_of_the_Niger_Delta_between_brown_and_blue_waters.pdf.

[19] Captain Derick Attachie, Head of the Education and Training Division of the ICC and Director of Naval Intelligence of the Ghana Navy, made this point in an interview on 28 September 2020.

[20] On the point of host states rejecting proposed capacity building projects, examples of that were highlighted during interviews on the topic of maritime capacity building engagements but focusing on *other Gulf of Guinea states than Ghana.* This is important to bear in mind, as the point is then a broader observation about capacity building negotiations rather than a specific example from Ghana. This arguably indicates that in as much as there are different approaches among donors, so too should we expect variation regarding host state agency.