

Curbing Piracy in the Gulf of Guinea for Improved Maritime Security: Prospects for Nigeria

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Introduction

Since the evolution of piracy, from the Cilician, Greek, Chinese, Barbary and Caribbean pirates to Somali, Malacca Straits, South China sea and the present pirate situation in West Africa, they had operated or still operates in the absence of state authorities or sometimes in collisions with the state authority. However, in modern times, the presence of pirates could be primarily tracked to the Straits of Malacca in the South China Sea, off the coast of Somalia and in the Gulf of Guinea, the latter which forms the basis of this paper. Pirates attacks in the Gulf of Guinea is and has taken a worrisome trend, in so much that, unlike the Somali pirates, the Gulf of Guinea pirates attack cargoes especially the oil loaded ones thus, hurting maritime security in the coastal states located in the Gulf.

With regards to the above assertion, various efforts have been put in place to combat pirate activities in the Gulf of Guinea, of such efforts includes initiatives such as the MICC, the Zone E MMCC, strategic management of maritime space, the need for better co-ordination of legal efforts between Nigeria and the regions which are acknowledged in the Memorandum of Understanding between ECCAS, ECOWAS and the Gulf of Guinea Commission, efforts by the Nigerian government in building up its capacity and also those around the Gulf of Guinea, among others.

Despite the various efforts to curb piracy in the Gulf of Guinea for improved maritime security, numerous challenges have posed a threat to that possibility such as the ease at which the pirates can disappear along the coastlines after an attack, this is because the Gulf of Guinea is characterized by an ideal shipping and fishing venue which makes it favourable for that; limited patrol capacity to police the coast. These and many more tend to stall opportunities and efforts in

countering piracy in the Gulf of Guinea. In as much as there are continuing challenges, close at hand are prospects and the way forward in curbing piracy in the Gulf of Guinea for improved maritime security. The Gulf of Guinea requires more effective measures; this can be done through the advancement of more collaboration with international partners and the African governments covering the Gulf of Guinea, also, targeted economic development in the regions that surround the Gulf of Guinea, for example, the situation in the Niger Delta represents a widespread of poverty in the region which in turn serve as an encouraging factor to piracy.

It is against this backdrop that the paper is brings into limelight piracy and maritime security in the Gulf of Guinea with its challenges and prospects with specification to Nigeria. This paper would hence, be of significance to policymakers in evolving strategies to counter piracy in the Gulf of Guinea.

Setting the Context: Maritime Piracy in the Gulf of Guinea

With over five oil producing or potentially endowed States, piracy in the Gulf of Guinea (GG) have distinct peculiarities, though, with few similar circumstances in relation to piracy in the Gulf of Eden, or off the coast of Somalia. The GG recorded more criminal activities in comparison to those crime activities perpetuated in the horn of Africa. Furthermore, the GG is considered as one of the deadliest places on earth due to the numerous criminal activities, insomuch that in 2011, the GG was classified as “a war risk zone for shipping”. The GG is characterise by frequent crime activities around its geographical sphere of influence. there are indeed, increase in the number of attacks which are frequently carried out in the GG. An investigation by FBI shows the increase in the frequency of attacks in the GG. Of these figures provided by, Nigeria

dominates with 22 out of a total number of 29 incidents in regards to attacks and severity of maritime piracy the 2013 report observes.

Maritime insecurity in the Gulf of Guinea is a regional problem that encompasses many transnational organized crimes, including piracy and armed robbery at sea, money laundering, illegal arms and drugs trafficking, illegal oil bunkering, crude oil theft, human trafficking and smuggling, maritime pollution, illegal, unregulated, and unreported fishing, illegal dumping of toxic waste, maritime terrorism and hostage-taking, and vandalization of offshore oil infrastructure. West Africa's strategic location as a route between the Americas and Europe, coupled with its natural resources and lack of full governance capacity in the maritime domain, create an environment in which these maritime crimes can flourish.

Furthermore, piracy in the GG is somewhat different from other places. For instance, unlike in the Somalia, the pirate activities in the GG are carried out both in the territorial waters and in the international waters. However, some conditions influence the diversity in crimes activities in the GG. One of these conditions is that the region in view has several active ports which are involved in both local and international trade. More so, vessels not only transit through the region but sail into the ports to either load or unload products. This therefore provides an opportunity for the pirates to attack ships that are either on transit anchored and waiting to berth. Another condition that needs to be stated here is the accessibility and interception to some intelligent information from ashore in attempts made by establishments to describe their products and also routes to maritime regimes. More so, unlike the piracy in Somalia and elsewhere where their pirate activities are characterised by mostly kidnappings, and ransom taking.

On the other hand, the West African pirates operations can be grouped and characterise into three dynamics models; armed robbery, Kidnapping and ransom taking, and oil theft. Also, according to researchers and evidences that compound, the rate at which the pirates in the Gulf of Guinea are sophisticated is a further explanation of the knitted relationship between the West African pirate and other transnational organised criminal networks. Unlike the Somalian pirates, the pirates in the Gulf of Guinea are deathlier, they are often in possession of high calibre automatic rifles and Rocket Propel Grenades (RPGs). Additionally, they are often times more to use it than not, they are not frightened or anxious to use those weapons in the face of any threat

or danger to them especially the one posed by the coast guards. What is more complicating is the proliferation of light arms thus making it complex to deal with and making it an enduring epidemic which is not unconnected to the global energy crisis of the crash in the international oil market. This situation stresses the notion that there are different consequences as a result of the piracy in Gulf of Guinea. Aside from the loss of lives and injuries, there is also the economic perspective to which results to impairments on an economy. To corroborate with the preceding assertions, one could consider an Instance of Cotonou where 80% of government revenue is derived from the country is gotten the port in Cotonou was drastically reduced to 28% in 2013.

At the echelon of the surge in piracy within the Gulf of Guinea is the role played by Nigerian pirates and their fusion with rebel agenda. To illustrate this, some rebel groups like that of the MEND, and the Bakassi Strike force not also forgetting the Avengers. At first approach, these pirate organisations start with a lucrative business and also as an extension of their political agender offshore which is further moved by a combination of greed and grievances. This situation has additionally compounded the dynamic nature of piracy manifestation in this region. This is linked with the argument that most of these countries are characterised by political instability, underdevelopment, intractable conflicts, weak and corrupt government and more so, are failing states. This and more had made it a challenge in efforts to curb piracy in the Gulf of Guinea. Indeed, prior to the increase of piracy activities in the Gulf of Guinea. Nigeria and Angola were the only states who appeared to have the semblance of maritime security, although these were not as effective as it should have been.

2. Causes of Piracy in the Gulf of Guinea

There are several direct and remote causes linked to the prevalent piracy in the Gulf of Guinea. Indeed, countries in the Gulf of Guinea have access to resources which serve as wealth creation such as their vast oil wealth. Despite this privilege, most of these countries are left in abject poverty primarily as a result of corrupt governance. Countries in this region lack access to basic societal services and needs such as health facilities, access to education, and decent job opportunities. That is to say, with the abundance of these resources which are an avenue for wealth creation, most of the countries in the region find themselves having hard time making use and accessing these resources to develop their states. For

instance, Nigeria which is regarded one of the largest oil producers have for decades being struggling to have its own refinery, vested interests and entrenched corruption have left the nation's refineries moribund, making it a net importer of refined petroleum products, with a growing black market for stolen oil.

Indeed, Nigeria derives a lot of revenue from the sale of its petroleum products however, the income from the sale of crude had in most occasions circulated only in the hands of a selected few predominantly in the central government, Oil companies, and local elites in the country, leaving majority of Nigerians acquiring little or no access to those revenues. This had adversely led to chronic opportunism and offshore criminality in the form of armed robbery and piracy. This has led to a drastic decline of opportunities needed for legitimate and comfortable living. As an antecedent, the youths in the country are, with little or no efforts, drafted into offshore and onshore criminal activities.

Enticed by the possibility of making quick and easy money, DUE to facing stiff competition from foreign vessels, many fishermen in the region often times abandon their fishing occupation and sell their boats to pirates and sometimes, convert to pirates themselves. It is worth mentioning that piracy always tends out to be a profitable and well-paid crime. Thus, the lucrative character of piracy makes it a delectable opportunity for the youths, more so, considering the enormous amount of money they can get a hold as their own percentage often times arising from ransom or payment as their share of the booty.

Another reason for the prevalence of piracy in the Gulf of Guinea is the frequency of offshore criminal activities in the countries around the Gulf of Guinea such as the Nigerian waters, these criminal activities which are predominantly oil bunkering and poaching among many other offshore crime activities had encouraged and sustained the growth of piracy. According to research carried out, ships that are into oil bunkering or with intends of it do come to the shores with large sums of money in which it usually exchanges with stolen crude oils from oil facilities in the Niger Delta. Furthermore, some persons who aware of, or are part of these criminal activities sometimes alarm their friends and allies of the possibility of a large sum of money on board such vessels. With access to this information, pirates often times than not, attack such vessels or tankers for the possibility of cash as tipped off by their friends or allies.

More so, the payment of ransom to free hostages is equally a contributing factor to the rise of piracy. As noted earlier, crimes such as kidnappings are lucrative with easy access to huge amount in less times. On a global degree, piracy is estimated to cost about \$13 and \$16 billion annually. The money given to those pirate's help facilitate their activities which in turn makes it difficult to counter pirate activities in the Niger Delta region. In as much as there are numerous denials by the government officials, ship owners, and oil companies, as to whether they pay ransoms for the release of hostages. However, studies had shown that often times, kidnapped hostages are only freed when a certain level of agreement must have been reached mostly in regards to the amount of money as proposed by the pirates. When such demands are met, the antecedent of it is that it generates apparent short-term benefits but the long-term cause is a heavy one as compared to the short-term causes.

More so, when these ransoms are paid, it helps the and provide those pirates with additional finances to facilitate their activities such as the procurement of sophisticated arms and the latest high-tech gadgetry, which influences in no small measure the intensity of their attacks, expand their activities to cover more grounds, that is to explore more geographical spaces for their operations, and finally, it determines how successful their raids would be. At the major cause of these conflicts is the, somewhat, uncontrollable cycle of arms proliferation in the country, since the pirates makes use of the various tools at their disposal. One could see that the obvious benefit of reaching these agreements are the eventually release of the victims. Nevertheless, it only serves as an encouragement and motivation to other criminal organisations and also the restless youths who are largely unemployed. Subsequently, the individuals who are heads of those criminal establishment could grow up to take powerful political appointments and also tend to be a powerful voice to reckon on in the social, political, and economic life of the state at the community, sub-national, and national levels.

3. Efforts at Countering Piracy in the Gulf of Guinea

There are several efforts towards effectively countering piracy in the Gulf of Guinea, these initiatives are championed most times by regional associations. According to Kuppen, these organisations are: The Gulf of Guinea Commission (GCC) created in 2001 but only operational in March 2007 when its Executive Secretariat was set up in Luanda; The Economic

Community of West African States (ECOWAS); The Economic Community of Central African States (ECCAS), and the; Maritime Organization of West and Central Africa (MOWCA) established to ensure a cost-effective shipping service for sub-regional countries focusing on safety and combating pollution.

With regards to the efforts carried out by ECCAS, the organisation had developed an Incorporated Strategy for Maritime Security (ISMS) in 2008 to call for a common regional framework to be able to deal with the threat of pirate activities off Central Africa. Subsequently in 2009, it enthused the Regional Coordination Centre for Maritime Security in Central Africa (CRESMAC) in Pointe-Noire, Republic of Congo. Under the ISMS initiative, CRESMAC is saddled with the responsibility for coordinating three centres for multinational coordination (CMCs). The main goal for this initiative is to make necessary and effective use of information sharing and also authorisation of protocols which is required for the tracking of vessels across the maritime border which appear to be suspicious vessels across maritime border.

The Nigerian Maritime and Safety Agency, (NIMASA) with the Nigerian Navy had established the Maritime Guard Command for the frequent patrol of coast guards, while on the hand, the marine Police were responsible for inland waterways. Not only is NIMASA partnering with the Nigerian Navy, it also Furthermore, aside NIMASA's collaborations with the Nigeria Navy, also partners with the Nigerian Airforce in order to establish a maritime air unit in Benin to carry out air surveillances. In 2010, the eventual amelioration between the Nigeran navy and NIMASA has significant benefits in the fight against maritime piracy as it has lowered the frequent attacks as seen around the Lagos harbour. Under the auspices of the cooperation between the Nigerian Navy and NIMASA, jointly manned vessels leading law enforcement and antipiracy patrols backed with electronic surveillance assets, especially within the territorial seas and harbour approaches.

Additionally, the Secure Anchorage Area (SAA) was created and launched by the Nigerian Navy with assistance and partnerships of two special maritime companies. Under this innovation, security was further extended to some vessels to a specified area off Lagos Port. The SAA innovation presents armed preservation for vessels wishing to either anchor or carry out ship-to-ship transmit operations offshore. In other strands of cooperation between the Nigerian Navy and NIMASA and this time, with the Nigerian

Airforce, a Satellite Surveillance Centre (SSC) was unveiled in 2014 which would enable the tracking of all vessels inasmuch as it is in the countries' boundaries or territories, not only does it track it down, it can recognise and identify a vessels IMO number. This initiative sequel the existing array of sensors installed along Nigeria's coastline under the Regional Maritime Awareness Capability (RMAC) program confirmed by the United States and the United Kingdom. Different other regional and international partners also adopted supportive resolutions and programs, including the African Union, United Nations, European Union, IMO, and G8. Ghana also, in view to keep up to date on the fight against piracy, has made efforts to set up an electronic vessel traffic management and information system (VTMIS) to sequel its sea and air patrols.

The Maritime Trade Information Sharing Centre for the Gulf of Guinea (MTISC-GOG) was innovated by the shipping industry with its headquarters at the Regional Maritime University in Accra, Ghana with the sole aim of being a central point for the reception of incident reporting, information sharing, and the in recent times, the maritime security guidance. More so, participating ships have a privilege of 24 hours per day security reportage. Nonetheless, not only does it provide services to participating ships, it could also provide vital information to national maritime operational basis and the Interpol.

Other efforts to curb the activities of pirates in the Gulf of Guinea, the Yaoundé Declaration was promulgated in June 2013 as a result of the permanent shift in the nature of threats posed by the pirates. The Yaoundé Declaration was an agreement between the various head of states which formed the ECOWAS and ECCAS. It was agreed in the meeting that the declaration was to establish and create a Maritime Inter-Regional Coordination Centre (MICC) which is going to be situated at Yaoundé, Cameroun. Furthermore, as an antecedent of the meeting, a "Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships, and Illicit Maritime Activity in West and Central Africa" was implemented for the furtherance of collective efforts on information sharing, interdiction, prosecution, and support to victims. However, according to Osinowo, the enforcement of the code of conduct has been slow in its implementation stage.

4. Continuing Challenges to Curbing Piracy in the Gulf of Guinea

Indeed, there are numerous challenges encountered in efforts to curb pirates' activities in the Gulf of

Guinea. These challenges are limiting the various efforts embarked on by the respective states bordering the Gulf of Guinea. One of such is the highly adaptive nature of piracy networks in the Gulf of Guinea. A close look at the Gulf of Aden whereby the gains of the multinational antipiracy effort off the coast of Somalia metamorphosed into lengthened threats to other places in the Arabian Sea and Indian Ocean, one could see a reflection of the same instance in the Gulf of Guinea. However, in finding a resolution to this situation, while a single state approach may be able to reach temporal rewards, these approaches are very insufficient in efforts to curb the fluid strategies put in place by the various pirate groups. Also, measures on concentration only on transit vulnerabilities may appear to be inadequate as it is proven that pirates continuously adapt to naval counter measures. Thus, there is the need for to properly address the important issues on how to effectively manage maritime space and to counter what motivates pirates and their support structures on land.

Human beings live on lands and not the sea. Thus, it has become easy for pirates and robbers to get away along the coastline after an attack. This uncovers another huge challenge the region faces. Indeed, surveillance intelligence and community policing are limited in most of the coastal areas surrounding the GG, more so, youth restiveness owing much to joblessness has further accrued the situation and serve as drivers of piracy in these regions. Evidently, in the Niger Delta for instance, there was the introduction of the amnesty programme for the ex-militants in 2009, this programme has evidently reduced piracy activities in the region. However, its resurgence in 2013 is owed to the lack of employment opportunities and joblessness of the youths in the Niger Delta. 17

One of the challenges which needs the attention and enforcement measures of the government is against the growing number of pirate networks located on land. A perfect example of such is the presence of illicit markets where pirate goods are sold, these markets are largely without hindrance from security agencies and the government.

5. Perspective from the Nigerian Standpoint

Having looked at the challenges and threats piracy poses, it is only justifiable for the researcher to bring into light some measures that if properly implemented would be a step forward in the fight against piracy in the Gulf of Guinea. In order to curb pirates' activities in the Gulf of Guinea and also deter armed attacks in vessels in the GG, there needs to be

more effective measures put in place. Reducing the level of pirate activities in the GG correspondingly requires deliberate efforts by Nigeria, these efforts in turn have to incorporate preventive, deterrent, and collaborative measures by the country. In Collaboration with national and regional stakeholders.

For a start, in order to improve security, there needs to be more efforts tailored towards the strategic management of maritime space than it is about naval fleets and patrol craft by Nigeria. The country must put in efforts to outline corridors meant for transit purposes and also anchorage sites for the safeguard of commercial vessels.

Furthermore, to advance the regional management of the maritime space, deliberate effective measure has to be promulgated to quicken the activation process of the MICC and in addition, the pilot zone E mechanisms. When effectively carried out, it would ensure that information is efficaciously shared among various relevant law enforcement agencies, commercial stakeholders, and also international partners. Specifically, if the Maritime Operational Centres (MOCs) are created, it would further serve as solutions to some difficulties as a result of interagency cooperation between the navies and flag state control authorities.

The restricted number of piracy-related trails accentuate the need for better co-ordination of legal efforts between Nigeria and the regions which are acknowledged in the Memorandum of Understanding between ECCAS, ECOWAS and the Gulf of Guinea Commission. In order to deal with this challenge, there should be efforts deliberate aimed at prosecuting pirates, this can be done through an extensive review of the legal framework in each country's which is located in the GG to make it relevant. More so, there should be measures put in place to quicken the extraditions of suspects into Nigeria and from Nigeria to other states. More so, the coordination penalties for the crimes at sea across jurisdictions would avert the pirates from getting a more compassionate penalty and treatments when outside Nigeria and across coastal boundaries. Appending to the preceding assertion, the relevant authorities in Nigeria needs to embark on efforts which should be undertaken to effectively train members of the judiciary, this should be done with coordination by maritime enforcement agencies in order to fast track the process of evidence collection and its preservation. If done, it would efficiently make possible fair trials of culprits. In order to reduce the challenges of delays in trials, additional courts

can be established devoted to treating piracy and cases of sea robberies prosecutions.

It could be argued that the background and prevalence growth of piracy stems from a lack of good governance and the security backwardness in Nigeria. Therefore, the Nigerian government needs to make efforts in building up its capacity and also those around the Gulf of Guinea. This could be in collaboration with countries with superior manpower like the USA, Britain etc.

The Nigerian government should go into more cooperation with international partners and also the African governments in the international waters around the Gulf of Guinea. It is contended that efforts at enhancing security is much more placed on the strategic management of the maritime space and not all about naval fleets and also and patrol craft. More so, the Nigerian maritime authorities must define clearer transit corridors and anchorage sites for protection of merchant vessels in their territorial waters and Exclusive Economic Zones. This would be similar to the Internationally Recommended Transit Corridor that has functioned well in the Gulf of Aden and has been replicated as a Voluntary Reporting Area in the Gulf of Guinea by the MTISC-GOG.

A close look at the situations in Niger Delta which is often characterise by numerous poor communities stresses the need for combined infrastructural development and also providing employment opportunities for the youths and also the preservation of the coastal areas' environments. Appending to that, the socioeconomic effects of illegal fishing, pollution and environmental mortification cannot be overemphasized, and so there's the need for the state and local government across these regions in Nigeria to place a priority on policy formulation and implementation which would be of immediate benefit to the coastal areas. These could be through the enforcement of laws that governs foreign intrastate shipping, appropriate implementation of environmental laws, and developing shipbuilding, fishing, and other industries where considerable production shortcomings still found. More so, the Nigeria's petroleum Industry which establish measures, aimed at deepening responsible exploitation, improving local community participation, and benefitting host communities with economic, social, and infrastructural development could also assure enhanced economic chances in coastal zones.

6. Conclusions

Indeed, the interrogations in this study reveal that the countries in the Gulf of Guinea depend to a large extent on the seas for economic prosperity. However, there is a constant attack on this source of revenue for the coastal countries on shipping with transnational dimensions which calls for multilateral remedies. However, the study concentrates and emphasises on the possible prospects and way forwards to be embarked on by the Nigerian government, and in some instances with collaborations with other countries located in the Gulf of Guinea. Such as remedies, for instance, Fast-tracking initiatives such as the MICC, the Zone E MMCC, strategic management of maritime space, the need for better co-ordination of legal efforts between Nigeria and the regions which are acknowledged in the Memorandum of Understanding between ECCAS, ECOWAS and the Gulf of Guinea Commission, efforts by the Nigerian government in building up its capacity and also those around the Gulf of Guinea among others. Thus, the study concludes that none of these remedies would be effective as to be sustaining until there is a shift in paradigm from the operational to the ministerial level where the financial resources are held. Pending the conscious political will in Nigeria and other countries bordering the Gulf of Guinea to safeguard the waters, the Gulf of Guinea will remain a challenged security space.

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