



UNCLASSIFIED



Legal Finish Initiative

Phoenix Express 2022

Tunis & Bizerte, Tunisia



I. Initiative Overview

From 25 to 29 May 2022, maritime and legal subject matter experts from the United States, Tunisia, and Morocco supported the Phoenix Express 2022 (PE22).¹ **Legal Finish Initiative** through maritime legal information exchanges. The ultimate goal of the Initiative was to promote military-civilian mutual understanding and cooperation along the maritime “collection to courtroom continuum.” To achieve this objective, engagements focused along two lines of effort: (1) increasing appreciation among maritime boarding teams of their important role in preserving and promoting the prosecutorial option and (2) fostering greater understanding among judicial actors of the challenges faced by maritime security forces engaged in interdictions at sea.

This inaugural Legal Finish Initiative was facilitated by the USDOJ OPDAT Justice Programs Advisor to U.S. Africa Command (USAFRICOM) with the support of USAFRICOM’s J59, U.S. Naval Forces Europe and U.S. Naval Forces Africa (NAVEUR-NAVAF), the Defense Institute for International Legal Studies (DIILS), and the UNODC’s Global Maritime Programme

The PE22 Legal Finish Initiative was carried out through a series of exchanges between a team of civilian legal experts (the “**Legal Finish Team**”) and navy and coast guard members participating in PE22 as boarding teams, planners, and members of the maritime operations center (MOC) and the exercise control group (ECG). The Legal Finish Team was composed of a district attorney and an attorney general from Tunisia, two judges from Morocco, and one law enforcement officer from Tunisia and one from Morocco. In addition, six Tunisian military legal professionals (three operational legal advisors (LEGADs) and three military magistrates) augmented the Team during several of the Legal Finish events.

Over the course of the week, the Legal Finish Team briefed over 150 members of participating navies and coast guards on recent regional maritime crime trends, contributed legal perspectives during a tabletop exercise (TTX), and shared best practices for facilitating the prosecution of nefarious actors during interdiction operations. The maritime security forces were thrilled to have this unique opportunity to

¹ PE22, sponsored by USAFRICOM and facilitated by NAVEUR-NAVAF, is designed to improve regional cooperation and increase maritime domain awareness, information-sharing practices, and operational capabilities in order to enhance efforts to promote safety and security in the Mediterranean Sea and territorial waters of participating North African nations. PE22 participants include Algeria, Egypt, Greece, Italy, Libya, Malta, Mauritania, Morocco, Spain, Tunisia, United Kingdom, and the United States.



UNCLASSIFIED



interact with the judges and prosecutors handling the cases of those they detain. The Legal Finish Team, in turn, benefitted from this time to focus on maritime law enforcement operations. They received briefings on maritime law and maritime operations, observed their nation’s maritime forces exercising interdiction operation techniques, and listened to navy and coast guard participants describe the dangers attendant inspection and interdiction missions and how the dynamic nature of those operations affects evidence collection.



The program was a huge success, with both maritime security forces and the civilian justice representatives requesting the continuation and expansion of the program for next year. The members of the Legal Finish Team, who had no specialized maritime training before participating in the Legal Finish Initiative, recommended that the United States continue to support maritime law programs throughout the year and expand the Legal Finish Initiative for PE23.² The Legal Finish Team members reported that insights gained over the course of the Legal Finish Initiative would inform their work as they investigate and prosecute cases and draft domestic maritime legislation in the future. The navy and coast guard members participating in the Legal Finish Initiative expressed a new appreciation for the importance of their actions (before, during, and after operations) to the ultimate prosecution of nefarious actors. All parties agreed that increased military/civilian coordination and communication leading up to, during, and following maritime interdiction operations are the keys to bringing down criminal networks and improving judicial results.

All parties agreed that increased military/civilian coordination and communication leading up to, during, and following maritime interdiction operations are the keys to bringing down criminal networks and improving judicial results.

Topics identified for future engagements: international and domestic laws and their application to real-world maritime operations; the relationships between naval special forces boarding teams, coast guard teams, and traditional law enforcement units; the linkage of international standards for boarding and inspecting vessels with domestic search and seizure laws; the responsibilities of and relationships between maritime security forces, law enforcement, judicial police, and prosecutors.

² Neither Morocco nor Tunisia have prosecutors or counselors specialized in maritime crimes.



UNCLASSIFIED



II. Legal Finish Team Schedule

	Sunday 22 May <i>Tunis</i>	Monday 23 May <i>Tunis</i>	Tuesday 24 May <i>Bizerte</i>	Wednesday 25 May <i>Tunis</i>	Thursday 26 May <i>Tunis</i>	Friday 27 May <i>Tunis</i>	Saturday 28 May	Sunday 29 May <i>Tunis & Bizerte</i>	Monday 30 May <i>Tunis</i>
AM	Arrival	Orientation & Program Overview	Brief VBSS ³ teams on crime indicators and statistic and best practices for collection to courtroom continuum	Brief CMOC and ECG on crime indicators, statistics, and best practices	Continue participation in TTX (experience the operational planning cycle, learn international laws regulating right to inspect vessels, support accounting for the legal finish during planning)	Briefing by DIILS on international maritime law	Free	Speak with CMOC and ECG directors in Tunis and in Bizerte	Wrap Up Session on assessment and way ahead
PM		Prepare presentation for Tuesday		Participate in tabletop exercise (TTX) on maritime operations				Observe 3x VBSS teams execute scenarios; receive briefings from team trainers and assessors	

III. Contacts for Legal Finish Initiative

Ms. Gisela A. Westwater

Justice Programs Advisor to U.S. Africa Command
U.S. Department of Justice/OPDAT
Tel: +49 711 7081 0506
WhatsApp: +49 162 631 9562
gisela.a.westwater.civ@mail.mil

Mr. Kevin Brew

Africa Regional Programs Director
Defense Institute of International Legal Studies (DIILS)
Tel: +1 401-841-6205
kevin.m.brew.civ@mail.mil

CDR Traci-Ann Alvarez

Maritime Law Enforcement Branch Chief
Directorate for Strategy, Engagement, and Programs, U.S. Africa Command
Tel: +49 7117 0815 392
traci-ann.fiammettaalvarez.mil@mail.mil

Mr. Kyle D. Burns

Senior Liaison to U.S. Africa Command
Homeland Security Investigation (HSI)
Tel: +49 711-729-5404
kyle.d.burns@ice.dhs.gov

Mr. George “Skip” Stockton

Customs and Border Protection Advisor, J59
AFRICOM
Tel: +49 711 7081 5996
george.a.stockton@cbp.dhs.gov

³ Visit, Board, Search, and Seizure