



T.C.

ANKARA YILDIRIM BEYAZIT UNIVERSITY

INSTITUTE FOR INTERNATIONAL RELATIONS AND STRATEGIC
RESEARCH

**CONTEMPORARY MARITIME PIRACY IN THE GULF
OF GUINEA: THE ANALYSIS OF THE CAUSES, FACTORS,
AND ACTORS**

MASTER'S THESIS

PA MODOU MBOOB

DEPARTMENT OF SECURITY STUDIES

ANKARA, 2022

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Supervisor
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Confirmation Page

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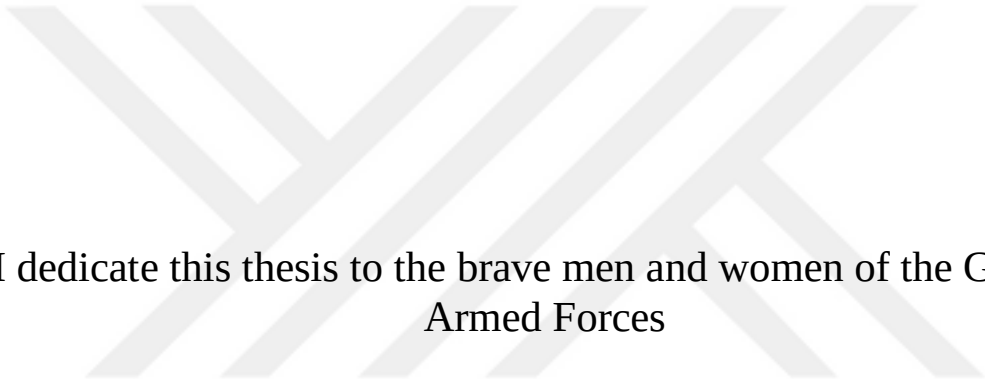
STATEMENT

I hereby declare that all information in this thesis has been obtained and presented following academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work, otherwise I accept all legal responsibility. (27.05.2022)

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I dedicate this thesis to the brave men and women of the Gambia
Armed Forces

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ABSTRACT

Contemporary Maritime Piracy in the Gulf of Guinea: the Analysis of the Causes, Factors, and Actors

Since commodities began to travel across the oceans, maritime piracy or armed robbery at sea, has posed a threat to seafarers and commerce. The globalization of trade and the huge reliance on fossil energy, which is mostly transported at sea, have amplified this threat and its impact. The twenty-first century has seen the re-emergence of maritime piracy in many parts of the world due several factors on land. With a more violent character, currently the Gulf of Guinea accounts for about half of all kidnappings and piracy incidents in the globe. The aim of this thesis is to analyze the causes of maritime piracy in the Gulf of Guinea, with an emphasis on Nigeria's Niger Delta.

Several theories have been presented as to the root causes of piracy or the factors that may lead to it. These theory was evaluated globally, while others were tested in specific areas plagued by piracy. However, due to the unique set of political, security, and economic concerns that each sub-region faces, various factors in a region affect piracy in different ways. As a result, a deductive research approach was used to examine the specific theories provided in the literature, taking into account resource-based violence in the Niger Delta and how it affects piracy in the region.

Based on analysis of both qualitative and quantitative data, this thesis has concluded that, bad oil resources governance and state weakness in Niigeria are the main drivers of maritime piracy in the Gulf of Guinea. Futhermore, strategic analysis of the counter-piracy mechanisms in the region was conducted, and based on these findings practical recommendations were constructed.

Keywords: Armed robbery, Counter-piracy, Gulf of Guinea, Maritime piracy, Niger Delta

ÖZET

Gine Körfezi’ndeki Modern Deniz Korsanlığı: Nedenlerin, Faktörlerin ve Aktörlerin Analizi

Mallar okyanuslarda dolaşmaya başladığından beri, deniz korsanlığı veyahut deniz haydutluğu, ticaret ve gemiciler için bir tehdit oluşturmıştır. Ticaretin küreselleşmesi ve çoğunlukla denizde taşınan fosil enerjiye olan büyük bağımlılık, bu tehdidi ve tehdidin etkisini artırmıştır. Yirmi birinci yüzyıl, karadaki çeşitli faktörler nedeniyle dünyanın birçok yerinde deniz korsanlığının yeniden ortaya çıkmasına tanık olmuştur. Daha şiddetli bir karaktere sahip olan Gine Körfezi, şu anda dünyadaki tüm adam kaçırmaya ve korsanlık olaylarının yaklaşık olarak yarısını oluşturmaktadır. Bu tezin amacı, Nijerya’daki Nijer Deltası üzerinde durularak, Gine Körfezi’ndeki deniz korsanlığının nedenlerini analiz etmektir.

Korsanlığın temel nedenleri veyahut buna yol açabilecek faktörler hakkında çeşitli teoriler ortaya atılmıştır. Bu teoriler küresel olarak değerlendirilirken, diğerleri korsanlığın bulaştığı belirli alanlarda test edilmiştir. Ancak, her bir alt bölgenin karşılaştığı farklı siyasi, güvenlik ve ekonomik kaygılar nedeniyle, bir bölgedeki çeşitli faktörler korsanlığı değişik şekillerde etkilemektedir. Sonuç olarak, tezde Nijer Deltası’ndaki kaynak tabanlı şiddeti ve bölgedeki korsanlığı nasıl etkilediği dikkate alınarak, literatürde bulunan belirli teorileri incelemek için tümdengelimli bir araştırma yaklaşımı kullanılmıştır.

Hem nitel hem de nicel verilerin analizine dayanan bu tez, Nijerya’daki kötü petrol kaynakları yönetimi ve devlet zayıflığının Gine Körfezi’ndeki deniz korsanlığının ana itici güçleri olduğu sonucuna varmıştır. Buna ek olarak, bölgedeki korsanlıkla mücadele mekanizmalarının stratejik analizi yapılmış ve bu bulgulara dayanarak pratik öneriler kurgulanmıştır.

Anahtar Kelimeler: Deniz korsanlığı, Deniz haydutluğu, Gine Körfezi, Korsanlıkla Mücadele, Nijer Deltası

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ABBREVIATIONS INDEX

AMISOM	: African Union Mission in Somalia
BMP	: Best Management Practices
CMP	: Coordinated Maritime Presence
CTF	: Command Task Force
DCOC	: Djibouti Code of Conduct
ECCAS	: Economic Community of Central African States
ECOWAS	: Economic Community of West African States
EEZ	: Exclusive Economic Zone
EIMS	: Ecowas Integrated Maritime Strategy
GGC	: Gulf of Guinea Commission
GoA	: Gulf of Aden
GoG	: Gulf of Guinea
GOGIN	: Gulf of Guinea Interregional Network
HRA	: High-Risk Area
ICC	: Interregional Coordination Centre
IMB	: International Maritime Bureau
IMO	: International Maritime Organization
IUU	: Illegal Unreported and Unregulated Fishing
JTF	: Joint Task Force
MEND	: The Movement for the Emancipation of the Niger Delta
MMCC	: Multinational Maritime Coordination Centre
MOSOP	: Movement for the Survival of Ogoni People
MSCHOA	: Maritime Security Centre Horn of Africa
MTSC	: Maritime Security Transit Corridor
NDA	: Niger Delta Avengers
NDPVF	: Niger Delta People's Volunteer Force
NDVS	: Niger Delta Volunteers Services

NIMASA : The National Maritime Safety and Administration Agency
NM : Nautical Miles
NNPC : Nigerian National Petroleum Company
PCASP : Privately Contracted Armed Protection Personnel
SUA : Suppression of Unlawful Acts Against the Safety of Maritime
Navigation
TFG : Transitional Federal Government of Somalia
UNCLOS : The United Nations Convention on the Law of the Sea
UNODC : United Nations Office of Drugs and Crime
YA : Yaoundé architecture
YARIS : Yaounde Architecture Regional Information Sharing

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1. INTRODUCTION

As a consequence of globalization, the international economy has become increasingly reliant on seaborne trade. The Organization for Economic Cooperation and Development (OECD) estimated that over 90 percent of global trade by volume is transported by sea (OECD, 2022). This has both its advantages and risks. One of the risk factors is the criminal activities vessels are prone to encounter during their voyages. According to Merriam Webster Dictionary, crime at sea is any gross violation of the law at sea, punishable by a government (Merriam-webster, n.d.). Certain crimes are intently associated with the sea such as armed robbery at sea, kidnapping, ‘petro-piracy’ (common in the Gulf of Guinea (GoG)) (Paul, 2019), Illegal, Unreported, and Unregulated fishing (IUU), and maritime piracy, which is one of the biggest security threat to the shipping industry and, by extension, global trade. The Gulf of Guinea is currently the world’s piracy hub, accounting for nearly half of all piracy occurrences in the first quarter of 2021 (ICC, 2021), and approximately 95 percent of the global kidnappings in the same period (Zeymarine, 2021).

Maritime piracy has been a menace to seafarers and trade at sea since the fourteenth Century BC. Although piracy on the high seas almost died out in the nineteenth and twentieth centuries, it resurfaced in Indonesia, Malaysia, the Philippines, India, Bangladesh, and subsequently in the Gulf of Aden (GoA) and off the coast of Nigeria, following the conclusion of the Cold War (Ursula & Brandon, 2021, p. 1). Piracy, like most, if not all, maritime crimes, is a result of the circumstances on land caused by economic, social, or political challenges in the coastal state in which it occurs. Through a thematic analysis of the most frequently discussed theories in the literature that are enunciated to be a source of piracy, this thesis aims to study the causes of piracy in the Gulf of Guinea, with a focus on the Niger Delta in Nigeria. This chapter will begin by explaining the study’s background and context, then the research problem, the research aims, objectives, and questions, the importance, and lastly the proposed hypothesis.

1.1 Background of Study

From the renowned motion picture “Pirates of the Caribbean”, pirates have been dramatized and mythologized in a wide range of novels, television shows, and films. Many people are unaware, however, that the problem of piracy is not limited to the silver screen but continues to exist today after an almost 200-year hiatus, bringing a variety of multifaceted difficulties to the regions affected (Taylor, 2021, p. 1). Nevertheless, when Somali pirates kidnapped Maersk Alabama’s Captain, Richard Phillips, in April 2009, the world’s attention was drawn to the waters off the eastern coast of Africa (Matthew, 2014, p. 4). Attacks on vessels and their crews for ransom off the coast of Somalia have increased in the late 2000s, essentially halting trade via the Gulf of Aden, which is one of the world’s busiest shipping routes or sea lanes of communication (SLOCs) (Møller, 2009, p. 5).

Piracy is one of the oldest maritime security threats and the oldest known crime against humanity (Michael & Mistale, 2017, p. 77), as the origins of universal jurisdiction may be traced back to high seas piracy and slavery, making it the first “crimes against humanity” in international law (Sonia, 2011). Thus, the legal term “*hostis humani generis*” was used to describe piracy in Admiralty law, which translates to “*enemy of mankind*” from Latin. This classification has raised the pirate offender to a unique status as an extraordinary and significant type of criminal whose actions have been universally condemned, therefore the pirate becomes an enemy of all states and can be prosecuted by all states (Christopher, 2007, p. 20).

Over the previous two decades, the Gulf of Aden, or precisely the coast of Somalia has been a pirate hotspot that shocked the international community and prompted swift actions by different organizations using different anti-piracy measures. Ultimately, this has seen a dramatic decrease in the success rates of attacks. Following the decline of maritime piracy on the coast of Somalia around 2012, attention has been shifted to the Gulf of Guinea, an area troubled by maritime insecurity especially the coast of Nigeria. The Lloyd’s Joint War Committee categorized a section of the Gulf of Guinea as a “war risk zone for shipping” in August 2011, putting it in the same risk tier as Somalia (Matthew, 2014, p. 6). The Gulf of Guinea remains in this category of Joint War Listed Areas on the updated list on 26 April 2021.

Maritime Piracy in the Gulf of Guinea, contrary to the Gulf of Aden, interrupts global energy market because the GoG has substantial oil reserves and contributes a huge part in the global energy industry. Thus, these waters are not simply a transit route, but they are also the main route to and from key Organization of the Petroleum Exporting Countries

(OPEC) member states like Angola and Nigeria. As a result, piracy in the Gulf of Guinea is mainly characterized by oil theft, which is projected by the existence of a black market for oil (Mandanda, 2016, p. 42). The vessels are seized to hijack the ship and siphon its cargo. Notwithstanding, the emergence of the Covid-19 pandemic and the subsequent decline in the price of petroleum, the modus operandi of the GoG pirates has shifted from oil theft to kidnapping for ransom.

Piracy occurrences are most common in places with significant maritime trade, slow ship traffic, and poor state authority and supervision (Evin, 2019). However, the '*failed state*' theory is mostly associated with piracy. Somali piracy is mostly diagnosed as a manifestation of a total lack of authority and the rule of law, in other words, a failed state. But how do we relate piracy to a well-functioning state in the case of Nigeria, with all its statehood apparatus functioning relatively well? This research will investigate how this theory applies to Nigeria specifically in the Niger Delta and its relation to maritime piracy. Furthermore, the role of the country's oil industry *inter alia* will be analysed to observe how it affects piracy off the coast of Nigeria and in the GoG as whole.

1.2 Problem Statement

Most studies on piracy reveal that it is prevalence in weak and unstable regimes, just like civil conflict, terrorism, and other forms of organized crime (Ursula & Brandon, 2021, p. 1). The further piracy was scrutinized, the more it was understood that it is a highly multidisciplinary and complicated issue. Ungoverned space, lawlessness (Rob, 2009, p. 17), state corruption, economic, advantageous geography, and several other factors have been proclaimed to be the causes of maritime piracy (Martin M. , 2009, p. 1).

A plethora of research has been done on this topic regarding its causes or precursors, for instance most fingers point to the failed state status of Somalia as the root cause of Somali piracy. As Ban KI-Moon mentioned in 2011, "The United Nations will continue to support Somalis in their efforts to fight piracy and, more generally, provide effective governance and basic services" (Ban Ki-Moon, 2011), implying that a lack of an authoritative or effective government is a facilitator or one of the fundamental causes of the Somali piracy. This is arguably accurate, but what about piracy in a territory with a functioning government, one of Africa's largest economies, gifted with an abundance of natural resources such as oil and gas? However, mired in corruption, huge wealth gap, uneven distribution of oil revenue, and political conflict, which is Nigeria. How does these factors correlate to the occurrence armed robbery at sea and piracy. The above-mentioned statement describes the main

problem of this research, but moreover, how does the other variables or precursors such as economic situation, geography create a conducive environment for piracy to thrive in the GoG.

Throughout the literature, it can be observed that not much research has been done to collectively identify and categorise the causes of piracy in this region as a whole. Some of studies conducted test one or two variables or factors globally (Hastings, 2009) (Bridget L, 2012) (Ursula & Brandon, 2013) (Ursula, Brandon, & Prins, 2015), and in piracy prone areas (Ginger & Jonathan, 2019). However, a thorough research is needed to determine to what extend; a certain geographic entity (coast length, maritime traffic, safe havens), or an economic measure (GDP, GDP per capita, annual GDP growth) promotes piracy in the region. On this background, the purpose of this thesis will be fill the gaps and explore untouched areas of research that have not been fully tested to chronicle the root causes of piracy in the Gulf of Guinea.

1.3 Research Aims and Objectives

Given the multifaceted factors in the Gulf of Guinea that may lead to or promote the act of maritime piracy. This thesis aims to evaluate and categorise various(failed state theory, GDP, and favorable geography) theories attributed to the cause of maritime piracy and armed robbery at sea in this region. First and foremost, not all piracy-affected locations or geographies have the same political, socioeconomic, or governance commonalities, so it is only fair that these factors are tested in the GoG to see if they apply to this region. Secondly, although maritime crime is multi-faceted, all factors don't affect influence or facilitate the prevalence the same way. Hence, it is absolutely vital to categorise the drivers of piracy in to primary and secondary causes.

The objective of the thesis is to thematically analyze these allotted precursors of maritime from the literature in the GoG mainly focusing on the Niger Delta, and the causal effect each has on piracy. Since the Niger Delta is home to a significant number of the pirates operating in the Gulf of Guinea, it is the study's focus. Secondly, to give resonate recommendations in curbing maritime piracy based on the findings, equally an analysis of the anti-piracy mechanisms in the GoG was also conducted.

The Research is aimed to answer the following questions.

1. How does the state fragility of Nigeria affect piracy in the GoG?
2. How does the oil industry influence maritime piracy in the GoG?
3. To what extent does geography facilitate piracy in this region?

4. To what extent does the economic dynamics of the region determine the occurrence of piracy and armed robbery at sea in the GoG?

1.4 The significance of the Research

Most of the countries in the GoG are major, minor, or potential oil producers. For the larger part of the previous two decades, its known oil reserves, fisheries, and prospects have picked worldwide interest which is predicted to increase exponentially. Coupled with the most youthful population of more than 60 percent under the age of 25 (Yomi, 2017). In terms of energy and market possibilities, the region has enormous potential and commands strategic importance to the global economy. For this reason, on any given day, over 1,500 fishing vessels, tankers, and cargo ships pass through its seas (Dryad Global, 2022). On the other hand, the insecurities of these waters primarily caused by maritime piracy and arm robbery at sea, are dwindling its international image and serve as a hindrance to free and safe navigation of its sea lines of communication.

Although military and law enforcement capabilities are vital to curb and deter piracy, its sustainability is highly questionable when the region is entangled with sea blindness, institutional failure, corruption and ineptitude, uneven sharing of resources which leads to poverty, protracted violence, political instability, and youth unemployment. Therefore, a good governance framework is a *sine qua non* for the fight for maritime security because the source of maritime insecurity is not at sea, but rather on land. Therefore, policymakers must understand the impact of their policies and governance strategies on land, the insecurities on land especially due to the unequal sharing of the oil revenue among deprived communities, and so forth. Through the critical scrutiny of the militant violence and instability onshore in the Niger Delta region of Nigeria, this study will help to shed light on the impacts it has on maritime piracy. Therefore, this seeks to hypothesizes that, the weak state status of Nigeria makes its conducive for maritime piracy especially hijacking. Also, the presence of the oil industry and the bad governance of the oil resources is the root causes of piracy in this region.

2. METHODOLOGY

2.1 Research Type and Method

This thesis primarily analysis the causes of maritime piracy in the Gulf of Guinea. Based on previous studies (Martin N. M., 2008) (Hastings, 2009) (Ursula & Brandon, 2013) (Yasutaka, 2016), maritime piracy can arise from a broad spectrum of causes ranging from economic, conflictual, societal and even political factors. These have generated a slew of theories about the causes of contemporary maritime piracy, some of which are not specifically been tested in the GoG. The majority of these theories (failed state theory, GDP, Geography) have been universally assessed using various approaches; nevertheless, they tend to vary geographically due to differing regional factors that induce piracy. As a result, several of these variables in relation to piracy in this region is explored.

Firstly, deductive approach to research was applied, with existing theories of the drivers of maritime piracy being studied and then the developed hypothesis were tested in a specific circumstantial setting, which in this case is the Gulf of Guinea. The results were built on the basis of mostly obtained secondary data, verifying or contradicting some of the previously proposed theories. Since some of these theories are generic in nature, it is only appropriate that their veracity be evaluated in the GoG, considering the wide range of governance issues that this region faces. Given the immense availability of sources and a well-established literature on this issue, the deductive research method was chosen. Furthermore, the scarcity of time to complete the study qualifies as another justification for this approach.

Second, while this study was primarily qualitative, some quantitative data was analyzed to test some of the hypotheses. Quantitative method was applied to some of the independent variables to give a general view of its relationship to maritime piracy in the region, however due to their complexities and disputable nature among scholars, an exploratory approach was further used by analyzing qualitative data. For instance, the 'weak and fragile state' and its correlation to piracy was studied using this approach. The Fund for Peace's Fragile State Index was appropriated to operationalize the GoG's states fragility. In view of its (state fragility) ambiguous and subjective character (Mehmet & Murat, 2013, p. 402), several perspectives, concepts, and experiences are analyzed in order to gain a better understanding of its impact on maritime piracy in the region. Besides, certain

prerequisites of a weak state have been related to specific types of piracy in the literature. As a result, these critical elements such as infrastructure, economic goods, available commodity markets, inadequate institutions, and corruption were evaluated separately to understand their impact on piracy.

Additionally, a more qualitative technique has been implemented to understand the influence of bad oil resource governance on maritime piracy. In a case study structure, the unfolding events in the Niger Delta that are attributable to the economic marginalization of the oil producing communities were studied. Interviews, observations, and other qualitative parts of research are more feasible in this setting to understand how events and conditions are linked to a dependable variable (maritime piracy). The Niger Delta was chosen because of its extensive reference in the literature and its significance as a regional epicenter for maritime crime in the region.

The quantitative aspect of the study, on the other hand, was mostly centered on economic variables such as GDP, GDP per capita, unemployment rates, and other variables that can be easily assessed using this method. The length of coastal states was also operationalized quantitatively to understand any correlation that might be uncovered in the region. In a nutshell, this study combined both types of research approaches, but mainly qualitative to produce the best results that explains the fundamental causes of maritime piracy in the Gulf of Guinea.

2.2 Data Source

Most importantly, secondary data was used throughout the research. This data is collected by professional statisticians, researchers, government agencies, non-governmental organizations, and news outlets for previous research purposes or for mass media consumption. For the qualitative analytic part of the study, interviews with pirates in reports and documentaries were also beneficial since they provided a detailed understanding of their operations.

The International Maritime Organization (IMO) and the International Maritime Bureau's (IMB) Piracy Reporting Center (PRC) primarily oversee the monitoring and recording incidents of maritime piracy. Although both record maritime piracy and armed robbery incidents in the same way, as defined by United Nations Convention on the Law of the Sea (UNCLOS) Article 101 and IMO Resolution A.1025 (26) of the "Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships" respectively, their data collection methods are different. The IMB obtains its data from shipmasters and

owners who report incidents to the PRC directly, whereas the IMO collects its data from member states, reporting organizations, and the IMB (UN, 2014, p. 3). IMB's definition maritime piracy includes actual and attempted attacks in their statistics probably to provide a more comprehensive picture of the threat situation in the maritime domain. Despite the fact that not all maritime accidents are eventually reported to these authorities for a variety of reasons, the IMO has a wider pool of data because it reports data from both the IMB and other sources. For this reason, the study compiled the IMO dataset for its analysis to cast a wider net of the statistic. However, since IMB's data is the most widely used data source for maritime piracy in the literature, it is also used as secondary data from other scholars throughout the thesis.

2.3 Data Analysis Method and Methodological Limitations

A tremendous amount of qualitative text was analyzed in the study through thematic analysis to find results in relation to the research questions. The initial step was the compilation of data from the various sources previously mentioned, followed by a preliminary scanning and familiarization of the sources, during which certain patterns were identified. The third phase consisted of a thorough review of the literature with the aim of identifying codes related to a certain cause or developed variable in relation to a research question. The causes (independent variable) were then translated into individual themes, in which codes were sorted into. Although it was the most time consuming exercise, a qualitative data analysis software (Quirkos) was used to help expedite this process. After arranging the collected data into well established themes; redundant, unrelated and ambiguous codes were weeded out and the themes were fine-tuned into addressing a particular research question. Finally, the results were written thematically in to sub-sections and arranged in to interconnected paragraphs and evidence were cited from the themes to help answer the research questions.

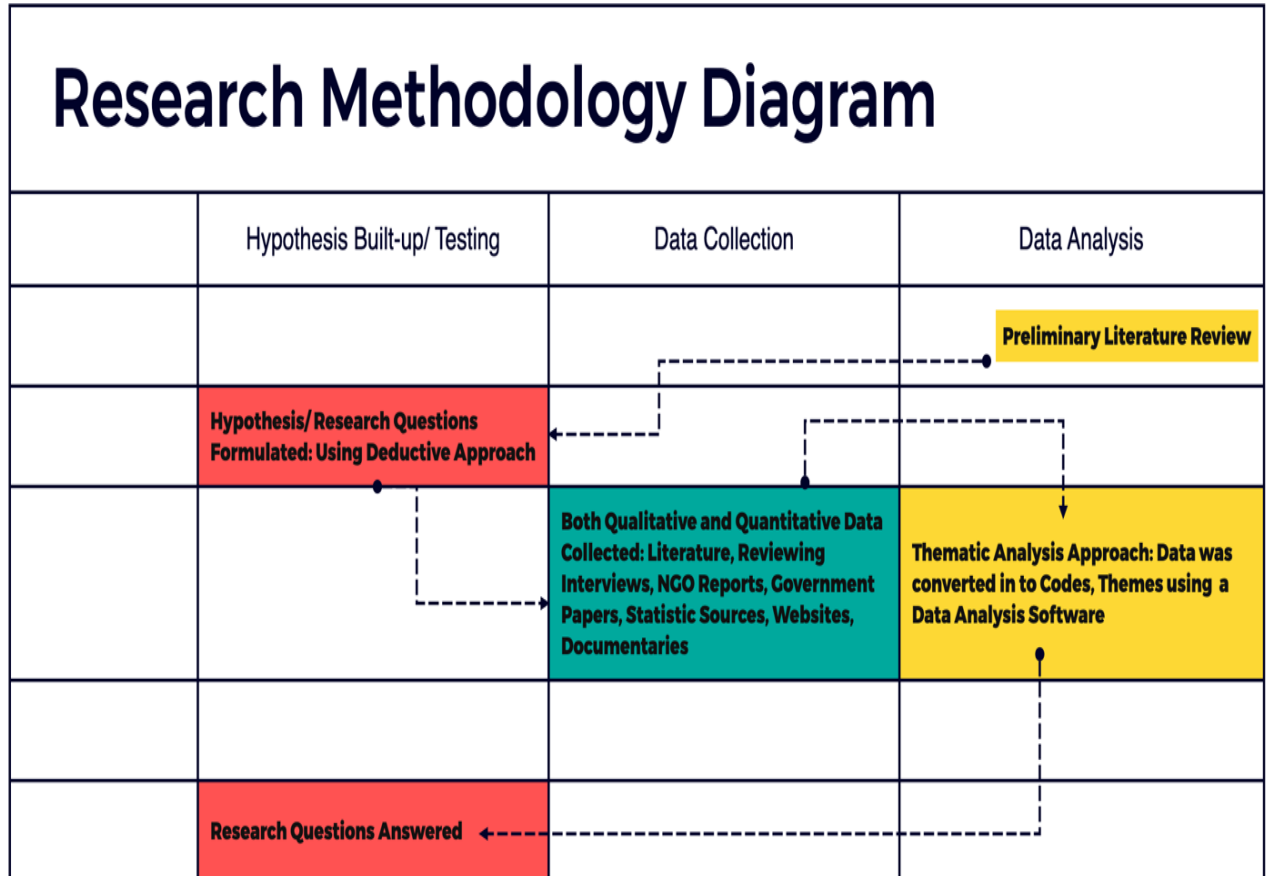
The methodologies used in this study are not the most ideal of research methods, but given the constraints and circumstances, they are the most feasible and realistic. The study relied solely on trustworthy and accessible secondary data sources due to time and budget constraints. Hence, secondary data proved to be the most practical and reliable source of data to analyse. Another shortcoming is the research's limited scope, which was focused on the Niger Delta. Although the most of the pirates in the GOG are reported to be from Nigeria, notably the Niger Delta, others are known to be from surrounding countries as well. During

the results presentation, the research did not focus on the push factors in those countries that can compel people to engage in maritime crimes, which acts as a limitation to this study.

In addition, the study depended on piracy data derived from the IMB and IMO for its empirical analysis. However, for a variety of reasons, a large proportion of pirate occurrences go unreported to the IMB. First, the IMB depends on the Ship Security Alert System (SSAS) and the Global Maritime Distress Safety System (GMDSS) to obtain distress alerts from vessels when encountered with piracy, which is not compulsory for smaller boats (fishing vessels). Many of them find the criteria for radio carriage to be extremely expensive. As a result, they are unable to call for assistance or report the incident when under attack, hence are excluded from statistics. Intriguingly, the National Maritime Administration and Safety Agency (NIMASA) reports that fishing trawlers, not oil tankers or cargo ships, are the primary targets of pirates in Nigeria (Pérouse, 2012, p. 532). The second factor for underreported maritime crime is officials' unwillingness to report that there are issues or to admit the magnitude of the problem in their waters in order to protect their national reputation (Frankie, 2021). Such underreporting causes piracy to be underestimated and downplayed in some circumstances, which serves as a weakness of this research.

Finally, due to time constraints the factors that contribute to maritime piracy that were examined in this thesis is strictly limited to the defined variables such as state fragility, bad oil governance, economic factors, and geography. Other probable causes addressed in the literature, such as military capability, socioeconomic factors, instability, and political causes, were deliberately omitted.

Table 2.1 Research Methodology



Presented with XMind

Source: Designed by the Author

3. A HISTORICAL AND CONTEMPORARY OVERVIEW OF MARITIME PIRACY

This chapter gives an overview of the concept of piracy in the 21st century. First, to understand the present-day attributes of piracy it is quite important to acknowledge the origin and evolution of piracy to this date. Therefore, this chapter covers a brief history of piracy, its transformation throughout the previous centuries, and its relation to international law respectively. The chapter continues with a legal definition and categorization of several piracy-related maritime crimes; such as “armed robbery at sea” and “maritime terrorism”. Understanding these concepts is vital to curbing the misconceptions about them. Since it has never been simple to define exactly what “piratical act” are, and it took centuries until a single definition was recognized (Campbell, 2010, p. 21).

After probing into the history of piracy in the past centuries, putting into context the act of piracy and maritime crime, the chapter continues with a synopsis of piratical activities in the 21st century, specifically the case of Somalia in the GoA and the GoG in West Africa, which is the focus of the study. The Somalia case study is chosen to provide a comprehensive analysis of modern piracy due to its magnitude and the different dimensional efforts exerted in fighting it. Apprehension of piracy in this region will help shed light on piracy in the Gulf of Guinea and can be used as a yardstick to evaluate and analyze the actors involved in the fight against piracy. Finally, the characteristics and trends of maritime piracy in the GoG are briefly covered and a comparative analysis on piracy in both places was done to understand the variables and changing factors related to piracy in different geographies with different socio-economic and political realities.

3.1. A Brief History of Piracy

Piracy, according to Elleman et al. (2010) sometimes known as “high seas robbery”, has occurred for as long as people and goods have traveled across the oceans (Elleman, Andrew, & David, 2010, p. 1). One of the first records depicting pirates goes back to Pharo Echnaton (an ancient Egyptian pharaoh) in the fourteenth century BCE. In the report, renowned independent Mediterranean shipping attacks in North Africa are described. Piracy, a typical result of such economic activity, was occasionally mentioned casually by Greek merchants trading with ports in Phoenicia and Anatolia (Wilczynski, 1996). Piracy was practiced by the Greeks, Illyrians, Romans, Tyrrhenians, and Phoenicians in the

classical era (from the eighth to sixth centuries BCE). Until the Romans captured Illyria, the Illyrians were considered as the most famous ancient pirates, raiding the Adriatic sea regularly. Cilician pirates in Cilicia endangered the Roman empire's trade in the Mediterranean once more in the first century BCE (Soko, 2016, p. 11). Julius Caesar, a Roman nobleman, was abducted and held for ransom by Cilician pirates in 75 BCE (Britannica, 2021). The ancient Greeks, Romans, and Chinese all protested about pirates and established naval forces to combat them.

Vikings (Sea-raiders) were the most far-reaching pirates in early medieval Europe (from the sixth to tenth century) with pirate raids occurring in Western Europe, Eastern Europe, North Africa, and Italy (Soko, 2016, p. 11). As per historical records, Viking piracy activities followed an increasing trend. Initially, the attacks were opportunistic raids on weak coastal locations throughout the summer. These early pirates came in small groups and used hit-and-run tactics. Nevertheless, overwintering Viking 'armies' became more common in combat, and Scandinavian warlords played an important role in regional politics, ushering in a new era. Eventually, the situation escalated to political invasions in various regions of Europe (Pearson, 2006, p. 339). Target selection was another feature of the Viking era piracy. This act reflects on today's piracy as they chose to attack targets with greater reward to offset the risk involved. Piracy continued throughout the subsequent centuries. In the fourteenth and fifteenth centuries, many naval fleets were formed to safeguard ships and trade from piracy, which was common at the time. Following the Viking era of piracy, it evolved into different forms and characters. This era is famously called the "Golden Age of Piracy" (Mark, 2021).

3.1.1. The Golden Age of Piracy (1620-1720)

This era serves as a defining moment in the annals of piracy and maritime crime in general. While pirates have existed throughout ancient times, the seventeenth and early eighteenth centuries were the golden age of piracy. More than five thousand pirates were estimated to be at sea at the time (Royal Museums Greenwich, 2022). During this period, a variety of factors, including the conclusion of many wars and a shortage of suitable naval employment, coupled with the advance of technology and imperialism contributed to the rise of piracy. Colonial expansion began with all the vessels that brought gold and other valuables. Competing colonial interests and ambitions made it simple for ambitious seafarers to always find a way to legitimate the most heinous crimes of piracy (Wilczynski,

1996). The lack of a strong government in the Caribbean islands and other American colonies, which enabled pirates to sail free and steal ships with impunity, encouraged them the most (The Way of Pirates, 2021). Thus, the lack of good governance and the support of strong states played a huge role in enabling piracy in this era. The former still has a significant effect on modern piracy.

During this period, strong states would occasionally provide “Lettres de marque”, legally converting pirates to state privateers. This grants them permission to attack and seize cargo from enemy ships. The British crown was a benefactor to this kind of piracy, as a result, it exploited privateering as a foundation for gradually gaining command of the sea (Møller, 2009, p. 6).

Historians usually classify pirates of this age according to their approach, area of operation, and targets. Privateers were legitimate pirates who were granted permission by their government to attack and loot enemy ships. They gave the government a portion of their profits. The Buccaneers were pirates and privateers who assaulted Spanish shipping in the Caribbean from strongholds in the West Indies. They are essentially privateers that operate in different geographical areas. Meanwhile, Corsairs were Muslim or Christian pirates that operated in the Mediterranean between the sixteenth and eighteenth centuries (Talha, 2013, p. 5).

Muslim corsairs, notably the Barbarossa (*red beard*) brotherhood, maintained strongholds along North Africa's Barbary Coast, while Christian corsairs were centered in Malta. The captives of the Mediterranean pirates are asked to pay a ransom. Failure to pay the ransom will result in being sold as slaves. Whilst the Buccaneers were hunters at first, but the governors of Caribbean islands subsequently hired them to ambush Spanish treasure ships. They gradually lost control, assaulting any ship carrying lucrative goods, whether it belonged to an enemy country or not (Royal Museums Greenwich, 2022).

The Golden Age of Piracy witnessed the growth of piracy from a regional problem to a global menace to commerce at sea. The rapid growth of technology enabling more advanced ships cruising the ocean, and the growth of sea commerce stirred the rise of piracy in this manner. Nevertheless, pirates play an essential part in maritime power since they were paid to fight for states during conflicts in exchange for immunity from prosecution for crimes they committed. These states established a legal form of warlike conduct by non-state actors by awarding naval commissions or authorizations to private shipowners. Privateering became common, although it was officially abandoned and forbidden by the Treaty of Westphalia (1648) in Europe. The Declaration Respecting Maritime Law

abolished it on a global scale (Paris, 16 April 1856) (Steenhard, 2019). Piracy has been a continual impediment to maritime trade since at least the days of ancient Greece and the Roman Empire, impacting at various periods every maritime area of the world, from the Mediterranean and Northern European Seas, through Asia, the Middle East and Africa, and, of course, America (Johnson, 2018, p. 31).

3.1.2. The Evolution of Piracy

The English word ‘pirate’ comes from the Latin term ‘pirata’, which means ‘sea robber’. This name, in turn, derives from the Greek word ‘peirates’ which simply translates as “one who robs”. Originally, the term ‘pirata’ was not associated with crime. The Romans and Greeks interpreted the phrase as belligerent in battle. The definition of the term changed over the medieval period when the word was used to describe the capture of vessels and cargo by illegal privateers. Ancient classic literature was also useful in distinguishing attacks for private vs. political reasons. Hugo Grotius, Alberico Gentili, and John Selden, three major sixteenth and seventeenth century legal minds, relied heavily on these ancient writings to validate their theories and assertions of international law. As a result, pirates were no longer regarded as belligerents in combat, but rather ordinary thieves. Similarly, the term ‘piracy’ implied a crime against humanity because it was committed on the high seas and was not directed at any single group (Daud Hassan, 2017, p. 2).

Piracy has existed in the international arena for almost forty centuries. It has been a way of life for many people, as well as a thorn in the side of almost every sea-going society. Throughout the historic account of piracy, it has transformed in different forms, however, the factors that lead to piracy haven’t changed a lot. Pirates used to raid ships and coastal villages, robbing, and seizing slaves in ancient times. Besides attacking coastal settlements, this mode of operations is still employed in modern-day piracy. The current demand for a ransom in return for their victims in modern piracy is reminiscent of the ‘capture for slavery’ strategy utilized in the past. Considering that both aim for financial benefits, either directly or indirectly. Pirates have operated in concert with, or the absence of, the state throughout history, from the Greek, Chinese, Barbary, and Caribbean pirates of the past to the Somalia, Malacca Straits, South China Sea, and the Gulf of Guinea pirates of today (Walje, 2013). Despite, piracy not enjoying state support in the twenty-first century, the capability of states to govern their territory affects piracy in both ways. Weak states, wherein authority is a perception rather than a reality, might, ironically, provide a safer

haven for pirates than failed states. Since, weak states have the markets and infrastructure required for piracy to flourish but lack proper law enforcement and good policies in place to curb piracy (Hastings, 2009, p. 213).

Pirates have evolved from individuals aiming to earn a living to criminals looking to cash in and make a profit. This evolutionary trend can be observed both in ancient piracy in the Mediterranean, and the modern-day issue of piracy in the Gulf of Aden. The people of the Mediterranean at that time depended on fishing as a means of survival. According to Ormerod, whenever fishing wasn't sufficient, several able men shifted to highway theft and raids on the neighboring territory to make ends meet. Thus, when land commerce gradually shifted to the oceans, the problem of robbery at sea emerged (Ormerod, 1997). This occurrence is similar to the origin of the Somalia piracy, in which local fishermen's livelihoods were threatened by foreign trawlers. Prompting them to retaliate by attacking and kidnapping them for ransoms. What began as a simple fight for survival, turned into a full-fledged highly profitable venture.

Vessel-wise, ancient pirates specifically Mediterranean ones used battle galleys (sophisticated battleships at that time) to attack their targets. Whilst present-day pirates in the Gulf of Aden and the Gulf of Guinea use small but highly manoeuvrable skiffs or light boats sometimes accompanied by a 'mothership' as a base (Marine Digital, 2020). After its peak around the seventeenth century, piracy declined to a controlled and nearly invisible activity by the end of the nineteenth century, only to make a powerful reappearance in recent years, albeit in a new cast. Though, as previously stated, piracy is as ancient as shipping and maritime trade, it was assumed to be extinct until, in the 1970s and 1980s, assaults against ships for private gain commenced to grow (Jesus, 2003, p. 364).

3.2. Maritime Piracy in International Law

Piracy has been and continues to be a menace to the global maritime order. The reasons for this are that pirates attack all vessels, regardless of nationality, and their attacks occur within or beyond the territorial jurisdiction of any state. Hence, piracy is one of those issues that necessitate a global solution because it is a problem shared by all nations. According to Cormier and Simpson (2018), It might be claimed that international law is a legal system aimed at defeating or suppressing a type of offender known as "enemy of mankind", or 'hosti humanis generis', giving birth to universal jurisdiction, a highly specialized kind of international jurisdiction (Monique & Gerry, 2018). The Roman Republic was the first to define piracy as 'hostis humani generis'. The Roman Senate's

attendant rules recognized piracy as a crime against the nation rather than just individuals (Bhargava, 2018, p. 1). This is said to have constituted the legal foundation of pirate legislation as unlawful conduct and, as a result, a crime. The earliest historical instances of legislative laws punishing piracy and pirates were passed in England in 1391 and again in 1536 and are known as the Piracy Acts on penalizing pirates and robbers at sea. This trend was followed by similar laws in the United States, where Congress's authority to punish crimes of piracy was included in the Constitution in 1787 (Karska, 2013, p. 43).

The notion of piracy and exclusive jurisdictions had already been established by the sixteenth century, but this did not indicate that the pirate problem had been addressed eternally (Oudman, 2010). The resurgence of piracy in the twenty-first century has created challenges in combating it within a legal fabric. Considering that each state has distinct municipal laws and other formal protocols, the emergence of new states within the previous century with sovereign powers makes it difficult to subdue piracy. Furthermore, contemporary piracy comes with different comparable crimes which can be hard to separate from the actual act of piracy. Maritime terrorism, armed robbery at sea, hijacking, human trafficking by sea, petro-piracy, illegal drug trafficking, and other maritime security challenges have made it necessary to provide an international legal framework to shine a light on piracy and draw a clear distinction. This sub-section gives a chronological purview of piracy in international law from The Paris Declaration Respecting Maritime Law (1856) to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA) adopted in 1988.

3.2.1. The Paris Declaration Respecting Maritime Law of 16 April 1856

The Paris Declaration Respecting Maritime Law, issued on April 16, 1856, was a diplomatic agreement reached by 55 states. It is the result of an agreement reached between France and the United Kingdom in 1854, which was initially meant for the Crimean War. Its main objective was to end privateering, a practice in which a belligerent side granted official authority for armed privately owned ships to take enemy vessels. Likewise, the opposing sides declared that they would not grant letters of marque. Following an agreement reached by the authorized representatives of the state's present, the following formal Declaration was adopted:

1. Privateering is, and remains, abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.

3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag;
4. Blockades, in order to be binding, must be effective, that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy. (ICRC, 2021)

The Declaration made it a treaty requirement for governments to abstain from hiring privateers in the first place. It is the first international maritime law agreement among European powers. However, except for those nations that have acceded or will accede to it, the Declaration is not and will not be obligatory (ICRC, 2021). The norms established in this declaration were eventually regarded to be general principles of international law, and the United States, though not nominally a party, abides by the requirements. For seafarers, it marks the end of state-sponsored piracy.

3.2.2. League of Nations Codification of the International Law of Piracy

In 1924, the League of Nations enacted a resolution establishing a committee of experts entrusted with the Progressive Codification of International Law on subject matters determined by international agreement to be the most desirable and possible at the time (ILC, 2017). The Committee for the Progressive Codification of International Law included piracy as one of its issues.

The Committee developed a proper definition of piracy, removing any misunderstanding between piracy in the literal meaning of the word as defined by international law and piracy falling under the private laws and treaties of States. In the Draft Provisions for the Suppression of Piracy, 1926; piracy is defined as, an act of violence or depredations upon property committed on the high seas for private gains by a private ship. The draft also highlighted that jurisdiction for piracy belongs to the state that seized the pirate ship, unless otherwise determined by domestic legislation or an international treaty (League of Nations, 1927). This draft was the first effort to codify piracy in the domain of international law. According to the report, crimes committed in territorial waters are subject to the jurisdiction of the regional sovereign powers (Evin, 2019, p. 47).

3.2.3. The 1932 Harvard Draft Convention

The Harvard Research in International Law Draft Convention on Piracy is one of the most significant milestones in the history of international law in combatting piracy. The project was created at Harvard Law School to carry on the legacy of the League of Nations

earlier proposed but abandoned codification of piracy in international law. The rationale behind this proposed convention is that piracy is not an ordinary crime under the law of nations. However, it is within every state's extraordinary right to seize, prosecute, and punish piracy committed beyond the prosecuting state's territorial and other regular jurisdiction and that does not entail attacks on its special interests (Ivanova, 2014, p. 68).

The Harvard document in concert with the preceding League of Nations proposed draft defined piracy in the same context but with different wordings. However, it made mention of the act of piracy in or from the air. Furthermore, the act of instigation or intentional facilitation of piracy is stated for the first time in Article 3 of the draft. Thus, the Harvard Draft Convention is more than just a framework of customary international law but had a substantial and ongoing impact on the evolution of piracy law (Crockett, 1976, p. 84).

3.2.4. The 1958 United Nations High Seas Convention

The convention on the High Seas was signed during the first United Nations Conference on the Law of the Sea held in Geneva, 1958. Currently, the Treaty has 43 Signatories and 63 Parties. The conference resulted in the signing of four conventions relevant for the Law of Sea which comprises of "Convention on the Territorial Sea and Contiguous Zone", "Convention on the Continental Shelf", "Convention on the High Seas", and "Convention on Fisheries and the Conservation of Living Resources of the High Seas" (United Nations Treaty Collection, 2021).

Article 15 of the High Seas Convention provided the first legal definition of piracy in international law from customary law. The Geneva Convention on the High Seas definition of piracy is substantially akin to that of the Harvard draft. In addition to the common definition of the act of piracy, the Convention highlighted the necessity for utmost cooperation of states in combating piracy on the high seas. Another notable point in Article 15, is the act of voluntary participating in the operation of a vessel with known facts of piracy being labeled as piracy. Aside from that, a military or public ship whose crew has mutinied and assumed control of the ship while performing piracy activities is treated the same as a pirate ship (UN, 1958).

3.2.5. The 1982 United Nations Convention on the Law of the Sea

UNCLOS is an international agreement that established the legal framework for international maritime law. The treaty was signed in 1982 but entered into force in

November 1994, currently having 158 signatories. UNCLOS superseded the four treaties of the 1958 Convention on the High Seas by consolidating the provisions of international law in the subject of maritime law into a single document.

Because of the large number of signatures and ratifications, the definition of piracy is the most authoritative in contemporary international law. UNCLOS (Article 101) defines piracy as:

- (a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
 - (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
 - (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b). (United Nations, 1982, p. 61)

As observed in the definition above, the present legal definition of piracy includes four components namely, the use of violence, depredation, or detention; the acting upon private intention, the activities occurring on the high seas, and the involvement of at least two ships. As if it were a constitutional treaty, the 1982 Treaty is the most essential treaty still in force concerning maritime piracy. Subsequent treaties contain technicalities to supplement it.

3.2.6. Armed Robbery and Maritime Terrorism in International Law

With all the numerous international treaties and studies on maritime piracy, there are still definitional ambiguities. The term piracy is often confused with the terms armed robbery at sea and terrorism. Current piracy definition by international law doesn't include maritime terrorism as an act of piracy due to the political goal involved in the act of terrorism. As a result, acts of maritime terrorism do not fall under the purview of universal jurisdiction.

According to the remarks on the Harvard Draft, the "private ends" basis was initially intended to rule out from the definition of piracy only acts performed by non-state agents, such as militants or rebels, but who notwithstanding operate within the ambit of the laws of war and state responsibility, and whose acts may thus be deemed "public". In this case, the

opposite of “private” is “public”, not “political” (Van Hespén, 2016, p. 288). As a result, some scholars contend that, while terrorists may act with a political objective, this does not give their actions a public character. Therefore, terrorist acts on the sea should be included as piracy.

The 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) convention on the other hand is the only international legal framework that covered the activities of maritime terrorism. Article 3bis of the 2005 SUA protocol included the act’s objective, by essence or context, to frighten a society or compel a government or an international organization to do or refrain from doing something (IMO, 2005, p. 6). Although this is an appropriate expression of maritime terrorism, the number of states that are a party to the convention is low.

The International Maritime Organization (IMO’s) Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery Against Ships on Resolution A.1025(26) defines arm robbery at sea as.

- (a) any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State’s internal waters, archipelagic waters, and territorial sea.
- (b) any act of inciting or of intentionally facilitating an act described above (IMO, 2009, p. 4).

As can be observed in the above definitions by the United Nations (UN), the difference between an act of arm robbery against ships and piracy is distinguished by the jurisdiction in which the act occurred. An act of piracy or depredation must have occurred on the high seas to be categorized as one. This includes the contiguous zone and in the exclusive economic zones of coastal states. On the other hand, “armed robbery against ships” refers to crimes of piracy that occurs within a territorial sea, inland waters, ports, and anchorages of a coastal state. Piracy and armed robbery both portray similar dangers to the security of global maritime trade, and the causes and goals underlying both crimes, despite the legal dichotomy, are substantially equal (Kamal-Deen, 2015, p. 94). Moreover, recognizing the limitations of the legal definition, the International Chamber of Commerce’s International Maritime Bureau (IMB) definition of piracy, which doesn’t differentiate the location of the attack is typically used for research and statistical purposes. On this note, this thesis will term both in the same umbrella as maritime piracy.

3.3. Piracy in the Gulf of Aden

Despite piracy on the high seas nearly fading out in the nineteenth and twentieth centuries, it reappeared in Southeast Asian waterways, and later in the Gulf of Aden (GoA) and off the coast of Somalia and the coast of West Africa, after the Cold War. The Gulf of Aden situation is the most remarkable in the preceding two decades for the following reasons: the scale of losses it inflicted on global maritime commerce and the international attention it drew, which eventually led to a reaction. A research done by the London School of Economics (LSE) in 2017 estimated that the cost to the maritime sector and the end consumer for every \$120 million captured by Somali pirates are from \$0.9 and \$3.3 billion (Tim, Thiemo, & Hannes, 2012). Previously, a United States (US) think tank estimated the economic cost to be roughly \$6.6 to 6.9 billion, based on factors such as the amount of ransom paid, piracy insurance, and various strategies utilized in the fight against Somalia piracy (Ueno, 2012). While piracy is not a new occurrence, the reactions to this specific case of piracy are unusual in terms of the variety of international players engaged in combating it.

For these reasons, the piracy pandemic in this region has become a focal point for the study of piracy in this generation. Hence, this section provides a brief overview of piracy in the GoA, detailing its origin, characteristics, and the international community's efforts to combat it. Similarly, to be used as a litmus test in assessing the same phenomenon occurring on the other side of the continent.

3.3.1. The Origin and Causes of the Somalia Piracy

Economic hardship and political instability are known to be the root causes of piracy in the Horn of Africa. The region presently known as Somalia was not renowned as a prominent pirate region during the Barbary era of north African piracy. Due to strong currents and monsoons, the area was an extremely difficult body of water to navigate through during the period of sailboats. Owing to this, there have been reports of shipwrecks off the coast of Somalia being raided and the survivors being kept prisoner in the eighteenth century (Colley, 2004). Notwithstanding, due to its proximity to key maritime routes, this opportunistic character of piracy in this region is replicated in the twenty-first century.

Aside from geography, the current predicament dates to 1991, after Mohammed Siad Barre was ousted, leaving the country without a functioning government, and mired in civil war. To fill in the power vacuum created, a power struggle erupted between the two main opposition leaders, escalating into a violent confrontation that eventually led to anarchy and instability (BBC, 2018). Foreign trawlers took advantage of this and began illegal fishing in Somalia's territorial waters. Before leaving its waters, ships reportedly discharged rubbish and waste into the sea as well. This scenario persisted over the years, as estimated by the United Nations Food and Agriculture Organization (FAO) that over 700 foreign operated boats directly engaged in unlawful fishing in Somali seas in 2005 (People's world, 2009). With no standing coast guard or navy to prevent foreign vessels from depleting the local fish stock, the local fisherman decided to act by firstly arming themselves to chase the invaders away. The so-called 'National Volunteer Coastguard of Somalia' or 'Somali Marines' would frequently seize ships in exchange for a fine, which shipowners gladly paid since they were breaking the law. This became a way for them to compensate for lost fishing revenue (Nincic, 2009, p. 9). As young and unemployed Somalis joined the pirate networks to gain profit, what began as arguably a legitimate and rational motive has developed into a top-tier international criminality. Most of the emerging pirates were supported by the warlords, who organized them into more organized gangs that robbed whomever they came across in the sea. In conformity with IMB data, a considerable percentage of pirate incidents off the Somalia coast during the mid-1990s were directed towards vessels involved in illicit fishing (Sarah, Paige, & Kaij, 2019). Notwithstanding, it emerges from the IMB data that pirates are no longer primarily targeting fishing trawlers since the late 1990s.

The year 2005 was seen as a pivotal point for piracy in Somalia and the Indian Ocean as a whole. The re-emergence of violence in the central Somalia province of South Mudug, along with the Indian Ocean tsunami on December 26, 2004, resulted in a catastrophic sudden worsening of the country's economic and security condition. Destroying the only source of income for coastal villages that relied on a thriving fishing industry, the tsunami contributed to an aggressive environment that has fuelled a decade of piracy (Westberg, 2015, p. 2). Subsequently, the number and range of attacks off the Horn of Africa have increased dramatically. This is a major shift from prior years' opportunistic and close-to-shore attacks.

As attacks moved further offshore, the risks involved multiplied, prompting pirates to develop new tactics and employ more sophisticated weaponry. The increased frequency

and severity of hijackings prompted the international community to launch a worldwide military and political response to combat piracy in this region.

3.3.2. The Characteristics of Piracy off the Coast of Somalia

Modern day piracy has taken on several dimensions, with each region having its manner of operation, ultimate goals, and organizational structures. For example, in the GoG, pirates target oil sites and kidnap international oil employees as a form of protest over the unjust distribution of oil revenue. The preferred method of operation in the Malacca Straits is stealing cash, cargo, and other valuable possessions. The practice in Somalia and the Indian Ocean is ship-jacking, kidnapping, and demanding ransoms (Twomey, 2013, p. 144). Somali pirates keep their victims alive and healthy to demand a hefty ransom. Thereby, making the Somalia piracy the least violent form of piracy among the rest.

Pirates in this region originally targeted ships in the west Indian Ocean, off the coast of Somalia. But they redirected their attention to the Gulf of Aden when ships transiting on that path moved further out at sea. Consequently, pirate operations have progressed from rather simple raids to sophisticated assaults utilizing capable intelligence networks and advanced technology namely radars and Global Positioning Systems (GPS). Pirates have procured the armament and increased gadgetry to extend the range of their operations to the Gulf of Aden and deep into the Indian Ocean. Automatic rifles, rocket-propelled grenades (RPG), speedboats with powerful outboard engines, and satellite phones were now used (Onuoha F. , 2009, p. 35). New techniques were eventually implemented to boost their rate of success, such as the deployment of “mother ships” to serve as logistical and forward operating bases from which smaller skiffs for attacks could be launched. This also allows them to remain at sea for an extended period, enabling them to launch further attacks. With their growing experience and improved tactic, they were able to target ships over far 1 000 miles off the coast of Somalia. Extending their operational range from around the size of Texas to roughly the size of the entire United States (Rick & Scott, 2011, p. 2).

In 2008 IMB has recorded 111 pirate attacks in the waters of Somalia and the Gulf of Aden all attributed to the Somali pirates. Attacks have grown in the sense that all types of vessels, including World Food Programme (WFP) food aid vessels bound for Somalia, have been attacked (Onuoha F. , 2009, p. 36).

Pirate organizations range in complexity from a modest subsistence unit of a father, son, and a single skiff to bigger parties of up to 200 people. Hansen (2009) identified three fundamental types of piracy groups. The first entails a hierarchical group structure in which one investor serves as the leader, bearing all costs but also earning most of the ransom. The second features a shareholder framework wherein the pirates themselves invest to cover the group's existing operating expenditures. They all share the profit equally amongst themselves after a successful operation. The third organizational structure is likewise a shareholder structure, in which a leader collects shares from local investors and recruits a crew, who are paid on a commission basis (Hansen, 2009, p. 35).

From 1991 to 2013, the occurrence of piracy has steadily escalated to an alarming degree across Somalia's shoreline. From 2008, this region of East Africa has accounted for over 40% of all pirate actions documented worldwide which the threat of attacks spreading to the Red sea. During this period, it is believed that 2 000 to 3 000 pirates operated in the waterways. The economic impact was so enormous that it prompted the international community to intervene and send warships to protect the merchant vessels plying this region of the high sea. Piracy in this region began to drop in 2013 because of the ongoing and devoted presence of the world's naval fleets.

3.3.3. The Measures Implemented to Curb Piracy in Somalia

Pirates in this region have attracted more worldwide attention after a surge in activities in the Gulf of Aden in 2008. The escalated security risks presented by piracy in this region have drawn a variety of reactions from multiple entities. Although the Islamic Courts Union (ICU) made some efforts to combat piracy while they were in power, international organizations, multinational naval forces, regional partners, and private security groups have all given legitimate responses (Onuoha F. , 2009, p. 39). These actions varied from naval deployments to inter-governmental collaboration on intelligence sharing and capacity building, as well as coordinated legal and political activities.

Frustrated by the rise in piracy, particularly attacks on WFP food aid ships, the UN Security Council passed Resolution 1816 (2008), which urged "states whose naval vessels and military aircraft operate on the high seas and airspace off the coast of Somalia to be vigilant" in deterring piracy and armed robbery at sea by collaborating with the Transitional Federal Government of Somalia (TFG) (UN, 2008). This has granted foreign warships the authority to enter Somali territorial seas to combat piracy, provided that the Secretary-

General is notified in advance. The Resolution emphasized its respect for Somalia's sovereignty and territorial integrity while taking into consideration the Transitional Federal Government's (TFG) inability to prevent pirates or monitor and secure its territorial seas (UN, 2008).

Resolutions 1846 and 1851 expanded this mandate by enabling nations and regional organizations acting at the request of the TFG to repress piracy and armed robbery at sea in conformity with international law. Resolution 1846 further allowed the provision of technical support to TFG personnel and forces to improve its capabilities to guarantee coastal and maritime security (Ploch, 2011, p. 20). Subsequent resolutions 1897, 1918, and 1976 all broaden anti-piracy measures by including certain land-based operations on the Somali mainland, calling on member states to criminalize piracy under their domestic laws and eventually prosecute and imprison suspected pirates, and considering the establishment of specialized local courts (Twomey, 2013, p. 149). These resolutions have given the naval presence credibility, which has resulted in success in sea-based intervention. However, because piracy is fuelled by land-based issues, it must be dealt with on land. Unfortunately, most of the resolutions' land-based provisions did not fully materialize.

Following the effectiveness of the Regional Cooperation Agreement for Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) in suppressing piracy in Southeast Asia. The regional states surrounding the Gulf of Aden and the Indian ocean decided to form a regional framework that would adopt a Code of Conduct concerning the repression of piracy. Delegates from 20 regional nations gathered in Djibouti in January 2009 at an IMO coordinated meeting and adopted a Code of Conduct for the Repression of Piracy and Armed Robbery Against Ships in the Western Indian Ocean and the Gulf of Aden. It considers and encourages the implementation of those components of UN Security Council resolutions that are within the purview of IMO. The code of conduct was developed on four pillars to efficiently combat piracy: regional training, national legislation, information sharing, and capacity building (DCOC, 2021).

The Deterrence and law enforcement aspects of the measures were implemented by different joint international partners and individual countries protecting their commercial interests. Most antipiracy operations are visit, board, search, and seizure (VBSS) operations in which tactical units board and search probable pirate boats. In December 2008 the European Union launched the first of its type, EU NAVFOR operation ATALANTA, in compliance with applicable United Nations Security Council resolutions, to deter, prevent, and repress piracy and to protect vulnerable ships like WFP's humanitarian cargoes, and

African Union Mission in Somalia (AMISOM) supply ships off the coast of Somalia. Headquartered in Spain, the operation has so far safeguarded the passage of 1598 WFP vessels and facilitated the transfer of around 171 pirates for trials (EU NAVAF-Somali, 2021). This mission served as a replacement for Operation Allied Provider, which was launched by North Atlantic Treaty Organization (NATO) forces in October 2008 at the request of the UN to protect its aid vessels and is active in the waters of the Indian Ocean. NATO ships could exercise force per the authorized Rules of Engagement and appropriate international and national law. Subsequently, the campaign was relaunched in August 2009 as Operation Ocean Shield. Its objective was to provide naval escorts and a deterrent force in the region, while also boosting collaboration with other counter-piracy operations, all while adhering to applicable UN Resolutions (MARCOM, 2016).

The US-led multinational (Command Task Force) CTF 151 was also established solely for anti-piracy operations in the Gulf of Aden and the waters off the Somali coast in the Indian Ocean. On a three-to-six-month rotation, the command is cycled amongst collaborating states. Japan, Kuwait, Pakistan, the Republic of Korea, Singapore, Turkey, the United States, and Brazil have all headed CTF 151. CTF 151 patrols the Maritime Security Transit Corridor (MSTC) in coordination with EUNAVFOR and other individually deployed naval vessels from countries such as China and India (CMF, 2021).

Another dimension applied to combat piracy was the Best Management Practices (BMP) adopted by the shipping Industry. Shipowner associations, inter alia, the maritime insurance sector, navies, and other relevant stakeholders, all contributed to the BMP. The BMP are to be applied onboard ships by their captains, with supervision and cooperation from the ship charterers, to evade, repel, or impede pirate assaults in the High-Risk Area (HRA). Registration with the EU-operated Maritime Security Centre Horn of Africa (MSCHOA), reporting to the United Kingdom's Maritime Trade Operation, and the application of ship-protection measures are the three main requirements of the BMP (Jens & Liza, 2014, p. 6). Ship firms have also turned to Privately Contracted Armed Protection Personnel (PCASP) to offer security during HRA transits. Despite being strongly discouraged by the IMO and labeled as "an individual decision subject to the" legislation of flag States, PCASPs have shown to be effective in combating piracy, since no ship with PCASPs onboard has ever been attacked by pirates.

The international reaction to Somali piracy by different parties was overwhelming in effectively minimizing the piracy threat with various actions both militarily, legally, and politically. These countermeasures have drastically decreased the number of pirate attempts

from 358 between 2010 and 2014 to just 8 attempts between 2015 and 2020 (Statista, 2021). And this was made feasible by combining many approaches at all levels of governance, as no one independent solution can be successful to hinder piracy.

3.4. Piracy in the Gulf of Guinea

Piracy along the coast of the Gulf of Guinea was not a global security threat until Somali piracy declined. Even though pirate attacks are a part of the Gulf of Guinea's history (Lloyd, 1963). According to the International Maritime Organization's 2012 annual report on piracy, the Gulf of Guinea has surpassed the Indian Ocean in terms of the number of attacks perpetrated. This trend has persisted throughout the years, with the area accounting for 43% of all recorded pirate occurrences (ICC, 2021). The Gulf of Guinea remains extremely dangerous for seafarers, accounting for all forty kidnapped crew members and the single crew death documented by IMB in the first quarter of 2021 (IMB, 2021).

Table 3.1 depicts the complexity and varied character of piracy in the Gulf of Guinea (West Africa) in terms of incident locations, ship status, number of people involved in the attack, outcome of the attack, weapons used, and manner of violence or abuse meted on the crew. In recent years, the Gulf of Guinea pirates' method of operation has shifted to kidnapping the crew for ransom, although 'petro-piracy' (the seizure of oil from vessels after hijacking) remains the most prevalent kind of piracy in this region (Economist Intelligence, 2021).

According to the IMO's data shown in Table 3.1 from the piracy cases in the region, piracy numbers have fluctuated in the recent years due to some underlying factors. Due to low crude oil prices, the year 2016 marked a turning point for maritime piracy in the region with more than a 100 percent increase in the cases of piracy, as their *modus operandi* shifted from petro-piracy to kidnapping and ransom. The significantly higher success rate of kidnapping for ransom accounts for the rise in the number of occurrences (Guedes, 2020, p. 116). When compared to oil hijacking, it is a faster method with a lower risk of being caught, resulting to higher success rates. Part of the surge in piracy rates can be attributed to the resurgence of Niger Delta insurgency following the amnesty program in 2016, which is claimed to have significant impact on piracy in the region (Onuoha C. F., 2016). Furthermore, the spike in figures in 2020 is primarily due to the pirate gangs' expansion of their operations offshore and in other nations' territorial seas, which are less patrolled than the Nigerian coast (Economist Intelligence, 2021).

Table 3.1 *Annual Reports on Acts of Piracy and Armed Robbery Against Ships in West Africa*
2012-2020

	2012	2013	2014	2015	2016	2017	2018	2019	2020
Location of incident									
In international waters	17	13	9	9	33	25	35	23	46
In territorial waters	9	5	9	1	4	6	21	26	11
In port area	19	16	10	17	25	17	25	18	33
Status of the ship when attacked									
Steaming	15	14	9	7	32	27	30	25	50
At anchor	24	16	16	17	30	18	41	37	36
Not stated	6	4	12	3	0	3	9	5	4
Number of persons involved in the attack									
1-4 persons	12	5	12	7	21	8	34	19	23
5-10 persons	8	7	8	10	18	17	21	14	27
More than 10 persons	6	4	2	0	4	0	3	2	3
Not stated	19	18	5	10	19	21	23	26	35
Consequences to the crew									
Actual violence against the crew	13	11	8	7	9	10	12	20	8
The threat of violence against the crew	10	11	7	1	2	1	3	26	13
Ship missing	0	0	0	0	0	0	0	0	0
Ship hijacked	9	9	7	3	1	0	3	3	0
None/not stated	13	3	4	17	48	37	36	14	45
Weapons used by attackers									
Guns	19	14	7	7	17	12	21	20	26
Knives	9	4	5	3	7	1	4	4	0
Rocket-propelled grenades	0	0	0	0	0	1	0	1	0
Others									
Lives lost (unit: people)	4	1	1	1	0	0	0	0	0
Wounded crew (unit: people)	4	0	2	1	2	1	4	6	4
Missing crew (unit: people)	0	0	0	3	0	0	3	18	28
Crew hostage (unit: people)	112	93	66	38	40	58	84	133	93
Total number of attacks reported per year	45	34	28	27	62	48	81	67	90

Source: Adopted from IMO's annual piracy and armed robbery reports (IMO, 2020), compiled by author.

Piracy in this part of the globe is mostly linked to Nigeria, notably the Niger Delta region, for two reasons. Primarily, Nigeria reports the majority of occurrences, and Nigerian pirates are responsible for most assaults throughout the area. This makes it the epicenter of this thesis.

This section of the study gives an introduction and a general overview of piracy in the Gulf of Guinea by examining the historical events that led to piracy as well as how the economic and political instability in the Niger Delta region proliferated and expanded the scope of piracy from a petty armed robbery at sea to attacks nearly 200 nautical miles (NM) off the coast of Nigeria. Secondly, the mode of operation and trends of piracy in this region are investigated, and a comparative analysis is conducted with the Somali example to help comprehend the variables and changing aspects that may be associated with piracy in various geographies with diverse socioeconomic and political concerns.

3.4.1. Brief History of Maritime Piracy in the Gulf of Guinea

Piracy at sea is not a new occurrence in the Gulf of Guinea, between the sixteenth and eighteenth centuries, the threat of piracy was reported to be present in the region. To control and influence trade and commerce between their kingdoms, the Ijaw and Itsekiri communities of modern-day Nigeria staged raids against each other's commercial canoes and boats (Lloyd, 1963, p. 221). During the Golden Age of Piracy, the most successful pirate at the time, Bartholomew Roberts, was active in this region hijacking European merchant ships. Captain Challoner Ogle, commanding HMS Swallow, engaged the renowned pirate and his pirate ship Good Fortune in February 1722, resulting in a triumph that ended in the mass hanging off his pirate prisoners in front of Cape Coast Castle and the eradication of piracy in West African waters (Konstam, 2008). Following the abolition of the slave trade, lethal conflict in Nigeria's coastal regions was tied with the palm oil trade. As modern maritime piracy is strongly tied to oil production, the fishing sector, and the massive maritime traffic it draws via its territorial waters, this illustrates that the dominant economic

activity has always played a vital part in the Niger Delta's devastating conflicts (Akinsola, 2015, p. 5).

Post-Colonial era administrations in the Gulf of Guinea inherited a poor naval capability, a fragmented economy, and a fragile political space, which, along with the oil boom in Nigeria in the 1970s, has witnessed an increase in petty robbery in the Lagos port vicinities. As scribbled by Darnton (1977) "*Foreign freighters waiting for berths in three major harbors are coming under increasing attack from criminals who hide out in a labyrinth of lagoons and swoop down in motorized dugout canoes*". The attacks became so severe that the International Association of Port Authorities advocated for a boycott of Nigerian ports, and foreign embassies registered official complaints with the Nigerian government (Darnton, 1977). In the mid-1980s, this area accounted for more than half of all reported pirate events based on data presented by IMO. The Lagos anchorage recorded 51 attacks, and only 3 attacks in the rest of the Niger Delta. Attacks during this period were mostly unorganized petty robberies carried out by fishermen to share the prize with their relatives, as opposed to the sophisticated mode of piracy that emerged from the Niger Delta in 2005 linked to the instability brought about by militia groups protesting the unequal distribution of oil revenue (Pérouse, 2012, p. 534).

The Nigerian oil sector, as well as the associated socioeconomic and environmental circumstances in the Niger Delta, is deemed to play a major role in the increasingly advanced sort of piracy that targets oil tankers and kidnaps personnel for ransom. The surge in piracy in the mid-2000s has been linked mostly to an increase in the operations of local militias in Nigeria's oil-rich Niger Delta region, apparently seeking a larger part of oil profits for the region. Despite the quantity of oil gushing out of their lands, the people of the Niger Delta remain the poorest in the country. Several militant factions from the Delta area emerged in 2005 under one organization dubbed The Movement for the Emancipation of the Niger Delta (MEND), protesting for economic equality and local control of oil production. Despite what began as an ultimate intent to prevent multinational oil firms' exploitation of the region, MEND assaulted oil pipelines, sought to extort companies, and abducted foreign oil workers to use as hostages in negotiations and even ransoms (Hanson, 2007).

Among the militia organizations' operational strategies, include hostage-taking of oil employees, destruction of oil installations, attacks on oil boats, illicit oil bunkering, and kidnapping for ransom. The attacks levied on critical infrastructures in the Niger Delta, beginning with oil pipelines ashore gradually expanded to offshore oil platforms (Kemal-Deen, 2015, p. 97). Profit from these unlawful operations led to an upsurge in piracy acts on

vessels at sea and riverboats for financial gain. According to Daniel (2021), experts suggest that the following factors have somehow contributed to the persistence of piracy in the Niger Delta; the presence of a black market for stolen oil in this region makes it very profitable, as does the high prospect to recruit pirates because of massive unemployment caused by the devastation of extensive sections of agricultural land and fishing regions by the oil industry in the delta communities (Daniel, 2021).

Piracy in the Niger Delta developed from an “opportunistic sea robbery” on fishing vessels and commercial cargo ships from late 2005 to 2007, with the bulk of incidents occurring in Nigerian harbors, anchorages, and territorial waters. This led to an unprecedented spike in piracy in the Gulf. According to IMB data, Nigeria accounted for 10 of the 49 assaults recorded globally in the first quarter of 2008, accounting for more than 20% of all attacks (Neethling, 2011, p. 98). Subsequently, their reach has expanded outside of the Nigerian coast to the waters of neighboring Cameroon and off the coast of Benin in the following years. Pirates seized the Liberian-flagged MV Cancale Star eighteen nautical miles off the coast of Benin in November 2009, killing one of the crew members. Benin documented twenty occurrences of pirate assaults due to the strategic expansion of Nigerian pirates. Analysts have associated Nigerian pirates with the increase in piracy off the coast of Benin in 2011 (Onuoha F. C., 2013, p. 277).

Following the withdrawal of some insurgent components from the 2010 amnesty pact they had with the Nigerian government, the move from insurgency to full-scale piracy occurred. During this time, with the emergence of skilled pirates specialized in hijacking oil tankers, there was an upsurge in violence and the invention of motherships to launch assaults farther out at sea (Kemal-Deen, 2015, p. 101). Hijacked fishing vessels are typically used as motherships, alike the Gulf of Aden piracy. From this point on, pirates concentrated their attacks on oil-laden tankers entering or departing from the oil-rich coastal ports. As reported by *Risk Intelligence* firm, at least ninety-three tanker attacks occurred in the Gulf of Guinea between December 2010 and May 2013, resulting in thirty hijackings (Bridger J. M., 2013).

The issue of maritime piracy persists to this day, despite 2019 being modestly better than the previous year, the IMB reported a spike in piracy and armed robbery across the world’s waters in 2020. The frequency of kidnappings recorded in the Gulf of Guinea has increased by 40 percent. This area now accounts for nearly 95 percent of all global kidnappings (Zeymarine, 2021). While much of the piracy in the Gulf of Guinea is centered on stealing oil from tankers, new data indicates that pirates are increasingly moving to

kidnapping crew members, frequently for the sake of profit from ransoms. The decrease in global oil prices caused by a decline in demand as a consequence of the coronavirus (Covid-19) pandemic has driven a shift in the pirates' business model (Economist Intelligence, 2021). Currently, despite a significant drop in piracy acts in 2021 – a drop of more than 60% compared to 2020 – the Gulf of Guinea remains a hotspot for worldwide maritime piracy (Francois, 2021).

3.4.2. The Characteristics of the Gulf of Guinea Piracy

Even though pirates predominantly from Nigeria frequently claim to be fighting for a more equal distribution of Nigeria's massive oil wealth and to rebel against the damage caused by oil production in the Delta, analysts claim that the lines between political grievances and criminality in the Gulf of Guinea are blurred. In addition, while the pirates' methods of operation and ultimate goal for the attacks have changed over time, the degree of aggression used has not. Hence, this section will discuss the shifting dynamics and characteristics of Gulf of Guinea piracy in a topical sequence.

The caliber of weapons employed by the pirates of this region have never been used in piracy operations anywhere in the world. Weapons include AK-47s (the most commonly used), machine guns, RPGs, grenades, and knives, which are used to stop ships in motion or to intimidate the crew into surrendering. According to military intelligence reports, some pirates in the Niger Delta get their arms supply from political actors who supply them with weapons to rig elections (Taiwo-Hassan, 2019). Moreover, members of pirate groups may get weaponry through attacks on security forces or the exchange of a bounty of seized oil (Katja, 2021, p. 46). A large force of up to forty armed men in multiple high-powered speedboats can be dispatched to assault just one ship to supplement the superior weapons. This amount of manpower is sufficient to overwhelm seafarers and even law enforcement authorities (Ali-Deen, 2014, p. 180).

There have been reports of pirate groups engaging in firefights with law enforcement, resulting in the deaths of some Nigeria Navy officers. In early 2020, pirates murdered four Nigerian naval personnel and kidnapped three foreign sailors in an attack on the MV Ambika, a dredging ship (Agence France-Presse, 2020). Violence, on the other hand, is used as a tactic to induce fear, resulting in a speedy reaction from the crew to complete the pirates' operation before law enforcement comes. Piracy in Nigeria has evolved into organized crime, with big syndicates comprising a wide collection of individuals from armed groups, businessmen to government officials. Several reports reveal

evidence of pirates bribing security forces and civil servants to ‘turn a blind eye’ or obtain intelligence about targeted boats.

The vessels targeted in this region include fishing boats, ordinary cargo ships, and oil tankers. The vessel type, on the other hand, corresponds to the three pirate dynamics models in this region, which are armed robbery, kidnapping and ransom taking, and oil theft. During the initial days of piracy, the Nigerian fishing sector suffered greatly due to piratical activities. The theft of fish cargoes, engines, and other equipment from fishing vessels is a common occurrence. This has created a massive gap in the fishing sector, resulting in around 50 000 job losses and a substantial increase in seafood costs owing to fishermen’s unwillingness to go to sea in fear of being confronted by armed robbers (Neethling, 2011, p. 100).

While GoG pirates are well-known for sealing oil cargoes from tankers sailing in this region, new incidents indicate that pirates are increasingly moving to kidnapping of crew members frequently for ransom. As a result, regardless of their cargo, practically all seagoing boats are considered possible targets. The transition from oil theft (bunkering) piracy to kidnapping began around the end of 2015, and it is distinguished by its distance from Nigerian waters. The presence of multiple busy ports in the region which are involved in both regional and global trade provides an opportunity for the pirates to attack ships that are either on transit, anchored, or waiting to enter the port. The change in strategy is attributed to two factors, which are an improved patrol by the Nigerian Navy and a drop in petroleum prices in 2015. Bunkering (oil theft) can take one or more days to complete, with the pirates at risk of being detected and captured by law enforcement. Kidnapping for ransom, on the other hand, may be accomplished in very short periods, sometimes as little as half an hour, allowing them to have a very high success rate in their acts (Guedes, 2020, p. 117).

Although piracy in this region can take many forms, the region’s oil industry has a significant impact on it. Hence, the genesis and the most common form of piracy in this region is ‘petro-piracy’ locally known as bunkering. It entails seizing an oil tanker, commandeering it to sail to an unknown location where the cargo is siphoned into the pirate’s vessel, and then releasing the seized vessel after the cargo transfer (Brume-Eruagbere, 2017, p. 6). Crude oil is taken from the target vessel and sold either immediately to another vessel or on the black market on land, with operations occasionally controlled from the mothership or other kind of a designated offshore organization (Onuoha F. C.,

2013, p. 278). This technique of piracy in the Gulf of Guinea is well-structured and linked to cross-border black market connections, facilitating the transportation of oil and petroleum products between nations and beyond the sub-region. Essentially, the sustained success of piratical activities in this area is heavily reliant on the presence of a black market for petroleum.

Piracy in the Gulf of Guinea today is mostly viewed as a Nigerian issue. Pirate actions in the GoG take place both in territorial seas and in international waterways. Yet, most of the piracy in the Gulf of Guinea takes place in Nigerian territorial seas. When there is a change in circumstances, such as law enforcement patrols, the bandits will adjust their strategy and venture further out at sea in less riskier waters. Several incidents in 2018 and 2019 indicated an increase in the number of incidence of this sort, which has continued to grow dramatically into 2020, with an average distance of 150 nm from the shore (Kamal & Yussif, 2020, p. 8). In early 2021, the Liberian-flagged Turkish container ship MV Mozart was on its way to Cape Town from Lagos when it was attacked by pirates 160 kilometers (100 miles) off Sao Tome Island, killing one crew member and kidnapping 15 others. This attack also demonstrates the pirates' ability to increase the range and severity of their attacks.

3.4.3. The Prominent Differences with the Case of Somalia

Piracy everywhere is undeniably a menace to humanity and harms maritime trade throughout the area, and occasionally on a worldwide scale. However, each piracy-infested terrain is distinct in terms of its root causes, enabling factors, the magnitude of damage, and mode of operation. Piracy in the Gulf of Aden and that of the Gulf of Guinea have significantly distinct root causes, character, and modes of operation owing to underlying elements both man-made and natural.

In contrast to the Somali situation, piracy in the Gulf of Guinea is perceived widely against the backdrop of the Gulf of Guinea as an area with a dense population and substantial energy resources, illustrated by the closeness of large (Nigeria and Angola) and medium (Gabon and Congo) oil producers with more than four other oil-extracting or potentially resourced States. These West African countries, which are located off the coast of the Gulf of Guinea, border a vital sea path that connects to energy supplies (Neethling, 2011, p. 98). Thus, the nexus of piracy in the Gulf of Guinea and oil are inseparable.

The overarching focus of West African pirates was robbery and oil theft, particularly oil cargo aboard the vessel, which is then sold on the black market. They target both vessels

in transit and vessels anchored to offload imported refined oil or await the loading of crude oil for exportation. Normally, the ships are seized from an anchorage or in territorial waters and taken to an isolated location where the cargo is either emptied onto the pirates' vessel or to their desired location onshore for storage. In this case, unlike the Somali pirates, the crew is not kept for ransom, but they are held until the oil transfer procedure is done (Christina & Nitin, 2020, p. 19). According to the Chatham House think-tank, at a material time up to 400,000 barrels of oil are stolen daily in the GoG, amounting to a 1.5 billion dollar monthly loss for the Nigerian government (Defence web, 2016). The pirates tend to make their operations fast to avoid exposure from the security forces or eventually get caught. That being the case, they do not attempt to seize the ship and crew for an extended period since they are operating in a region with stable central governments and port enforcement. This strategy contrasts with the Somali pirate trend, in which both the vessel and her crew are held for ransom for weeks or months, or even years without interference from law enforcement or public scrutiny, owing to the absence of a properly functional government.

Likewise, due to weak law enforcement and the opportunistic nature of pirates in the GoG, there are reports of petty robbery on vessels in port and anchorage. Most cases with the exception of a few recent events as shown in Figure 3.1(b), are carried out in the vicinity of the port or inside the territorial waters of states. These near-shore occurrences in West Africa are often high occurrence, low-level maritime crimes like robbery or petty theft (Dryad Global, 2022). The economic importance of this region owing to its oil riches, marine resources, and enormous consumer goods market makes it a bustling shipping route, and this, along with corruption and unemployment, makes its territorial waters conducive for piracy. In the Somalia case, as shown in Figure 3.1(a), most raids target vessels transiting through the Gulf of Aden, which is classified as international waters because there is no major commerce flow in its territorial waters.

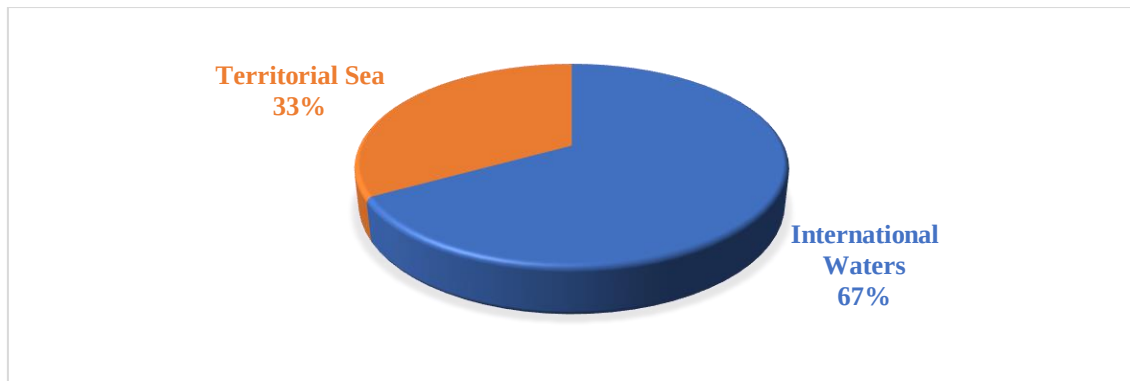


Figure 3.1(a) Percentage of pirate attacks or attempts per location of incidents in the Gulf of Aden 2005-2015 (peak years)

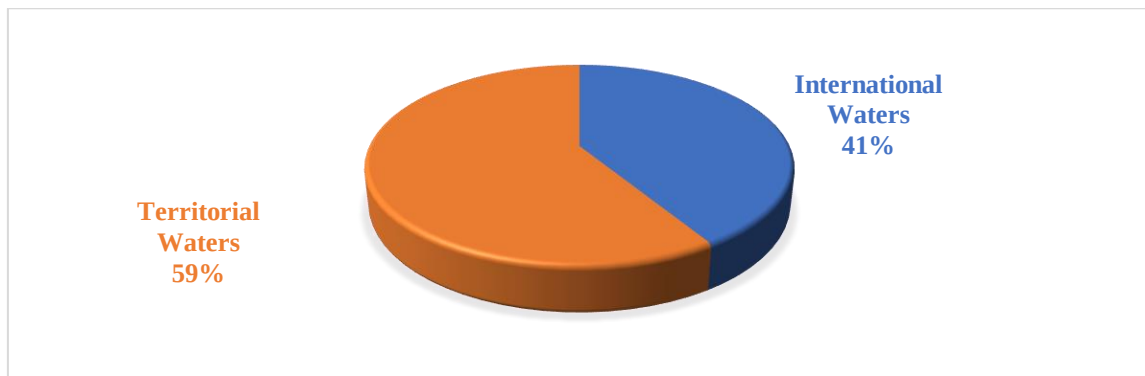


Figure 3.1(b) Percentage of pirate attacks or attempts per location of incidents in the Gulf of Guinea 2010-2020 (peak years)

Source: Data from IMO compiled by the author.

Another notable distinction between the two episodes of piracy on different sides of the African continent is the level of brutality towards the vessel's crew. The crew must be healthy and alive to get a high-paying sum of ransom. As a result, Somali pirates are less violent toward detained crews than their counterparts in West Africa. In the Gulf of Guinea, on the other hand, excessive levels of aggressiveness and violence are implemented against the crew to restrain or induce fear, compelling them to remain obedient during the hijacking or robbery process (Saul, 2009). To achieve their aim, they have gone so far as to use explosives and live ammunition on ships. Despite piracy in this region gradually changing from petro-piracy to kidnapping for ransom, the level of violence has not decreased as seen in the case of the MV Mozart leading to the death of a crew member.

4. AN ANALYSIS OF THE CAUSES AND FACTORS LEADING TO MARITIME PIRACY IN THE GULF OF GUINEA

4.1 The Geographic Scope of the Study

The causes of piracy can differ based on location, socioeconomic circumstances, forms of governance, and even societal norms. This chapter analyses the causes and factors that enable piracy in the Gulf of Guinea by examining the many variables and theories widely explored in the piracy literature. Due to the complexities and land-based drivers of piracy, it is necessary to investigate the unique local characteristics of pirate locations to comprehend piracy. On this background, this chapter concentrates on the Niger Delta region of Nigeria, where most of the pirates operating in the GoG originate, to get a close-up look at the challenges impacting this region and how they relate to the piracy conundrum.

Before the analysis on the drivers of piracy, it is vital to acknowledge the region's strategic location and its natural resources to explain how these attributes influence or promote the growth of piracy in this region. Thus, a geographical and historical overview of the GoG and the Niger Delta was first unmasked, followed by a deductive approach of data analysis to apply numerous theories linked to the causes of piracy.

4.1.1. The Gulf of Guinea

A gulf is a stretch of the ocean that cuts through the land. The Gulf of Guinea (GoG) is a natural resources-rich mass of water located off the western coast of Africa and has an area of 2.35 million km². It is the north easternmost section of the tropical Atlantic Ocean, according to the world atlas (Ghosh, 2021). Per the International Hydrographic Organization's map of "the North Atlantic Ocean and its Sub-divisions", the Gulf of Guinea is the northeastern area of the line drawn from Cape Palmas (4°22'N - 7°44'W), in Liberia to Cap Lopez (0°37'S - 8°43'E), in Gabon, see. Figure 3.1. However, politically speaking and for the benefit of this study, Angola, Benin, Cameroon, Cote d'Ivoire, Democratic Republic of Congo, Republic of Congo, Guinea, Equatorial Guinea, Liberia, Guinea-Bissau, Gabon, Nigeria, Ghana, Senegal, So Tomé and Príncipe, The Gambia, Togo, and Sierra Leone are among the 18 coastal countries that make up the Gulf of Guinea, which stretch for around 6 000 kilometers along an unbroken shoreline.

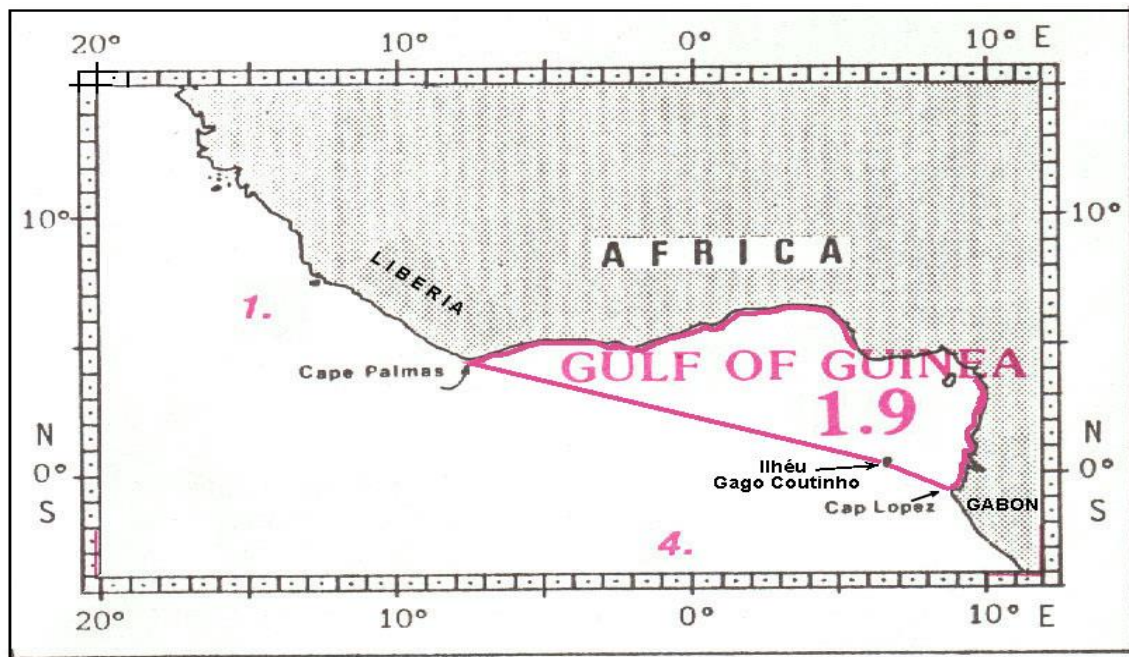


Figure 4.1. The Geographic description of the Gulf of Guinea by the IHO

Source: International Hydrographic Organization (IHO).

The states of the Gulf of Guinea have a long and intricate history that extends back to the dawn of human existence. Natural and human resources have always been abundant in the region, influencing governance from the beginning, a continuous pattern that continues today. Africans in the region learned to process iron ore about 500 BC. The discovery of iron triggered a chain of events such as farming, mineral mining that resulted in the formation of trade kingdoms and well-established trade routes to Africa's north and northeast regions (Laughlin, 2005, p. 3). Following the capture of the fortress town of Ceuta, Morocco, in 1415. The Portuguese discovered the trans-Saharan trade routes into West Africa, as well as the region's wealth of gold. Upon arriving at Cape Verde, a spot on the coast where the desert had given way to a verdant flora, the Portuguese discovered gold and a 'people' they named "Guineus" after the Moroccan Berber term meaning black. They called the place "El Mina", which translates as "The Mine", and Europeans eventually dubbed it the Gold Coast (John & William, 2001, p. 224). Eventually, gaining the attention of other European countries.

A series of disputes between European nations to discover new raw material sources to maintain commercial and industrial expansion had spilled over into Africa and other

regions of the world by the early 1800s. Ultimately dividing the region into various European colonies, with a different language, political system, and governance.

Large reserves of hydrocarbons and other natural resources such as gold, diamonds, manganese, nickel, and fish can be found in the GoG sub-region. As a result of the Middle East's ongoing instability, there is currently a fierce worldwide race among industrialized nations, particularly the United States, several European countries, China, Japan, and India, for new, safer, and more reliable energy supplies (Iheme, 2008, p. 1). Over 10% of the world's oil is produced in the Gulf of Guinea, and this percentage is expected to climb in the next decades as more non-oil-producing states begin to produce. Also, all its coastal nations, as well as landlocked countries rely on access to the ocean for the importation and exportation of products and services to and from key international markets, making the GoG waterways a crucial gateway to the globe (Charles & Wullson, 2013, p. 9). Therefore, the maintenance of good order at sea and the protection of the maritime domain is critical not only for the supply of this resource but also for the safe passage of vessels trading a range of commodities, notably energy products (Lisa, 2014, p. 318).

Despite having considerable oil and gas deposits, most GoG countries continue to suffer from chronic poverty, corruption, and political instability because of poor governance. Maritime piracy, which is a by-product of this quandary and is inextricably linked to poor governance of natural resources has been a threat to the economic activities of the region and general disruption to the global economy. Attention was shifted to this region which regards to piracy around 2012 after surpassing the Gulf of Aden in the number of pirate attacks, and eventually leading to Resolutions 2018 (in 2011) and 2039 (in 2012) of the United Nations Security Council expressing deep concern about the rising instability in the region and its implications for regional and global security (Kemal-Deen, 2015, p. 93).

4.1.2. The Niger Delta

National geography defines Deltas as wetlands that emerge when rivers discharge their silt and water into another body of water, such as an ocean, lake, or river. The Niger Delta is Africa's biggest delta and one of the world's largest wetlands. With a size of roughly 7 000 km², it accounts for around seven percent of Nigeria's total landmass of 923 768 km². The Niger Delta is home to about 30 million people representing more than 40 ethnic groupings and 3 000 communities speaking about 250 distinct languages and encompasses nine out of Nigeria's 36 states; however, which states are included in the region varies.

Rivers, Bayelsa, and Delta are the kernel states, whereas Abia, Akwa Ibom, Cross Rivers, Edo, Imo, and Ondo are the secondary Niger Delta states (SDN, 2020). The Ikwerre, Ogoni, Ijaw (the largest ethnic group), Ogba, Ahoada, Urhobo, Itsekiri, Efik, Ibibio, Annang, Oron, Isoko, Ukwuani, Kalabari, Ekwere, and other multiethnic ethnicities inhabit the Delta. Besides, in comparison to the three major ethnic groups in the Nigerian Federation, the ethnicities of the Niger Delta area are classified as minorities, and they are primarily farmers and fishermen.

The Niger Delta is rich in biodiversity, with mangroves that help to store carbon and sustain a broad array of plant and animal life, as well as agriculture and fishing, which are important sources of income for many people in the region. Nevertheless, Oil is the most valuable resource of the Delta. Nigeria, Africa's largest oil producer (maximum production capacity of 2.5 million barrels per day) derives 95 percent of its export revenues from crude oil, according to The Nigerian National Petroleum Corporation (NNPC, 2022). The Nigerian government earns more than 85 percent of its revenue from oil production in the Niger Delta. Notwithstanding, the Niger Delta epitomizes the contradiction of poverty in the face of abundant riches (Boris, 2016, p. 2).

Most areas of the Niger Delta lack access to basic amenities such as energy, sanitation, primary healthcare, and education, coupled with a severe unemployment rate among youths. It is vital to highlight that one-third of the Niger Delta's population is unemployed and frequently relies on informal economies and traditional livelihoods. Oil pollution and environmental degradation appear to be adding insult to injury, having a negative influence on local fisheries and farming, as well as creating various chronic ailments in the local population, most notably among minors. The substantial environmental damage caused by the oil sector threatens the Niger Delta residents' way of life (Ikelegbe, 2005, p. 214). This frustration levied on the Delta people by the utter negligence of government and oil companies has led to discontent among the communities especially the youths. According to Neethling (2011), there is a direct correlation between some Delta dwellers' alienation and marginalization and the occurrence of militancy and criminality in the Delta region, with explicit reference to hostage-taking of expat oil workers as a common criminal activity, which extends to piracy in the Gulf of Guinea (Neethling, 2011, p. 99).

4.2. Understanding the Causes of Piracy in the Gulf of Guinea

A handful of piracy studies indicate the importance of weak and vulnerable states plagued by political, economic, and social shortcomings, as a situation that sustains piracy (Hastings, 2009) (de Groot, Rablen, & Shortland, 2011) (Whitman, 2012) (Ursula, Brandon, & Prins, 2015). The more maritime piracy was explored, the apparent it became that it is a very broad and complicated subject with several ingredients that come into play. Furthermore, as observed in the literature factors can be specific to a certain geography, time, or dispensation and this indicates that these factors weigh contrastingly on different regions, and the Gulf of Guinea is no exception.

There are three stages of maritime piracy at sea: “pre-operation”, “operation”, and “post-operation”, with only the operation phase taking place at sea, therefore it is vital to recognize that all pirate incidents begin and conclude onshore. Although some attacks in the GoG are projected in the waters of other neighboring countries, the planning and aftermath stage is normally done on the Nigeria’s shores. Overall, a deductive analysis is used to operationalize individually each frequently associated driver of piracy in this region to better distinguish the primary causes from the secondary or even non-significant ones. This section investigates how several elements of a weak state; such as corruption, the minimum availability of a supporting infrastructure impact the prevalence of piracy in Nigeria, followed by the study of the nexus of piracy and the oil industry then the link between piracy and the economic situation in the Niger Delta and the GoG. First and foremost, due to its static nature, geography, which is commonly asserted as a factor that predetermines maritime piracy is analysed to assess its significance in this case.

4.2.1 Geography as a Factor

Physical geography plays a significant role in influencing opportunity and permissibility for maritime piracy, according to the literature on piracy. Some studies stress the importance of “favorable geography” as a facilitator for marine criminals, while arguing which of the geographic traits are most closely linked to maritime crime (Martin N. M., 2008).

Southeast Asia is one of the few regions in the world that combines a favorable physical geography for pirates. The 800 km long Straits of Malacca and Singapore, which connect the Pacific and Indian Oceans to the east and west, serve as a worldwide maritime

superhighway with crowded traffic of various types of vessels moving slowly. In essence, pirates and thieves never run out of opportunities to pillage, and the abundance of short-distance islands for pirates to use as hideouts and bases makes this waterway perfect for maritime crime (Karsten, 2016, p. 1). A similar opportunity is provided for piracy to thrive in the Gulf of Aden. In this situation, Somalia is a littoral state with a 3 333 km ungoverned coastline right in the heart of commercial vessels travelling through the Gulf of Aden, a passage that attracts 20 percent of global commerce.

Pirates and their stolen ships can hide in countries with lengthy coasts, that provides excellent geographic conditions for piracy. A country's proximity to straits or narrow seas, where pirates can readily attack slow-moving vessels, is also referred to as 'favorable geography'. Its proximity to key shipping routes with great volumes of trade is also a favorable geographical element (Khusrav & Todd, 2016, p. 368). Although the Gulf of Guinea lacks a choke point or tight strait of waterway for vessels to navigate, tankers, and supply ships must voyage close to shore in the Niger Delta's narrow seas to load oil from inshore terminals. This makes them vulnerable to the attacks of pirates hiding in the thick marshland of the Niger delta region. According to the piracy literature, coast length, proximity to active maritime routes, and the availability of pirate hideouts are all advantageous geographic aspects for maritime piracy. Thus, it's critical to understand how and which geographic features affect piracy in the GoG.

A consensus on the impact of coastal length on piracy has yet to be reached. Understanding the nature, dynamics, and causes of maritime piracy and armed robbery against ships using the Maritime Piracy Data (MPD) collected worldwide, Bridget (2012)'s data depicts that length of country's coastline does not necessarily indicate the prevalence of piracy (Bridget L, 2012, p. 614). With the increase of the temporal domain of their dataset, Ursula and Brandon (2013) noted that longer coastline increases the risk of piracy. The length of a country's coastline, they argue, quantifies the difficulties that state officials face in policing territorial seas. Pirates are likely aware of their capacity to elude government officials and take advantage of the potential to operate freely without any disturbance (Ursula & Brandon, 2013, p. 952).

Piracy incidents occur almost throughout the Gulf of Guinea, but Nigerian waters have the highest concentration with a coastline of approximately 853 km. That places it in the third position in terms of coastal length, behind Angola and Gabon, respectively. Therefore, simply using the length of a coastline as a measure of piracy occurrence can be inaccurate in this scheme. Togo, for example, became the region's piracy hotspot in 2012,

despite having the region's shortest coastline (56 km). As of 2021, it had recorded twenty more piracy incidents than Angola (1 600 km), which has the longest coast in the Gulf of Guinea (IMO, 2021).

These attacks primarily targeted anchored tankers on the Togolese coast or adjacent waters. There are two reasons for this: Togolese authorities' relatively lax law enforcement capabilities and the country's closeness to Nigeria's coast. Benin had been dealing with the same issue the previous year (2011), with an uptick in armed robbery cases in her territorial waters. This was an end-product of the Niger Delta pirates' expansion strategy into moderately less unpatrolled waters. To address this threat, the Beninese and Nigerian Navies embarked on joint patrols of Benin's waterways. The year-long 'Operation Prosperity' resulted in a decrease in piratical occurrences off the coast of Benin. Interestingly, this triggered a spark of episodes of attacks off the Togolese coast. Attacks off the coast of Togo correspond to periods of very few attacks in Benin (Kamal-Deen, 2015, p. 103).

Gabon, which has the second-longest coastline in the sub-region at 885 km, reported only five incidences of piracy and armed robbery in its coastal area in a fifteen-year timespan. Overall, this reveals that while coast length does not ensure an increase in piracy events, proximity to pirate origins and limited deterrence capabilities might. Criminals hopscotch between state borders in search of less risky opportunities since the concept of 'borders' in certain cases, is extremely ambiguous when it comes to the actions of criminal and insurgent groups (Kamal-Deen & Yussif, 2020, p. 16).

Numerous researchers also claim that a country's nearness to major shipping routes with high volumes of commerce also constitutes a favorable geographic factor that helps piracy, notably when economic motivations channel them to a certain geographic location (Khusrav & Todd, 2016, p. 359). The availability of suitable targets due to an increase in the number of ships transiting steadily and closer to shore or waiting for port visits raises the risk of piracy. With significant numbers of merchant ships frequently loitering in these areas, anchorages, and approaches to the ports of Bonny and Lagos (Nigeria), Cotonou (Benin), Lomé (Togo), Tema (Ghana), and Abidjan (Côte d'Ivoire) are particularly susceptible. Due to the restricted capacity of West and Central African ports for offloading, hundreds of vessels loiter for days along the moorage, particularly in the port of Lagos (Adeniyi A. O., 2015, p. 29).

On any day, the GoG seas host an average of 2 500 ships of all types. Most of these are commercial cargo ships and tankers. The Gulf of Guinea is home to the largest (Lomé and Lagos) ports in West Africa. The ports are used as a point of transshipment to landlocked

countries in West and Central Africa via railroad systems and other transportation networks, in addition to serving as a gateway to the region's booming oil sector. Furthermore, the sub-region is blessed with significant mineral reserves such as diamond, tin, and cobalt, as well as fishery resources, making it a key economic spot. The Gulf of Guinea has around 20 commercial seaports to accommodate this market, accounting for 25 percent of African marine traffic (Morcos, 2021). Singlehanded congestion in ports is not enough to create piracy, but it is an essential condition for piracy to thrive. Because it provides pirates with both vessels to prey on and a market in which to sell their booty.

For piracy to thrive, emphasizes the significance of safe havens. It is asserted that piracy flourishes in areas with a mix of lucrative hunting grounds, low risk, and nearby safe havens for pirates (Martin N. M., 2008, p. 30). For example, in Southeast Asia for centuries, pirates exploit a maze of islands, reefs, and corals that require extensive expertise to navigate securely to escape. It is an area where pirates can hide from the authorities in creeks, tiny rivers, and mangrove swamps. In the Niger Delta, this resemblance in topographical features is recognized.

The Niger River divides into two main branches in Delta region, which then branch out into an interconnected system of distributaries, rivers, rivulets, and creeks before finally emptying into the Atlantic Ocean. Twenty-one estuaries connect the river to the ocean in this basin (Asanebi, 2016, p. 57). This implies that, pirates can exploit at least a dozen rivers and creeks to their advantage in their operations. Although analogous geographic features can be found in some regions of the Gulf of Guinea, such as the Congo River estuary between the Democratic Republic of Congo and Angola, they are not as extreme as in this case (Gilles & Roland, 2018). In comparison to the multitude of waterways in the Niger Delta, the latter is a single primary inland channel that can be effectively policed.

A thick belt of mangrove forest surrounds the Niger Delta, protecting enormous swaths of freshwater wetlands in the Inner Delta. The myriad of inlets, rivers, and mangroves that make up Nigeria's coast make it easier for pirates keep kidnapped victims, and to hide vessels and stolen goods (Stephen S. , 2014). According to several released hostages and interrogated pirate members, kidnapped sailors are also being held captive in these mangrove areas. After boarding and ransacking a vessel, the pirates will kidnap the most valuable crewmembers (typically Western or Asian senior crew members), and then return to their mangrove-swamp bases to negotiate a fee (James, 2014). Hostages recalled being held in a floating car-sized wooden deck on a mangrove swamp accessible only by a meandering, hours-long boat trip through the delta's waterways (Kevin, 2020). The vast

network of waterways and jungle camps from which they operate provides them with a geographic advantage, making them somehow unreachable to the Navy and Joint Task Force (JTF). Many pirates claim to hide among mangroves or creeks where they are alone, which supports this notion. When asked where their camps are, some pirate group members interviewed for a UNODC report responded: “*We stay in a forest inside the mangrove*” or in “*the creeks where it’s isolated*” (Katja, 2021, p. 57). It is evident, then, that the Niger Delta’s creeks are home to violent pirates who pose a threat to the region’s maritime routes.

This inaccessibility, as widely thought, also hinders law enforcement’s efforts to prevent piracy. This theory does not wholly apply in this case, as Nigerian forces deployed in the JTF’s ‘Operation Pulo Shield’ have shown their capabilities in mapping out the locations of illegal oil refineries and destroying their shelters which are usually hidden in swampy areas (McCook, 2020, p. 51). The JTF, which consists of the Navy, Air Force, Army, Police, and other state security forces, uses riverine crafts and gunboats that are operationally appropriate for the Niger Delta’s terrain. The Nigerian military’s Chief of Defense augmented it with additional thirty gunboats in 2012 to boost its capabilities. To beef up security in this area, more than 87 gunboats were deployed at once at one point (Yusuf, 2019). The Nigerian Navy has continued to conduct a series of routine security operations to clear the seas of pirates. With this intention, more than 173 boats were acquired in 2018 allowing the Navy to efficiently patrol the GoG and riverine areas of Nigeria (Aluseyi & Olatunde, 2021).

The JTF has boast of successfully overseeing multiple operations against illegal oil bunkering and refining, pipeline sabotage, and armed robbery at sea. Criminal gangs, on the other hand, continue to operate despite the JTF’s limited access to the rough terrain in remote creeks, according to one of its former commanders (Premium Times, 2013). Academic researchers, on the contrary, frequently point to JTF entanglement in organized criminal activities that allow oil traffickers and hijackers to operate with impunity (McCook, 2020, p. 51).

4.2.2. Weak and Fragile State Theory’s Influence

A state is termed as ‘failed state’ when it lacks the capacity to deliver services to its people and loses its monopoly on employing coercion to the point that non-state actors begin

to acquire control of areas of the nation (Lambach, 2004, p. 2). Several studies in the early twenty-first century highlight the contrast between a failed state and a weak state. According to Roberg (2003), failed states are unstable, highly conflicted, violent, and fiercely contested by warring factions, and their rulers lack the motivation or capacity to deliver and guarantee security, infrastructure, or a minimum standard of living for their citizens. Weak states on the contrary, are fundamentally stable, but have become momentarily or situationally weak due to domestic hostilities, administration flaws, corruption, despotism, or external attacks; and they typically harbor ethnic, religious, linguistic, or other intercommunal tensions that might become overtly violent (Robert R. I., 2003, p. 5).

Weak states can partially deliver political public goods, such as security, and economic goods, such as transportation infrastructure and commodity markets, throughout the majority of their area. Simultaneously, they struggle with corruption and protecting that same infrastructure against attacks, either from organized criminals or terrorists. Sophisticated crime including maritime piracy tend to prosper in weak states compared to failed (Hastings, 2009, p. 222). The combination of pervasive corruption in weak states and an inadequate legal framework produces a climate suitable to pirate activities. They are also more favourable to such activities since they offer pirates with a market for selling their loot as well as enough infrastructure to maintain their operations (Ginger & Jonathan, 2019, p. 14). The sections that follow will explore how the phenomenon of weak state influences piracy in the GoG by looking at the prerequisites that are predominant in the piracy literature that exist in Nigeria.

Recently, the debate whether Nigeria is a failed state or not has been opined by political analysts and researchers. According to a joint report by LSE and Oxford, the following characteristics or ‘symptoms of fragility’ must be present for a state to be considered fragile; The presence of organized non-state violence, the government’s lack of legitimacy in the eyes of the people, the state’s limited ability for primary functions, the unappealing climate for private investment, the vulnerability of the economic shocks and its insufficient endurance, and the presents of a significant division throughout society. Anyone looking objectively at the above symptoms concerning Nigeria would conclude that the country fits the description, especially given the internal challenges the country confronts as a result of the rise of Boko Haram violence, rampaging Fulani herdsmen, and other militant groups. The study highlighted the security situation as a center of state fragility (Fasan, 2018).

As shown in the Financial Times, “Nigeria is at risk of becoming a failed state”, which means the government has lost control (Financial Times, 2020). Ragozzino (2021) partially agrees to this claim, contending that state failure is not an “all or nothing” situation. It is more appropriate to speak of failure along a spectrum in which the government has lost control of some areas of its duty (such as security) in some places while other regions and duties remain stable. Most of the oil theft, for instance, happens in the Delta state. School kidnappings are particularly common in the northeast and northwest. While inter-ethnic violence is widespread in the country’s heartland, where the three major ethnic groups reside. Despite this, Nigeria has the largest economy in Africa and is continually growing, as well as one of the most thriving tech start-up industries in Africa. Similarly, Nigeria boasts of a free education system that is accessible to all, despite policy failures or extreme poverty that impede this endeavor occasionally. The country also possesses a large number of unexplored resources because the mining sector is nearly unexploited in comparison to the amount of accessible natural resources (Ragozzino, 2021).

In contrast, identifying security failure dimension as the foremost indicator of state fragility, Nigeria exhibits the extreme instance of state fragility, Robert and John (2021) argued. Failed states are mostly violent. Every failed state has some type of violent internal crisis, such as civil conflict or insurgency. The fact that Nigeria is dealing with six or more internal insurgencies, as well as the state’s incapacity to deliver peace and security to its people, has pushed an already extremely weak state into failure. According to this theory, the state’s incompetence to deploy its 300 000 troops military, backed by a two billion dollar budget to exterminate an estimated 5 000 men militia terrorist organization known as Boko Haram is enough to designate it a failed state. Yet, the kidnapping epidemic in the North-western region targeting school children persists and not much progress has been made by the security forces to quell this threat. Meanwhile, in the southern area, the Ijaw and Ogoni peoples of the Niger Delta, who feel dispossessed of the oil revenue that comes from their territory, pose a security threat to the government, which has witnessed multiple destructions in the oil industry. A considerable portion of these oil riches winds up in the hands of political and economic elites with ties to the government. Consequently, the Movement for the Emancipation of the Niger Delta (MEND) began to assert their rights and claims for the wealth generated from their lands, using means of violence to make their voices heard. This destabilizing force that began in the Niger Delta has spread to offshore violence, making the waters of the GoG the riskiest shipping lane currently. Also, they went further to emphasize how Nigeria’s role as a key determinant in the West African region’s overall security well-

being in the face of terrorism and insurgency impacts the region as a consequence of its failure to tackle these threats (Robert & John, 2021).

Although it is undeniably accepted that the country is facing a continuously deteriorating security condition, many experts and politicians are opposed to labeling it as a whole failed state. *“I live in Nigeria, I work in Nigeria, and I travel all around Nigeria and I can tell you Nigeria is not a failed state,”* reiterated by the information minister, who insists that insecurity exists only in some sections of the country and that the government is winning the fight against insecurity. Although the country is seriously challenged on multiple fronts, including the economy and citizens’ security, it is too early to designate it as a failed state. According to a member of the International Crisis Group, the situation is fragile, with the potential for worsening unless significant changes in governance are made. It is transitioning from a mainly governed society with a few ungoverned spaces to a place where there are a few governed spaces while state authority has retracted in the rest of the country (Beaumont, 2021).

Several organizations use numerous measurements to determine the world’s most vulnerable states. One of them is the Fragile States Index Report which is released annually by the Fund for Peace and the magazine Foreign Policy. The study employs data from four main areas to evaluate if a state is at risk of violence or collapse. Cohesion, Economic, Political, and social factors are all considered. The ranking is done from 0 to 120. The higher a state is ranked on the list, the more vulnerable it is (World Population Review, 2021). As shown in Table 3.1, Nigeria averaged 99.25 points from 2006 to 2021, ranking fourth among the ten most piracy-infested countries in the Gulf of Guinea. Ghana experiencing the third-highest occurrence of piracy in its coastal waters according to data collected from IMO, however, scored an average of 66.8 points in the fragility index making it the most stable state in the region. On the other hand, the Democratic Republic of the Congo, as shown in Table 3.1, is the most fragile state in the area with an index of 109.4 despite having just 24 instances of maritime piracy and armed along its coastline in the previous sixteen years (IMO, 2021).

This data demonstrates that state fragility is not directly proportional to piracy in the Gulf. Besides, Quantitative research examining global piracy patterns has failed to achieve a consensus on whether the link between piracy and state fragility or strength is curvilinear. However, using quantitative analysis it is ascertained that “failed states are less likely” than weak states “to experience” hijackings (Ginger & Jonathan, 2019, p. 19), which turns out to be the most prevalent form of piracy in the GoG. Violent networks tend to be

more prevalent in GoG states with weak governments that still have transportation and the capacity for criminals to sell their loot on the black market or a place for hostages to be taken while they await ransom money. The Gulf's weaker states lack institutional and infrastructure structures through which pirate networks might operate. Nigeria is not the Gulf's weakest state, but relatively a weak state compared to the other GoG countries and it is recognized for being the epicenter of piracy in the area. Therefore, it is critical to explore how institutional weakness, market availability, and infrastructure development contribute to the persistence of piracy.

Table 4.1: *Piracy incidents and the average Fragile State Index in the ten most piracy affected coasts in the Gulf of Guinea (2006-2021)*

Country	Reported Incidents of Piracy and Armed Robbery. (2006-2021)	Fragile State Index Average from (2006-2021)
Nigeria	457	99.25
Republic of Congo	54	91.80
Ghana	51	66.80
Benin	49	75.50
Guinea	49	101.7
Togo	45	86.80
Ivory Coast	35	99.85
Democratic Rep. of Congo	24	109.42
Cameroon	23	96.17
Angola	19	87.05

Source: Data from IMO and Fund for Peace compiled by the author.

(a) Weak Institutions and Corruption

Corruption is undeniably widespread, but it is not a new phenomenon in Nigeria, where it has long been institutionalized in society. Many scholars believe that this societal acceptability of corrupt acts predates the state's pre-colonial era. They make reference to the historical practice of presenting gifts to ruling elites in exchange for special regard or favour. According to Daniel Smith, an American anthropologist, this transactional relation is a patron-client relationship that continues to define the country's politics and economics along family, ethnic, and religious lines to this day (Kreck, 2019). This structure, for the most part, still exists today, since corruption in all of its manifestations (bribery, theft, extortion,

nepotism, and favouritism) is still a prominent feature of present Nigeria (Prinsloo, 2012, p. 44).

Nigeria has been plagued by military coups since it became a republic in 1963, and the military-ruled until the end of the twentieth century. The military leaders' authoritarian nature allowed the door to abuse, including abuse of position, corruption, human rights abuses, and apparent disdain for the law. According to a former Minister, between 1960 and 1999, close to \$400 billion was stolen from state coffers as estimated by the World Bank for Africa (Nnochiri, 2012). Leaders robbed the nation's wealth and stashed away billions of dollars in foreign bank accounts. Sani Abacha alone is reported to have plundered the equivalent of two to three percent of the country's GDP for each year he served as President (BBC News, 2021). In addition, the return of civilian governance after a long period of military administration has reinforced the country's corrupt system. The arrest of multiple high-ranking federal and state government officials for misusing income earned from crude oil revenue confirms this. Ministers, governors, heads of government agencies, and top military officers have been indicted for their involvement in shady oil industry deals or direct misappropriation of public funds generated by the energy industry (Kazeem, 2015).

Despite the current administration's efforts to combat corruption by collaborating with international partners to seize and repatriate assets from public officials suspected of being purchased with public funds, and the revival of Nigeria's leading anti-corruption agency, the Economic and Financial Crimes Commission (EFCC), to be more active in the fight against corruption, yet the problem of corruption persists. Owing to the slow rate of court trials, as well as financial settlements made by affluent persons and companies outside of the courts, effective prosecutions have been hampered (Abosedo, 2018).

A low-level form of corruption in the form of bribery is a common practice, as well. According to a UNODC survey, 30.2 percent of people who encountered public authorities paid a bribe for services over 12 months and approximately nine percent of Nigerians saw corruption as the most severe issue affecting their country (UNODC, 2019, p. 9). Transparency International, a leading global anti-corruption organization, uses its Corruption Perception Index (CPI) to assess the level of corruption in a certain country. The participating states are graded on a scale of 0 to 100, with a score of 0 indicating severely corrupt and a score of 100 indicating no corruption. The most recent report released in 2020, ranked Nigeria 149 out of 180 countries with an index score of 25. In comparison to the 2012 score of 27, the level of corruption appears to be worsening in the country, with an average index of 26.44 during the 8-year period (Transparency International, 2022).

Until recently, oil vessel hijacking, or petro-piracy was the hallmark of maritime piracy off the coast of Nigeria. This type of piracy is one of the most technical and complex, and it needs technical and financial assistance from the legitimate corporate world which sometimes involves government officials and maritime sector employees. Also, in the first phase of Lagos piracy reports emerged early on that the number and success of attacks increased to the point that “ship captains” became convinced that pirate gangs were being guided to their targets by corrupt port and customs officials (Whitman, 2012, p. 28). This indicates that even before assisting and facilitating the sophisticated piracy we witness today, institutionalized corruption was widely blamed on the early 1990s growth of piracy. On a separate note, the squandering of the Niger Delta’s oil revenue has resulted in more than just profound contempt for the government; it has also sustained a cycle of vengeance and violence towards the oil industry, by militants wanting an equitable part of the oil wealth (Charlebois, 2012, p. 27).

The presence of weak institutions and corruption in Nigeria influences piracy in three main ways; The direct involvement of influential politicians and businessmen as sponsors, the facilitating of maritime piracy by local politicians through the empowerment of pirates in a form of protection and political enforcer job, and the involvement of law enforcement and port authorities through bribery to ignore the perpetrators.

A petroleum hijack often requires an organizing main actor who makes advanced financial investment and gathers a collection of essential agents to carry out a well planned operation. According to information provided, pirates are most probably paid agents of a politically influential organizer. (McCook, 2020, p. 105). Several arrested pirates have indicated that politicians, traditional rulers, and business corporate groups are among their supporters and that their accomplices have positions of power in ministries and the Nigerian state oil corporation (Oyewole, 2016, p. 141). As Bless Nube an arrested pirate leader reveals:

We do not work in isolation. We have a network of ministries’ workers. What they do is to give us information on the location and content of the vessels to be hijacked. After furnishing us with the information, they would make a part payment, and after the hijack, they would pay us the balance.

If he (President) must win, then he has to look inward. Lagos State, for instance, is a major coastal place where we meet to discuss our next target. So, government must first search its big men if it is serious in winning the war. (Usman, 2012)

Oil bunkering is a well-organized international business in which stolen oil is sold into the black market to Lebanese, Eastern European traders that finance tankers to export the oil in a third country to a refinery. It is typically used in combination with the forging of bills of lading to understate the quantity of oil actually and legally lifted for export. To ensure a smooth operation, they must pay a fee to the Navy and “settle” (bribe) the surrounding communities to get access to oil theft chances, as well as arrange an appropriate date for their operation so that they are not disturbed by a naval presence (Pérouse, 2012, p. 534). The Navy’s substantial participation was revealed when two admirals were court-martialled for their roles in the robbery of an oil ship carrying more than 11 000 barrels of crude oil (Laughlin, 2005, p. 20).

During the storage phase of the operation, the tankers used to carry the oil, as well as the onshore storage facilities or tank farms, are often owned by wealthy politicians or business owners, adding to the evidence of state actors’ complicity in the trade. For instance, the pirates who seized the MT Anuket at Lome in August 2012 unloaded its oil load onto another ship (MT Grace), allegedly owned by Akoto Ventures, and transferred it to several tank farms in Apapa, Lagos, for distribution and sale (Onuoha F. C., 2013, p. 281).

Political corruption has also allowed pirate organizations to obtain access to markets for unlawful gains and provided some political cover for them. The governing People’s Democratic Party’s (PDP’s) inclination to rig elections in its favor has resulted in the deployment of armed militants as political enforcers and as a tactic to intimidate political opponents in the Niger Delta. Militants hired as political agents for elected politicians “(or their godfathers)” were granted political cover to assume and significantly expand oil-bunkering networks, hijack oil employees, and double as local protection units for oil firms (McCook, 2020, p. 83). When asked to explain his organization’s relationship with politicians, a self-identified pirate gang member replied, “*for the politicians, they employ us for business*”, to which the interviewee added that this ‘business’ includes activities against political adversaries. In exchange for their involvement in electoral fraud, well-connected political leaders may invest in future pirate activities. Using their political muscle, the politicians back the pirates and even have them released when they are apprehended. Statements from freed crewmembers also indicate that pirates frequently have primary camps in a safe region with support from local political and/or traditional authorities, as well as numerous secondary places in case they are pushed out of main camps. Secondary sites are unlikely to have the same level of political protection as the former. In addition to providing political impunity, some politicians were reported to supply weapons to militants

in helping them rig elections. These weapons are never returned and are eventually used in future piracy operations (Katja, 2021, p. 75).

Corruption weakens the ability of law enforcement in fighting piracy. This has also been the case in the GoG. Nigeria's security personnel were seen to be among the most corrupt public officials in the region. There have been several claims of bribery and corruption against security personnel in Nigeria, which have affected the operations of the region's best-equipped military to combat piracy (Oyewole, 2016, p. 141). Equally Pèrouse (2012), asserts that certain Customs and ports agency employees join with pirates by supplying insider information such as vessel's schedule, content of cargo, occasionally, even the bill of lading, to unleash piracy and armed robbery on vessels transiting the high seas in the goal of splitting the spoils (Pèrouse, 2012, p. 538). Also, this readily available insight information to pirates strongly promotes armed robbery around the port vicinity because, the risks upon vessels in port is noted in the Gulf of Guinea provisional shipping guidelines, which assert that: *"The risk of falling victim of a pirate attack is particularly high when the ship is at anchor or is drifting off a port"*. Although adequate ship security can deter pirate attacks, preventing a vessel from being spotted by kidnappers in the first place would need a focus on limiting pirates' access to information about vessel positions and freight (Anyimadu, 2013, p. 9).

Several captured pirates emphasized the critical role of the corrupt security sector in maritime piracy, in interviews: *"We have meetings with our contacts in relevant security organizations, for every impending operation, huge sums are set aside for the security services, that is why you hardly see any meaningful thing coming out of the fight against pirates and vessel hijacking. Once you arrest and hand over to security agents it ends there"*. (Lekan Bilesanmi, 2012). As a result, many pirate kingpins known to security personnel are invincible, and some of those who have previously been apprehended are now free, with others from above. Hence, there are fewer pirates convicted than there are arrested by law enforcement. According to reports, a total of 87 people were detained and turned over between 2013 and 2016, yet only 13 cases were taken to court during this period. The number of cases that were successfully prosecuted was extremely low (Brume-Eruagbere, 2017, p. 32).

Bertrand Monnet of the Business School in Paris revealed that Delta pirates are provided very specific details about which vessels to attack and which sailors to kidnap based on interviews with a pirate group in the Niger Delta. Since pirates select kidnap victims based on their nationality, knowing that particular nationalities are more likely to be

covered by ransom insurance and thus more likely to produce a hefty ransom, names and nationalities of the victims are sometimes disclosed. Given the level of access available to the pirates prior to the attack and kidnapping, it is clear that information is being systematically leaked through agents, company employees, port state control officials, immigration officials, the navy, and security firms (Jakob, 2019).

Aside from giving crucial maritime information to pirate organizations, port officials' corruption and negligence can be a contributing role on in-port or anchorage attacks. If maritime pirates can get unauthorized entrance to port facilities, it implies that government agencies and other organizations are complicit, or they do not pay close attention to examining documents (Kyrychenko, 2018, p. 50). Most West African states have the available port infrastructure, but the security standards are not upheld, and the corrupt environments make them vulnerable to piracy. The United States Coast Guard's annual Port Security Advisory report has frequently designated several GoG ports that are not up to optimal security standards including some Nigerian ports (USCG, 2020, p. 3). However, according to a recent assessment, security measures have lately improved.

(b) Available Oil Infrastructure and the Oil Black Market

The availability of a well-connected oil 'black market' and the infrastructural amenities of the oil industry in Nigeria provides an avenue for piracy to grow. The presence of a readily available market for stolen crude oil sustains the tanker hijacking business in the GoG. To sell the product, the pirates must have a buyer available (or be able to locate one fast), a safe terminal or facility in which to discharge and/or keep the seized goods, and a way to distribute it. In some cases, a second vessel is required to transfer the stolen oil. To a great measure, this entire network must be connected not just by communications infrastructure, but also by an economic infrastructure capable of providing the essential services to illegal buyers (Hastings, 2009, p. 217). This is the economic infrastructure that failed states are unable to offer to piracy especially 'petro-piracy' which is the most common in the GoG. When corrupt leaders or bureaucrats can give selective access to excellent physical infrastructures and booming markets in exchange for bribes, these ideal circumstances emerge (de Groot, Rablen, & Shortland, 2011, p. 20).

Apart from the operation at sea, a sophisticated hijacking comprises different stages in which different actors take part in different capacities. One of the earliest stages of the

operation involves identifying a potential tanker and acquiring the information required for preparation. The identities of the ships, their navigation plans, the value of the cargo, and the level of insurance are frequently given by robust transnational actors with extensive knowledge of the oil industry, that finance and support the activities of the hijackers. Furthermore, at the storage stage, the plundered shipment is unloaded into tank farms or storage facilities owned by wealthy and prominent oil industry figures for sale and distribution. The availability of massive storage facilities is strongly linked to the petroleum industry, demonstrating the close relationship between criminal oil theft and the legitimate oil industry. In 2013, the Ghanaian Navy apprehended a vessel, MT Mustard, near an offshore oil plant in Ghana, suspected of siphoning around 3,500 tons of petroleum from MT Cotton, which was detained nearby Gabon's Port Gentil (Onuoha F. C., 2013, p. 282). Ghana, a relatively functioning state aids in the expediting and empowerment of this sort of piracy.

The final stage of the process, which is load disposal, is when connections are made with local oil dealers to alert them of the product's availability. The stolen cargo is sold to buyers (in some cases foreigners) who will use tankers to move the product for export or to nearby countries for refining. All the preceding steps of oil bunkering are well-organized and involve capital and high earners in the legitimate oil sector.

It is estimated that 400 000 barrels of crude oil are stolen each day in Nigeria, according to statistics (Ajimotokan, 2021). Although some of the stolen petroleum is sold to the local illicit refineries, a chunk of it is diverted for export. Most of the theft is done by corrupt officials in the oil loading terminals. An insider in this shady business revealed that; *"A vessel may have authorisation to lift 60,000 barrels of crude, but someone at the terminal decides to feed it with 140,000 barrels. That is not a mistake, you know. The vessel will later transfer the surplus to another tanker. You and I are not to blame. We are only looking for something to eat"*. This illicit market runs through the 'Togo triangle', a floating clandestine oil market off the coast of Togo. Vessels and rogue foreign businessmen from all over the world travel thousands of nautical miles to Togo to purchase the stolen crude oil from Nigeria. The buyers simply lease a tanker and supply the ship operator or captain with the location, time, and amount of cargo to be picked up and offloaded. This illegal trade in petroleum products provides a strong motivation for piracy. Maritime pirates target significant sums of cash used in these unlawful transactions, as well as fuel, which they subsequently resell in the black market (The Niche, 2014).

While all methods of piracy are dangerous and technical, hijackings tend to be more logistically advanced than other forms of piracy attacks in general, even in certain parts of

the ‘front end’ (pre-boarding stage). This normally involves spotting, tracking, and closing on a target, and would require tools such as the mother ship, speed boats, and advanced weaponry (Hastings, 2009, p. 215). The Niger Delta pirates are known to use military-grade advanced weapons. The availability of a capable military force with advanced weapons indirectly provides them with weapons. Numerous sources refer to identical occurrence, such as the 2015 incident in the Niger Delta area, wherein armed pirates killed and seized military and police personnel’s weapons (Reuters, 2015). There have also been reports of Joint Task Force (JTF) members selling guns and ammunition to pirate organizations, according to reports (Katja, 2021, p. 66). Another source of pirate weaponry comes from the exchange of stolen oil with weapons. Therefore, weapon dissemination turns in to be a factor and a product of the region’s rising piracy as well.

The network of this cosmopolitan crime (petro-piracy) doesn’t only involve pirates but an array of other technical and specialized individuals, as the captured pirate elaborated in his interview:

We operate on an agreed fee and between 70 and 80 percent of the fee is paid before we embark on the operation and the balance is paid immediately after the operation. Once we complete the assignment, we inform the pointsmen, who immediately get in touch with another group also working for the sponsors to take charge of the hijacked vessel, get the oil off-loaded into another vessel to deposit it in various oil storage facilities for distribution and sale to oil marketers and merchants. We do not engage in the sale of oil products. However, we assist at times to monitor it through arms support. (Lekan Bilesanmi, 2012)

His testimony shows how pirates are not even involved in the sale of the illegal oil but also needs expertise derived from the oil industry. This revealed not only the structured form of this illegal maritime activity but also the broad network of participants and the division of labor or responsibilities that allow such a prolific criminal operation to thrive. Petroleum industry personnel, security officers, oil dealers, public officials, local criminals, and vessel owners are among the diverse actors who gain from the illegal market (Onuoha F. C., 2013, p. 286).

With a production of 2.5 million barrels per day of crude oil at peak, the nation can only refine about 15 percent of that amount (Onuah, 2021). Thence, each day, hundreds of tankers traverse the Gulf of Guinea and the wetlands of the Niger Delta, where numerous, small, and scattered around oil fields are situated. The extensive congestion of tankers

waiting in Anchorage throughout the area is a result of this energy market, which also serves as a hunting ground for oil theft, kidnapping, and opportunistic armed robbery by pirates (Bridger J. , 2014).

4.2.3. The Oil Resources Governance in Relation to Piracy

The Gulf of Guinea basin is home to several of the continent's major oil producers, and its political economy is significantly influenced by its petroleum resources. Nigeria, Angola, Gabon, and Equatorial Guinea are the leading oil producers currently, with a combined output of 169.3 million metric tons, with Nigeria contributing more than 51 percent of the entire quantity produced by these four (Faria, 2020). With over 50 years of exploration, the oil and gas industries remain important to the economy, accounting for 65 percent of the total federal revenue. Nigeria is Africa's largest oil producer, with the oil industry accounting for nine percent of the country's GDP prior to the pandemic (NEITI, 2022). The earnings from the oil industry are critical to the political stability and economic development of the region's moderately impoverished states. Despite the fact that oil wealth should translate into meaningful socioeconomic growth, this is not always the case in the GoG.

The finding demonstrates that corruption is common in the region's oil-producing countries, and resources are mismanaged, mostly through squandering, embezzlement, and bribery, which becomes a source of disagreement between the state and local communities and, in some cases, leads to violence (Kanyako, 2020, p. 101). Both main oil producers in the region excluding Gabon (31), scored less than 30 CPI out of 100 in the year 2021 as per Transparency International data on corruption. Citing the prevalence of immense corruption and unaccountability in the dealings of these states. Ultimately, despite their economic and geostrategic importance, oil-producing communities are frequently neglected and underdeveloped. Due to Nigeria's relatively long history of oil production in the region, residents in the oil-rich areas have had far prolonged exposure to the adverse impacts of the oil industry. In addition, in contrast to Nigeria's oil discoveries, which have mostly taken place on land in residential areas of the Niger Delta, oil drilling in neighboring countries takes place in non-residential distant offshore wells in ultra-deeper seas off the Atlantic Ocean. As a result of the negative impact of oil-related activities such as oil spills, air pollution, and land degradation, communities in the Niger Delta are directly impacted and

their livelihoods are jeopardized by the same industry which they gain no direct benefit from (Kanyako, 2020, p. 7).

Nigeria obtains a large portion of its revenue from the sale of crude oil. However, the created wealth usually flows primarily in the hands of a selected few in the country's central government, oil firms, and local elites, leaving the masses with little or no access to such profits. This, along with environmental devastation to the Delta area's ecosystem, has resulted in decades of protest and militancy in this region (Aliyu, 2021, p. 59). Pollution from oil production facilities has killed local fisheries and agriculture, and gas flaring has resulted in chronic respiratory issues, particularly among minors (Nincic, 2009, p. 6).

According to research by the Ministry of Environment, 1.5 million tons of oil have been spilt in the Niger Delta environment over the last five decades, which is almost 50 times the estimated amount spilled in the Exxon Valdez Oil Spill in Alaska. *"This amount is equivalent to about one 'Exxon Valdez' spill in the Niger Delta each year"* (Federal Ministry of Environment, 2006). This has long-term health implications for the communities that live in this area, since the oil spills could decrease family food security by 60% and diminish the nutritional levels of some of the vegetables widely produced in the delta. This might lead to a 24% rise in the prevalence of childhood malnutrition (Best & Seiyefa, 2013, p. 13).

The local residents affirm that, because the oil is extracted on their land and they endure from the adverse repercussions of the industry, they have a right to sufficient compensation, a clean and healthy environment, and a fair portion of the oil revenues by demanding a rise in the derivation proportion, which allots 13 percent of oil earnings to oil-extracting states (Pérouse, 2012, p. 540). To persuade the government and oil firms to accept their demands or to affirm their voice, the youths have exercised a variety of approaches, ranging from peaceful protest to insurgency and militancy against the government and multinational corporations. Over the years Niger Delta militants such as Movement for the Survival of Ogoni People (MOSOP), the Niger Delta People's Volunteer Force (NDPVF), and MEND has targeted the oil industry with bombardments, kidnapping and sabotage, disrupting the continuation of oil production and reducing oil production by 36 percent at a certain period (One Brief, 2017). These attacks expanded to offshore targets, which eventually led to attacks on oil tankers off the Gulf of Guinea. Evidence has shown that violence in the Niger Delta has had a significant impact on the dynamics of oil piracy in the region.

(a) The Timeline of the Niger Delta Militancy

Opposition to oil exploration dates to pre-independence, when the Ikeduru people vehemently rejected state claims to the rights to all the minerals on their land and refused to allow the government or any enterprise permission to exploit these resources. This resistance expanded to other parts of the region when the Shell/D'Arcy exploration crew clashed with the local people of Orodio in February 1949. With the support of the then political activist Chief Azikiwe's 'The West African Pilot' publication. The publishing helped publicize and strengthen the local community's resistance to oil firms and local government (Steyn, 2009, p. 236). Following the 1950s, Niger Delta minorities have fought against marginalization, negligence, and exclusionary politics practiced by ethnic majority-based dominant political parties and administrations (Nwalozie, 2020, p. 168). The rising industrialization of oil in the region in 1958 caused a struggle amongst the local peoples over control of the resources (Augustine, 2005, p. 214).

In 1966, Isaac Jasper Adaka Boro spearheaded the first post-independence resistance movement, which was incited by perceived social injustice, ethnic intolerance, political marginalization, and economic turmoil. Isaac Adaka Boro founded the Niger Delta Volunteers Services (NDVS) with other youths to revolt against the Nigerian state, demanding the cancellation of all oil contracts and the halt of oil exploration by oil companies. The NDVS youth-led uprisings shut down all oil installations and pipelines in several communities (Aniche, 2019, p. 142). This set the groundwork of insurgency in the Niger Delta and present-day militants look up to Adaka Boro as their inspiration.

The 1980s saw government's promised improvements for Niger Delta peoples failed to materialize, despite the mounting environmental, social, and economic degradation of their territories. This persisted throughout the early 1990s, when the situation in the Niger Delta worsened. Several minority groups emerged, filled with discontent and agitation about their exclusion from the rewards of the oil wealth, as well as the ongoing environmental devastation. This resulted in the formation of MOSOP in Igoniland, led by Ken Saro-Wiwa, who took a non-violent approach to the situation by mobilizing and leading peaceful protest. Saro-Wiwa believed that exposing the Nigerian government and oil companies to the worldwide court of 'public opinion' would make the MOSOP more effective. As a poet and environmental advocate, he successfully mobilized the Ogoni people against the state and oil companies (Aniche, 2019, p. 143).

MOSOP launched a campaign of non-violent but disruptive protest, including the mobilization of 300 000 demonstrators in 1993 to seize flow stations, which finally compelled Shell to permanently shut down its substantial oil activities in Ogoniland. In response, the government quickly authorized a violent military occupation that devastated the communities, caused the loss of hundreds of lives, and used divide-and-conquer approaches to effectively divide the movement. In 1995, nine Ogoni leaders were apprehended and executed following a swift court martial (McCook, 2020, p. 80). The execution of the ‘Ogoni Nine’, as they are popularly known, has drawn widespread condemnation to the Nigerian government, as well as the oil firm Shell, which has been criticized for its ambiguous and delayed action.

Equally, the Ijaw ethnic group established the Ijaw National Congress (INC) in 1991 as a uniting organization for all Ijaws in the Niger Delta. The objective was to establish three all-Ijaw states in the delta to maximize the proportional percentage of oil revenue going to Ijaw areas. The Congress’ demand for three states was based on the sacrifices made by Ijaw oil-bearing communities for Nigeria’s economic viability and the environmental costs associated with oil exploitation (Courson, 2016, p. 119). Being the largest ethnic group in the Delta but scattered into small minorities in different states, the Ijaw urge to fight for their equal share of the oil wealth of the region.

They, similar to MOSOP but more intense, aggressively participated in disruptive activities to pressure the government and oil firms to negotiate. As the violence progressed, ethnic insurgents were more well-armed and capable of mounting coordinated raids with one other and federal forces. The violence has drawn in Nigerian military personnel, who have started retaliatory raids on Ijaw settlements in the wetlands area. The militants targeted land-based oil facilities, interrupting up to 300 000 bpd of oil output (Ijoh, 2003). Consequently, the government agreed to relocate the local government administration (LGA) to an Ijaw dominated community. *“One of the lessons that militants took from the Warri Crisis was that large-scale oil disruptions were a viable rent seeking strategy for ethnic minorities seeking to secure greater access to greater state patronage”* (McCook, 2020, p. 82) . This situation has persisted throughout the mid-2000s, with a more ruthless reaction from government troops resulting in increased militant aggression, which finally expanded to offshore attacks on oil and gas sites.

The emergence of several hostile militant groups such as; the Niger Delta People’s Volunteer Force (NDPVF), which broke away from the Ijaw Youth Council (IYC) in 2004 and was founded by Mujahid Dokubo-Asari and mostly operated in Rivers State, the Niger-

Delta Liberation Force (NDLF) led by John Togo, and the Niger Delta Vigilante (NDV) formed in Rivers State in 2003 by Ateke Tom. To counteract the growth of armed groups in the Niger Delta, the government has overwhelmed the region with military personnel. The area was nearly ungoverned. Foreign oil employees were kidnapped, oil pipelines and other petroleum production infrastructure were sabotaged, and other illegal vices were practiced. In the early 2000s, militants in Nigeria's oil-rich Niger Delta launched a campaign of kidnappings and pipeline bombings in response to pollution and the region's chronic poverty (Odalonu, 2019, p. 92). Oil bunkering was prevalent among militants during this period, as it provided both a source of income and a means of disrupting oil production to force the government to subdue to their demands. Dokubo-Asari, the head of the NDPVF, one said: *"There is nothing wrong if I take the crude oil found in our land, refine it and sell to our people at NGN 15 per litre. The real 'bunkerers' are the Federal Government, which has been stealing oil from Ijawland since 1958"* (Augustine, 2005, p. 227).

After declaring an "all-out war" against the Nigerian government, Asari was eventually apprehended and imprisoned by federal government forces. A week following his arrest, about 100 members of the NDPVF carried out a groundbreaking revenge pirate operation, launching an eight-boat synchronized strike on Chevron's Idama oil production float, shutting off 8,000 bpd of production volume (McCook, 2020, p. 85), (Petroleum Africa, 2005).

Following the arrest of renowned Ijaw leader Asari in late 2005, numerous militant groups in Delta, Rivers, and Bayelsa states created the 'Movement for the Emancipation of the Niger Delta'. The extraordinary kidnapping of international oil employees first brought the clandestine organization to the limelight in January 2006. After that, it launched a series of devastating strikes on oil pipelines in the Niger Delta. MEND strikes had shut out nearly 15% of Nigeria's oil shipments in less than a week. MEND has had three key demands from its inception: the release of Asari, the acquisition of half of the revenue from oil extracted out of the Delta, and the removal of government forces from the Delta. However, its broader aim is "resource control". They claimed \$1.5 billion from Shell in compensation for contamination in the Niger Delta in April 2006, a sum previously requested by Nigerian courts. Subsequently, the group and the central government agreed to a ceasefire, but it was short-lived as military personnel killed 15 members of the organization while negotiating the release of a kidnapped oil employee (Stephanie, 2007). In retaliation, MEND insurgents in speedboats bombed the Forcados offshore oil loading facility on February 18, abducting nine workers from a nearby offshore barge off the coast of Escravos, and damaging oil

platform equipment simultaneously (Kashubsky, 2011, p. 150). As a result of these attacks, nearly 20 percent of Nigeria's export capacity was "shut in" in a single day.

The group's frequent clashes with the Nigerian government, as well as its proclamation to attack any government buildings, personnel, vessels, and infrastructure owned by foreign firms, prepared the path for pirates who hide behind the guise of insurgency (Brume-Eruagbere, 2017, p. 9). Taken together, the MEND insurgency may have abetted piracy in two ways: the movement's actual agitation and deeds connected to piracy, and other sophisticated criminal organizations using the movement's agenda as a pretext and the Niger delta conflict as a smoke screen to engage in piracy.

The Niger Delta started a new chapter in its history in October 2009, after nearly two decades of demonstrations, bloodshed, and armed resistance in which civil society, communities, and militants were at the forefront, accompanied by massive militarization and military measures. The militants in the Niger Delta accepted a federal amnesty, disarmament, and halt of hostilities based on the federal government's promise to address the region's problems. They were given a 60-day period to relinquish their weapons and ammunition, as well as sign an amnesty register as proof of their acceptance of the peace agreement. In exchange, the government promised to implement programs to assist remorseful ex-militants' disarmament, demobilization with rehabilitation, and reintegration, moreover the pardoning of apprehended militant leaders. The primary goal of the amnesty to the Niger Delta insurgents was to stabilize, restore, and maintain the region's security as a prerequisite for encouraging economic growth (Boris, 2016).

According to government sources, nearly 27 000 former militants had been disarmed and demobilized as of late 2012. However, the amnesty program's reintegration phase was regarded a failure because many youths who graduated from the rehabilitation program with skills were unable to find employment in their communities. These and other factors, such as the high availability of firearms in the region and dissatisfied militants who were left out of the Amnesty program, resulted in a resurgence of violence and militant action in the program's later stages, despite the militant leaders' disapproval of violence due to the government's highly paid entrepreneurial roles they enjoy (Patricia & Nate, 2015, p. 18).

Initially, the amnesty program lessened the surge of violence in the region and invariably increased oil production. It has enabled the Federal Government to have a free flow of oil, resulting in increased revenue. In addition, Nigeria has been able to meet the OPEC limit of 2.2 million barrels of crude per day, compared to 700 000 barrels per day prior to the amnesty period (Mary, 2021). It resulted in the demobilization of insurgent

forces and the dismantling of MEND's organizational structure, as well as a reduction in the group's activities beginning in late 2008. Piracy attacks in the GoG declined during that time, as well. According to the IMO's piracy records, there were 47 incidents in Nigerian waters in 2007, 37 in 2009, and 30 in 2010. Similarly, the IMB's assessment of pirate records for 2009 and 2010 shows that there were few piratical events in the fourth and first quarters of both years, respectively (Kemal-Deen, 2015, p. 99).

While the Amnesty program has helped to reduce full-time militancy of the past, many people believe that more needs to be done to address the basic conflict causes that drove the Niger Delta uprising. These include a lack of fundamental public services like education and healthcare, as well as persistent environmental deterioration that has an impact on the economic endeavors and general health of the people (Patricia & Nate, 2015, p. 18). But also, the uneven sharing of the benefits of the Amnesty program among all actors. Consequently, other militant groups stated their desire to resume normal militant activities, and pirate activities resurfaced in the second half of 2010. By the end of 2011, the Gulf of Guinea had registered sixty-one piracy occurrences, a significant increase from 2009's low numbers (Kemal-Deen, 2015, p. 99).

Furthermore, in 2016 a new organized militant group called the Niger Delta Avengers (NDA) has surfaced with new waves of attacks on the country's oil infrastructure. Analysts blame the recent violence in the region on President Buhari's administration's incapacity to address regional grievances and a 70% cut in financing for the amnesty program in the 2016 budget. Others firmly attribute it to ex-militants' pipeline security contracts being terminated and the former militant leader, Tompolo, being prosecuted for contract forgery (Onuoha C. F., 2016). In comparison to earlier militant groups such as MEND, NDVF, and others, the NDA are seen to be more aggressive, sophisticated, and calculated in their attacks. They halted oil production in the Niger Delta in less than six months, from February to June 2016. Due to the series of attacks, oil production has dropped by 800,000 barrels per day to 1.4 million barrels per day, the lowest level in nearly 25 years (Moses & Olaniyi, 2017, p. 1).

The emergence of militant organizations has demonstrated that the amnesty program failed miserably in its attempt to address the root causes of violence in the Niger Delta. Few years after the militants in the Niger Delta were granted amnesty, the region is still plagued by poverty, criminal neglect, youth unemployment, and environmental damage. Ben Amunwa characterizes the amnesty as "a substantial monetary handout to buy peace" (Francis & John, 2018, p. 50). Thus, different criminal activities such as armed robbery,

kidnapping for ransom, oil theft, and illegal crude oil refining have continued. In fact, the post amnesty period, the rate of oil theft has risen, sea piracy incidents have been reported to increase both in Nigerian waters and in the region. Data from IMO reported a rise in piracy and armed robbery incidents in West Africa from 27 in 2015 to 65 incidents in 2016. This momentum was maintained throughout the subsequent years.

(b) The Influence of Militancy on Maritime Piracy in the GoG

The conflict in the Niger Delta has a significant impact on the piracy phenomenon in several ways, including the direct involvement of militant groups, particularly MEND, in attacks on offshore oil platforms and oil-laden vessels, the kidnapping of oil workers both onshore and offshore, the autonomous participation of militants in illegal petro-piracy due to their control of creeks and access to bunkering areas, and the involvement of ex-militants as financiers and protectors of pirates due to the impunity they enjoy from the state.

MEND's formation in 2006 corresponded with a considerable surge in piracy activity the following year, indicating that MEND is a major actor in Nigerian maritime piracy (Charlebois, 2012, p. 28). At a larger scale, the MEND insurgency acquired prominence for attacks on important assets in the Niger Delta, first with ashore oil pipelines and subsequently spreading to offshore oil rigs. Militants boarded the semi-submersible rig *Bulford Dolphin* 35 NM from shore in June 2006, abducting eight oil workers and suspending operations. Gunmen attacked a support vessel anchored to the *Bulford Dolphin* rig the next year, overpowering the crew and kidnapping a British oil worker once more (Tom, 2007). The crew of a Norwegian supply ship, the *Northern Comrade*, were also kidnapped off the coast of Nigeria a few months later. Several attacks on oil-related vessels were documented off the coast of Nigeria during the peak of Delta insurgency. Notwithstanding, other forms of piracy attacks have increasingly spread to Nigeria's bordering coasts. In 2008, a ten-man group dressed in military fatigues boarded the Cement Carrier *ELBIA* off the coast of Equatorial Guinea, claiming to be "Nigerian rebels". Pirates and robbers were identified as "Nigerian rebels", "Nigerian militants", and "protectors of the Bonny River" in reports of piracy incidents off adjacent coasts in 2008 (Kamal-Deen, 2015, p. 101). Former militants-cum-pirates expand their activities away from Nigeria's considerably better monitored waters to countries' with relatively weak enforcement capacities.

While MEND's actions were motivated by a political objective for oil wealth equality and economic development, its kidnapping of foreign oil workers at sea and seizure of oil cargo began to provide revenues. MEND regarded this as a method to gain financial power to continue its criminal operations on land in their struggle against the Nigerian government (Mandanda, 2016, p. 50). In the same way, Oil theft mafias can readily recruit militants into the illegal oil business because they consider illicit oil bunkering as a component of, or an extension of the struggle for resource control. It is perceived as appropriating what naturally belongs to them but has been taken by foreign oil companies, although unlawfully. Both on land and at sea, militants and ex-militants are heavily involved in the theft of crude oil.

Many militants' lives have been positively impacted by the Amnesty Program. Some of them are now employed as electricians, tailors, and in a variety of other businesses, and they are thriving in life (Okeke, 2021). Notwithstanding, some ex-militants are still engaged in piracy, though in new capacities and roles, after many years of post-amnesty. Even though today's 'Kidnap for Ransom' business model of piracy is not carried out under the banner of militancy, former militants are involved in maritime piracy operations in a variety of ways.

In a research documentary conducted by Monnet Bertrand (a criminal risk expert), on piracy in the GoG, a pirate leader was asked how many attacks his group carried out last year. His reply was *"Last year of course I strike not less than 15 because we were not pleased"*. 'Pleased' in this case referencing his displeasure towards the government and the oil industry. Another leader was asked what you do with this money (ransom money). He replied: *"I use to buy ammunition and a speedboat, the rest to take care of our family because we don't have job that is why we are doing this dirty job"*. He continued, *"you come to exploit here, and you don't want to employ we, that is why that is the major reason we are doing this"* (Monnet, 2016). Most of the pirates in this interview claimed to be former militants, confirming how their militancy ideology continues to fuel their intent to engage in piracy.

With regard to the level of impunity afforded by the Amnesty Program, it is widely postulated that former militant leaders are participating in piracy activities by providing financial assistance or protection to pirate groups. Some members of a pirate gang admitted to sharing profits with a well-known ex-militant in exchange for protection or as a return on an upfront investment (Katja, 2021, p. 48). The government awarded several top-level militant commanders protection and pipeline security contracts as part of the Amnesty

initiative. Hence, this makes them financially and politically influential to the point that they are invincible to the law enforcement and low-level government officials. This provides pirates with the assurance and confidence to engage in acts of piracy without fear of being apprehended by security agencies.

(c) Economic Impact of The Oil Industry and its Relation to Piracy

Apart from militancy, oil-driven unemployment in the Niger Delta helps to explain the willingness of people to engage in piracy in the region. Poverty and unemployment is commonly regarded as a main catalyst of modern-day piracy, according to several studies. Oil production in the Niger Delta has a significant impact on locals' agricultural activities due to pollution of their lands and waterways, as immense evidence indicates. The nexus between these two is widely discussed in the piracy literature. It is denoted that piracy rises when the volume of coastal fisheries production declines, resulting from the decrease in income and eventually unemployment (Ursula & Brandon, 2013, p. 960). Furthermore, it is also established that, the rate of piracy rises when the wage of unskilled work is low or non-existent, because oil theft and piracy become more luxurious and profitable to the unemployed (Ryan & Steven, 2012, p. 692).

Most states in the Gulf of Guinea are battling unemployment, but Nigeria is the worst hit after Angola, with a 33.3% unemployment rate compared to the Gulf of Guinea's average of 11.05% lately (Trading Economics, 2021). The Nigerian National Bureau of Statistics (NBS) conducted a survey on the country's unemployment situation in the first quarter of 2020, using a methodology that defined unemployed workforce as those who did not work at all or for fewer than 20 hours per week. With this method, it turns out the average state in Nigeria has an unemployment rate of 32.63% in their communities. Interestingly, the Niger Delta zone has the highest concentration of unemployed youths, with seven out of nine states reporting unemployment rates of more than 36 percent (Doris, 2022). The rise in youth unemployment, which subsequently leads to crime, is closely linked to the devastation caused by the oil industry.

Table 4.2. Contemporary Unemployment Rate- Gulf of Guinea States

Country	Unemployment rate as of 2021
Angola	34.1
Nigeria	33.3
Gabon	20.5
Republic of Congo	10.3
Equatorial Guinea	9.2
Ghana	4.5
Guinea	4.4
Togo	4.1
Cameroon	3.6
Ivory Coast	3.5
Liberia	2.7
Benin	2.5

Source: Data from Trading Economics Compiled by the Author.

The oil sector continues to hold the Nigerian economy captive, despite the fact that it has not only benefited the country but has also helped greatly to the eradication of most subsistence agriculture in the Delta. Agriculture was the backbone of Nigeria's economy before oil was discovered in 1956. In the 1960s, it accounted for more than 80% of Nigerian export earnings, 65% of overall GDP created by employment, and about 50% of government revenue. Agriculture's share in total exports has dropped from over 70% in 1960 to less than two percent in 2018. Cash crops like rubber from Delta State in the south-central region were one of her main exports (Sylvester, 2018, p. 72). Originally, the Niger Delta region was ideal for farming and fishing in the Niger river. The majority of people in this area were involved in fishing and farming, with over 80% of the population depending on fishing for a living. However, an area that was once alive with aquatic life has become a shadow of its former self, with countless polluted rivers and oily wetlands robbing them of their livelihoods.

The consequences of oil equipment failure and pipeline vandalism have resulted in continuing degradation of the land and marine environment, threatening the livelihood of individuals and communities who rely on the environment for survival (Okafor-Yarwood,

2020, p. 15). Some of the sentiments echoed by fishermen hint that they have nothing left on their rivers to survive. *“The fishes I came back with were all killed as the oil soaked my fishing net, I have no fish to go home with”* said by one Mr. Eno-Obong Enyine, a fisherman in Akwa Ibom state (Saharareporters, 2014). These recurring situations has pushed many young people into militancy as a way of expressing their dissatisfaction, or into illegally tapping of oil wells and pipelines, worsening the situation. Oil theft, which has been identified as one of the leading causes of oil leaks, is related to the plethora of unemployed people looking to earn a living.

In the Niger Delta, there are about 1 000 gas flare sites totaling over 23 billion cubic meters (representing over 13% of global gas flaring). The burning of natural gas linked with petroleum production into the atmosphere, known as gas flaring, also adds to the contamination of the Delta’s ecosystem. This, combined with the estimated 300 oil spills per year, poses not only a serious health risk to the inhabitants, but also costs them their agriculture and fishing grounds (Rebecca, 2019). Insecurity has increased in the Gulf of Guinea because of environmental damage. And, since the petroleum industry is the only way of getting paid handsomely, many young people have hustled to get involved in oil bunkering, only to be lured into deep-sea robbery and piracy (Nana & Zhang, 2020, p. 479). Due to the oil industry’s low employing and technology-driven nature, the majority of the Niger delta’s workforce is not educated enough to be legitimately employed by the industry, and the only way they appear to benefit is through illegal means.

Residents of the Niger Delta are underemployed in the petroleum economy, making it unfeasible for them to recoup their losses through lawful employment. With little or no government assistance or subsidies, parents are forced to withdraw their children out of school when they can no longer afford to pay the expenses. Thus, Unemployed youths consequently form a ready-made pool for recruitment and indoctrination into militancy. In these means, most of them have developed direct ties while working for oil theft gangs in the creeks, exposing them to illegal oil bunkering business dealings and piracy networks (Aniche, 2019, p. 152).

4.2.4. Economic Causes of Piracy In The Gulf of Guinea

Not all pirate attacks in Nigeria are based on political or community grievances. Piracy is frequently referred to as a business model and viewed primarily as a profit-driven

activity. The economic precursors of piracy are widely separated into two categories: the concept of opportunity cost and the lack of real economic prospects in piracy-affected areas. Opportunity cost in the sense that aspiring pirates must see sufficient relative rewards from piracy to forego legitimate endeavors. The existence of maritime piracy, as well as a structural changes in an economy, might result in the prospect of a substantial payoff in a short period of time, which can eventually force some fence-sitters to join piracy. This is very prevalent in low-income countries, where a single day's reward of several hundred dollars is plainly very valuable and worth taking major risks (Ursula, Brandon, & Prins, 2015, p. 27).

The economic factors affecting maritime crime were primarily operationalized using a country's GDP, changes in the value or output of its fish stock, and unemployment. Fish value was adopted as an alternative opportunity cost measure by (Ursula & Brandon, 2013). Their fundamental hypothesis, which is supported by empirical estimations, is that rises in fish value would diminish the perceived profits from piracy over other legitimate endeavors. Piracy increases as the volume of coastal fisheries production declines, due to the decrease on fishing wages. This supports Murphy's theory which states that, changes in a state's fishing industry are the most important factor in people's decisions to engage in piracy. Since a successful piracy operations rely on knowledge of local sea conditions and shipping routines, as it necessitates skill in navigation, chart reading, and ship control (Martin N. M., 2008, p. 370). Elsewhere, GDP per capita is found to be related to variations in pirate attacks. The opportunity cost of piracy, for example, rises when GDP per capita rises (Murat & Watcharapong, 2011). Regan (2018) also asserts that for every one million dollars of annual GDP drop, piracy incidences rise by 0.021 percent (McCook, 2020, p. 40).

First, Even though it is the hub of piracy in the GoG, It's important to highlight that Nigeria has by far the largest GDP in the region. To demonstrate the disparity; In 2020, Nigeria's GDP was at 432 billion US dollars, while Ghana, which seconds it has a GDP of 72.35 billion US dollars. Furthermore, in the same year the region's GDP averaged just over 30 billion US dollars (Trading Economics, 2021). Although oil revenues accounts for two-third of state revenues, One of the key driving forces behind Nigeria's economic growth is the manufacturing, finance, service, and entertainment sectors (KPMG, 2015). Its large population provides it a distinct advantage, but it also serves as a hindrance because even with this growth in GDP a large segment of the population remains impoverished.

The increase of piracy as yearly GDP growth declines' theory by (Regan, 2018) was tested in the GoG region using Angola and Nigeria, two countries with vastly different levels

of piracy. If Regan's theory is correct in this case, Nigeria should record almost four times lesser piracy incidents than Angola because its average annual GDP outgrows that of Angola by almost fourfold in the a period of 27 years (McCook, 2020, p. 40). This analogy is totally the opposite in this case as Angola only recorded just two percent of all the piracy incidents in the West Africa region. Overall, according to World Bank data, the Gulf of Guinea countries' average annual growth rate from 2005 to 2020 is 3.99 percent, compared to Nigeria's 4.28% during the same period. This variable, it appears, does not assist in comprehending the rise of piracy in the sub-region, particularly in Nigeria.

The population size of the GoG countries varies greatly, and this is mirrored in the economies of various states in terms of GDP per capita and the percentage of the people living in poverty. The highest per capita GDP is found in small, wealthy countries and more developed oil industrial countries. Bigger economies with a large population tend to have a smaller GDP per capita income. When corruption and unequal income distribution are present, a large portion of the population remains impoverished, regardless of how prosperous the economy grows in terms of GDP. The Gulf of Guinea countries are more acquainted with this tendency than the rest of the world. In light of this, In a recently conducted study, GDP per capita was found to be insignificant in all of the pirate models examined in the Gulf of Guinea. This contradicts global studies that claim that countries with more GDP per capita had fewer maritime piracy incidents. It is also stated that worldwide piracy investigations should take into account Nigeria's impact in region, as well as the reality that certain economic indicators of piracy have no effect or any negative outcome in the Gulf (Ginger & Jonathan, 2019, p. 19).

Even in countries with a high aggregate GDP, poverty exists in its extremes. Though subjective, poverty levels might assist in understanding a country's economic profile. Despite having abundant human and natural resources, the NBS reported in 2020 that 40 percent of Nigerians, or 83 million people, live in poverty. This figure is projected to increase in the coming years. Nigeria's poverty rate is 71% if the World Bank's lower-middle-income poverty level of \$3.20 per day is adopted (Stephen O. , 2021).

Obviously, piracy and kidnapping for ransom have become attractive enterprises in a country where the majority of the population lives on less than a dollar a day. However, poverty alone is insufficient to explain crime in general; instead, focusing on economic disparity within a broader framework of determinants has proven to be more successful (Anamika, 2012, p. 25). Countries like Equatorial Guinea, the Democratic Republic of

Congo, and Guinea-Bissau would have seen a higher number of piracy than Nigeria if poverty was a reasonable explanation.

Since fishing is the primary source of employment in coastal areas, the opportunity cost of piracy is vividly tied to it. The fishing sector in most GoG states encompasses a wide range of operators, from artisanal fishermen in coastal towns to large fishing vessels owned by foreign firms and states. Locals typically rely on fishing as their only source of income, while industrial vessels regularly abuse fish stocks beyond legal limits in order to maximize profits. Hence, Uncontrolled exploitation of fish supplies, according to academics and practitioners alike, may be a security risk rather than solely an environmental one (Dirk, 2020a, p. 40). Depleting fisheries resources deprives local fishermen of their livelihood, and as a result, it is cited as a factor motivating young people from coastal areas to engage in illegal activities such as armed robbery at sea. As previously mentioned, it is revealed that when the production volume of coastal fisheries declines, putting downward pressure on fishing wages, piracy rises (Ursula & Brandon, 2013). Furthermore, research suggests that pirate gangs target unemployed and destitute people in local areas, with a particular emphasis on former sailors and fisherman. In view of the fact that piracy requires skills that are enjoyed by only a small subset of a country's population because at sea basic seamanship and navigational expertise are vital to success. In this context, unemployed fisherman, sailors, and taxi-boat captains constitute a reservoir of accessible talent for piracy recruitment because these are the people who can most readily switch to sea robbery (Martin N. M., 2008, p. 28).

The fishing sector employs an approximately 7 million people in West Africa. Despite the fact that fish is crucial to the revenue generation of governments around the region since it is a source of foreign direct investment, this region remains one of the world's leading locations for Illegal, Unreported and Unregulated (IUU) fishing. Roughly 40% of the fish captured in West African waterways is illegally caught (Neil, 2020). This is a significant economic blow for West African countries, who cumulatively lose up to \$1.5 billion per year to IUU fishing. This type of fishing occurs both in the EEZ and in territorial seas, and vessels can exploit fishing grounds because navies and coastguards in this region lack the capacity in enforcing the laws and regulations at sea (Dirk, 2020b, p. 23).

Foreign vessels, predominantly from China and the European Union, have been reported fishing uninterrupted in Nigerian waters. The Nigerian navy stated in 2018 that illegal fishing costs the government an estimated \$70 million per year (Okafor-Yarwood, 2018). Using spatial analysis of the location of IUU fishing and the prevalence of piracy, it

was revealed that IUU fishing has a very huge impact on piracy, particularly in waters prone to abuse and exploitation (Raj & George, 2021). IUU fishing is still a common occurrence in the Niger Delta, notwithstanding the fact that it appears to be a less prominent cause of resentment among local militias and pirates. However, its impact on the coastal fishing villages is evident and it has led to a shift in illegal means of surviving. Due to the high level of competition from foreign vessels, fishermen are always contemplate whether to go fishing or not, knowing that they may not catch enough fish to cover their fuel costs (Okafor-Yarwood, 2020, p. 11). Consequently, many fishermen in the region either forsake their fishing career and sell their boats to pirates, or convert to pirates themselves, lured by the potential of making quick and easy money (Aliyu, 2021, p. 59).

Fishermen are reluctant to reveal their engagement, admitting merely indirect or hearsay information such as *“I know a fisher that have engaged or acted as a look out”* or *“I heard of a fisher that have attacked a fishing vessel because they felt threatened ...”*. As a result of this, it difficult to pinpoint evidence indicating this affiliation. Nonetheless, there is evidence to suggest that fishermen are engage in armed robbery because they are persuaded or paid to operate as navigators at sea or as lookouts for armed criminals, because they are better familiar with specific coastline routes. Besides, some fishermen have admitted to illegally selling stolen oil from a vandalized pipeline on the ‘black market’. The Navy confirmed that the stolen oil is smuggled with their boats and sold to other fishermen or vessels operating in the vicinity (Okafor-Yarwood, 2020, p. 10). Owing to the strong relationship between the two crimes in the Niger Delta, their involvement in oil vandalism and smuggling of bunkered oil may provide them with a pathway to piracy.

5. THE STRATEGIES OF ACTORS, AND THE COUNTER-PIRACY MECHANISM IN THE GULF OF GUINEA

The Gulf of Guinea is one of the most crucial sea lines of communication for global trade and economic prosperity. The GoG houses 4.5% of the world's proven oil reserves and 2.7% of proven natural gas deposits, supplying a global supply of low-sulfur grade crude oil and gas. Also, it has a large trade volume with the developed world because most of them obtain their raw materials in exchange for finished commodities for the region's countries. This makes the region a strategic maritime route for commercial shipping, and it will remain so as long as international shipping stays interconnected and the world's reliance on crude oil and gas continues (Pakiribo, 2015, p. 69).

Addressing maritime insecurity in the Gulf of Guinea has been a primary concern not only for the GoG states but also for the international community. Consequently, various unilateral, bilateral, and multilateral measures have been launched by national, regional, and global actors to combat maritime piracy. Even though a variety of military and non-military gambits have been launched to combat piracy in the region, the effectiveness of the present mechanism remains a question. This chapter will evaluate the strategies implemented by both the regional and international actors in their counterpiracy efforts. In doing so, unilateral counterpiracy efforts specifically that of Nigeria would also be explored.

In the GoG, key regional actors have taken leading positions in combating piracy. Regional organizations such as the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), and the Gulf of Guinea Commission (GGC) have increased their efforts to combat piracy (Oyewole, 2016, p. 132). These have increased policy uniformity and strategic partnership in the region, as well as global support. Regional anti-piracy measures in the region are supported by major powers such as the US, the UK, and other European countries. The EU and the UN are also important players in the development of regional capabilities. This international support is part of a broader strategy to combat maritime insecurity in the Gulf of Guinea. Their strategic interest in the region has encouraged several traditional contributors to boost national and

regional counter-piracy initiatives. However, the overall influence has been constrained due to a lack of coordination and collaboration among them (Daud & Sayed, 2017, p. 65). This was partly because the international communities' actions are typically greater manifestations of national interests and are usually inclined to a national security strategy for maritime security. Various national strategies of different national and supranational actors towards the Gulf of Guinea will also be examined.

International interest in growing maritime insecurity in the GoG is best exemplified by the enactment, about four months from each other, of two key UNSC Resolutions; 2018 in October 2011 and 2039 in February 2012, both of which call for more regional effort in light of the growing piracy threat (Charles & Wullson, 2013, p. 25). These resolutions were triggered by the call for international assistance made by then Beninese President Thomas Boni Yayi. Albeit the resolutions stimulated the regional bodies to develop a common maritime strategy and a counter-piracy structure, they fell short of President Yayi and his colleagues' aspirations, as they were anticipating the UN to influence comparable international naval intervention on the GoA to be mirrored on the West African coast (Abu, 2017, p. 69). This is not the situation in the GoG, because, unlike Somalia which was on the brink of state collapse, the GoG states are sensitive about their national sovereignty, which explains why interested foreign actors are using an indirect capacity-building strategy to improve maritime security rather than a direct military approach. It is also argued that even if permission is given for direct military intervention, the response might not be overwhelming like that of the Indian Ocean because the GoG has relatively less strategic importance than the Gulf of Aden (Pakiribo, 2015, p. 49).

Nevertheless, they continue to utilize the diplomatic, informational, and economic instruments of national power to complement counter-piracy efforts in the subregion. The international actors have provided significant political and financial support for the development of the Yaoundé architecture (YA). Individual states have also benefited from their military, surveillance, training, and legal assistance. This assistance, particularly military capacity building, will be essential because, with the exception of Nigeria, the majority of the littoral states in the subregion lack adequate naval or law enforcement power to deal with maritime insecurity in their territorial waters. Nonetheless, few states in the region have been boosting their naval capability through the procurement of new patrol boats. Between 2011 and 2017, Nigeria purchased ten patrol boats from French manufacturers. Between 2012 and 2019, Senegal also purchased six French vessels. During the same period, Chinese shipyards shipped 13 boats to Cameroon, the Republic of Congo,

and Nigeria, including two 1 800-tonne Centenary-class offshore patrol ships, marking a significant breakthrough for Chinese shipyards in Sub-Saharan Africa (Hugo, 2020). However, the persistence of the piracy threat in the Gulf of Guinea has highlighted the region's low levels of maritime domain awareness, and the commutability of the threat means that this challenge cannot be treated individually by states but through a coherent regional security collaboration.

5.1 Interregional Counter-Piracy Efforts- The Yaoundé Architecture

In response to the escalating maritime threat, the four ECCAS governments most threatened (Cameroon, Equatorial Guinea, Gabon, and So Tomé and Príncipe) inked a technical agreement in May 2009 outlining cooperative measures to safeguard their collective security. Eventually, an agreement was reached for combined surveillance (SECMAR) and patrol operations, which began later that year. The ECCAS member states adopted a protocol in October 2009 to establish a Regional Centre for Maritime Security in Central Africa (CRESMAC) in Pointe Noire, Republic of Congo, to promote information sharing and integrated naval operations (International Crises Group, 2011, p. 14). This protocol's major purpose is to mitigate information exchange and bureaucratic barriers in authorization procedures requisite in the pursuit of suspicious boats across maritime borders.

The ECCAS maritime effort is institutionalized through the CRESMAC, which is in charge of accumulating member states' diverse military and civilian resources and leveraging them to develop an integrated maritime security policy (Charles & Wullson, 2013, p. 24). For operational efficiency, the ECCAS region of the GoG is split into three zones (A, B, and D) stretching from Angola to the maritime borders of Nigeria and Cameroon. Each of these zones is coordinated by a Multinational Maritime Coordination Centre (MMCC). The ECCAS maritime security agenda and program are more sophisticated and effective than those of its West African counterpart, and the interregional counterpiracy apparatus is based on this paradigm.

Although it is one of the most developed economic communities and has made strides in addressing land security, ECOWAS was late in strategizing a policy to address insecurity in its maritime domain compared to ECCAS. The Committee of Chiefs of Defense Staff discussed what is now the core of its maritime strategy at a meeting in April 2010. As the intensity and scope of pirate attacks escalated in late 2011, the ECOWAS Council of Ministers directed the commission to formulate an integrated maritime strategy, the

ECOWAS Integrated Maritime Strategy (EIMS), to address the region's maritime security threats.

The strategic approach intends to mirror the ECCAS maritime strategy model by delineating three geographical zones, each with its coordination center. The Commission has also attempted to implement a model zone (Zone E) incorporating Nigeria, Niger, Benin, and Togo to ensure maritime security for the members of the zone in the area (Daud & Sayed, 2017, p. 54). This will facilitate the coordination of their maritime activities, the sharing of information, and the combining of resources, in general. The EIMS is intended to supplement regional efforts and improve synergies among all stakeholders at the national, bilateral, and multilateral levels. Although the EIMS appears to be appealing in theory, it has yet to be implemented due to a lack of political will and inadequate resources.

The GGC is one of the most important maritime regional bodies, having been formed in response to the need for a permanent framework for collective action on maritime challenges in the GoG. The Commission has the most authority to deal with maritime concerns of any regional organization working in the region. Although it was constituted in 2001, the GGC began operations in March 2007 with the establishment of its Executive Secretariat in Luanda. The commission is composed of Nigeria, Cameroon, Angola, the Republic of Congo, Gabon, Equatorial Guinea, the Democratic Republic of the Congo, and Sao Tome and Principe (Maritim Africa, 2020).

Following the unanimous passing of UNSC Resolution 2039 on February 29, 2012, urging GoG states to work through multilateral channels, a UN-sponsored gathering of experts from Central and West Africa was convened in Cotonou, Benin, in March 2012. ECCAS, ECOWAS, and the GGC have drafted a Memorandum of Understanding (MOU) on maritime safety and security in West and Central Africa. Second, a draft code of conduct for the suppression of piracy, armed robbery on ships, and unlawful maritime operations in West and Central Africa was presented. Finally, it proposed that ECCAS, ECOWAS, and GGC member states issue a joint declaration on the establishment of a regional structure for maritime security in the Gulf. These agreements were endorsed at the West and Central African Heads of State and Government Summit in Yaoundé, Cameroon, in June of 2013 (Charles & Wullson, 2013, p. 26). It laid the foundation for a regional framework (Yaoundé Architecture) illustrated in Figure 5.1, to prevent and prosecute illegal activity in the Gulf of Guinea's water.

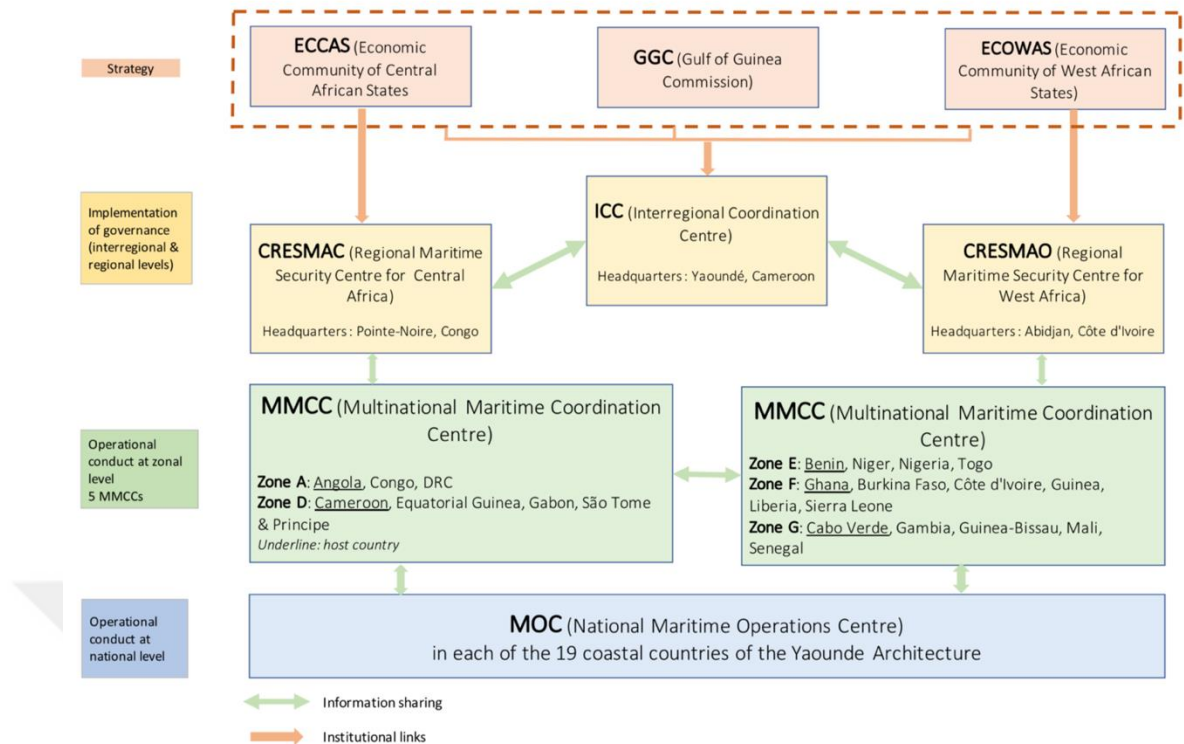


Figure 5.1. Maritime Safety and Security Architecture in the GoG (Yaoundé Architecture)

Source: The Gulf of Guinea Interregional Network-EU, 2022.

The Interregional Coordination Centre (ICC), which serves as a bridge between the two Regional Maritime Security Centers, is a coordination and information-sharing institution. The Centre is responsible for improving initiatives that promote cooperation, coordination, mutualization, and systems compatibility, as well as the implementation of the regional strategy within the common maritime domain (ICC, 2022).

The states in the Gulf of Guinea are divided into zones ranging from A to G. Zones A, B, and D are overseen by ECCAS, while Zones E, F, and G are administered by ECOWAS. Each zone is responsible for developing and implementing maritime security measures, they also host a monitoring and coordinating mechanism known as Multinational Maritime Coordination Center (MMCC). The Regional Maritime Center will coordinate the activities of the MMCCs. The MMCCs are tasked with operational efforts such as joint zonal patrols, training, and other maritime crime-related tasks. At the national level, each country's Maritime Operational Centres (MOC) harmonize the different agencies in the country involved in maritime security operations or law enforcement at sea. It serves as the coordination center for the combined operational unit to the Action of the state at sea (GoGIN, 2022).

5.2 Nigeria's Unilateral Counterpiracy Endeavors

Despite having the region's most pirate-infested seas, it has achieved some moderate progress in the fight to eradicate piracy in its waters and those of its immediate neighbors. The National Maritime Safety and Administration Agency's (NIMASA) initiatives in partnership with the Nigerian Navy (NN) have had an impact on the results of pirate occurrences in its seas, resulting in a swing in the number of piracy incidents in its neighboring waters. One of the few if not the only country with a navy sophisticated enough to match its maritime security threat, Nigeria is also currently one of just a few regional jurisdictions possessing the necessary anti-piracy legislation, allowing perpetrators of such crimes to be effectively prosecuted (Casper, 2021). Through unilateral, bilateral, and multilateral means, the country has been at the forefront of the battle against maritime insecurity in the region throughout the years, as a result, its response and preventive measures cannot be overemphasized.

In 2010, the operational collaboration between NN and NIMASA under the umbrella of the Maritime Guard Command, resulted in a significant reduction in attacks near the Lagos harbour, courtesy of coordinated patrols and law enforcement measures backed by electronic surveillance. This is an example of effective interagency counterpiracy engagement within a state; unfortunately, the successes in Nigeria have resulted in a surge in attacks off the coast of Benin. This is indicative of maritime piracy's transmissible nature and how it can only be mitigated by a coordinated regional response.

Ocean Marine Solutions (OMS), a private maritime security firm partnered with the NN in 2013 to create the Secure Anchorage Region (SAA), which provides security to vessels in a designated area off the coast of Lagos. The company provides the patrol boats that are armed and manned by the NN. According to industry experts, the region under OMS coverage has seen fewer pirate attacks, thereby making the SAA a safe haven and preferable destination for captains of ships visiting Lagos (Ediri, 2019). However, in 2020, the Nigerian government suspended the SAA in an effort to monopolize its maritime security domain and the development of its new maritime surveillance project, Deep Blue.

NIMASA also debuted a Satellite Surveillance Centre (SSC) in 2014, in partnership with the NN and the Nigerian Air Force. All vessels in Nigerian waters are tracked by the SSC, which can identify each vessel's International Maritime Organization (IMO) number. This endeavor is in addition to the existing surveillance network that has been established throughout Nigeria's coastline. The Nigerian government stated the same year that crude-

oil theft had decreased by 60 percent, partly to the deployment of newly purchased patrol boats at crucial access routes in the Niger Delta seas (Adeniyi A. , 2015, p. 5). In addition, the Navy acquired over 173 vessels in 2018 to boost its capabilities in territorial and inland waters, as well as upgrade its surveillance system, which includes the Regional Maritime Awareness Capability System and Falcon Eye System. Although piracy attacks increased marginally in 2020, the Chief of Naval Staff stated that roughly 70% of them were unsuccessful due to the Nigerian Navy's robust surveillance system and rapid response to incidents (Aluseyi, 2021).

NIMASA, the main maritime authority, has made significant progress in combating piracy and armed robbery at sea. In recent years, in concert with the Nigerian Navy, it has established the first integrated marine security strategy in West and Central Africa, to combat piracy, sea robbery, and other maritime crimes, the Deep Blue Project. The Deep Blue Project's fundamental goal is to secure Nigerian waterways up to the Gulf of Guinea. The Deep Blue Project's Maritime Security Unit (MSU), which includes troops from the Navy, Army, Air Force, Police, and Department of State Services, strives to tackle maritime security by means of land, sea, and air platforms.

The C4I (Command, Control, Communication, Computer, and Information) center for intelligence gathering and data collecting, 16 armored vehicles for coastal patrol, and 600 specially trained personnel for interdiction are among the land assets. Two Special Purpose Boats and 17 Fast Interceptor Vessels are among the maritime assets. Whilst, the air component includes two Special Mission Aircraft for surveillance and reconnaissance of the country's Exclusive Economic Zone (EEZ); four Unmanned Aerial Vehicles, and three helicopters for search and rescue activities (Philip, 2021). With the deployment of the assets of the Deep Blue Project, a shift in the dynamics of the piracy threat is observed as incidents start to spread from the high-risk area of zone E (Nigeria, Benin & Togo), to other less affected zones such as D and F. The presence of these new hotspots could indicate that the Nigerian anti-piracy campaign is effective, at least in the meantime (Kamal & Yussif, 2020).

Recently, in support of information sharing and concerted maritime operations in the GoG, NIMASA in collaboration with the ICC Yaoundé launched The Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and De-confliction (GoG-MCF/SHADE). The forum will focus on counter-piracy by mobilizing regional, international, industry, and NGO stakeholders to promote and coordinate near-term maritime operations to work towards a set of common operational objectives to protect seafarers and ships operating in the region. The forum, according to experts, might address

a lack of coordination among regional players, thereby improving maritime security in the Gulf of Guinea (Giulia, 2021). Making reference to the success of this model in the fight against piracy in the Gulf of Aden.

Since maritime challenges, particularly piracy, originate and conclude on land, a significant portion of counter-piracy measures should be concentrated on pre-emptive and deterrent measures onshore. This could be accomplished by enacting rational political, legal, economic, and governance policies to improve individuals' livelihoods while also adopting strict deterrent measures to limit the chances of youths engaging in piracy. There have also been some coherent initiatives to address the political economy of piracy in the region. The Nigerian government has been offering amnesty to agitators in the Niger Delta since 2009 (Oyewole, 2016, p. 138). A region that is known for its prominence of been the hub of maritime insecurity in the region. Its long-term success in achieving its primary goal of economic development in the Niger Delta is debatable, yet it has proved to reduce the frequency of pirate attacks during its prime.

In the legal sphere, Nigeria also affirmed its commitment to preventing piracy and armed robbery at sea by legislating the Suppression of Piracy and Other Maritime Offences (SPOMO) Act 2019. It is the only country in West and Central Africa with a specific anti-piracy law. The SPOMO's main objective is to prevent and repress piracy, armed robbery, and any other unlawful act against a ship, aircraft, or other maritime craft, regardless of propulsion, including fixed or floating platforms (Aluseyi, 2021). While it used to be difficult to prosecute suspected criminals, the Act now provides legal support for prosecuting and punishing offenders. If well acted upon, this will provide a sense of deterrence and will dissuade people from committing the act of piracy.

5.3. The United States

The safe and secure use of the world's oceans is critical to the United States' safety and economic security, according to its National Strategy for Maritime Security 2005. Therefore, freedom of navigation, free movement of goods, and a sustainable maritime atmosphere, as well as a deterrent to aggression and attacks on commercial maritime activity, are all fundamental to this goal (Pakiribo, 2015, p. 9). To achieve this overarching strategy, the National Security Strategy 2017 underlined the necessity of information sharing with partners and working with international partners to increase security standards.

Although strategically expressed in broad terms, experts claim the focus of the US' increased naval support to Nigeria is related to the need to quell the turmoil and unrest that exists in the oil-rich Niger Delta, which is generally regarded to pose a threat to critical US interests in the wider Gulf (Charles & Wullson, 2013, p. 30). The US in its efforts to diversify its foreign sources of oil and natural gas sees the GoG as a strategic interest for its energy security, as more than 10% of its oil imports come from the region. The United States' involvement in the GoG is eminently focused on its citizen safety, the unhindered flow of the oil trade, and the security of international trade routes for its economic prosperity. US-flagged, deep-draft cargo ships make 12 to 15 GoG port calls per year on average. Furthermore, approximately 70 US-registered offshore supply vessels (OSVs) are helping offshore oil exploration out of Nigerian and Ghanaian ports (Barack, 2014). This puts several US citizens in danger, and the economic loss as a result of hostage situations is far too great to be overlooked. Hence, the US believes it is in its national interest to support states and the regional bodies in their counterpiracy crusade.

The US Counterpiracy and Maritime Security Action Plan-2014, Annex B, is expected to implement this strategy in the GoG. The plan reaffirms the United States' vital national interest in global maritime security and lays out US government policy for combating piracy, robbery at sea, and other maritime crime, by providing overarching guidance for developing objectives to improve maritime security in the region. The three core areas of prevention, response, and governance remain the priority of this policy. Various US departments and agencies will work to reach the objectives, in accordance with their respective authorities and other national missions and priorities (Barack, 2014).

In line with this framework, the United States is ramping up its security initiatives and geostrategic influence across the GoG. The African Partnership Station (APS), Africa Contingency Operations Training and Assistance (ACOTA), Africa Centre for Strategic Studies (CESA), and, perhaps most importantly, the establishment of the US-Africa Command (AFRICOM) have all been established to promote such agendas in Africa. As the preferred approach for collaborative security cooperation with strategic partners, these efforts have concentrated on defense and military cooperation agreements with major GoG countries (Charles & Wullson, 2013, p. 30).

The Bush administration announced the formation of US AFRICOM, a new unified combatant command for Africa, on 6 February 2007. AFRICOM's principal mission is to safeguard US energy interests in Africa and its surrounding waters. Nigeria was first identified as the best location for the command, but the government rejected the proposal

and opposes the establishment of any foreign military presence in the ECOWAS region (Daud & Sayed, 2017, p. 62). Additionally, the US is assisting partner countries in enhancing their naval capabilities through projects such as the APS, the cornerstone maritime security cooperation program of the US Naval Forces Africa (NAVAF). Through a regional and comprehensive approach, APS seeks to improve capabilities with partner naval forces by focusing on four ‘pillars’: developing maritime domain awareness to maintain a clear picture of the maritime environment, developing maritime professionals, establishing maritime infrastructure, and developing response capabilities while promoting regional integration (AFRICOM, 2022).

The US has focused on enhancing Regional Maritime Awareness Capability (RMAC) by installing surveillance systems, communications equipment, and Automated Identification Systems (AIS) at several locations along the coast as part of its efforts to bolster the preventive measures of its partners. More than a dozen African states have implemented the RMAC system along their coasts, with a special priority on the West and Central African coastal states to become self-sufficient in monitoring their maritime spaces. Additionally, the US continues to issue Maritime and Port Security Advisories, which clearly describe regional threats and provide essential information on best management practices to secure US seafarers, and interest in the GOG. Despite the lack of success in pursuing the coastal states to permit private security on vessels, the US continues to advocate for the deployment of Privately Contracted Armed Security Personnel (PCASP) to harden targets and improve the deterrence capabilities of vessels transiting the region.

The annual Obangame Express is organized by the US Naval Forces Africa to improve regional cooperation in support of the Yaoundé Code of Conduct, Maritime Domain Awareness, Information-sharing practices, and tactical interdiction skill to strengthen participating nations’ collective capabilities to combat sea-based crimes (AFRICOM, 2021). Due to a large number of participating nations, this annual exercise promotes interoperability between navies, coast guards, and other law enforcement agencies on a national, regional, and international level. In addition, the drill benefits the Yaoundé architecture since it involves several tiers of the command structure, allowing the effectiveness of the regional counterpiracy framework to be tested.

Finally, in terms of governance, the United States is assisting state judiciaries in strengthening the rule of law through supporting the implementation of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its amendments, as well as other international agreements. It has also pledged a commitment to

the integration of EIMS and urged subregional collaboration and information sharing (Abu, 2017, p. 76).

5.4. The European Union

The Gulf of Guinea is a key trading partner of the EU, and a large part of this passes through the sea lines of communication. As a result, both the European Union and the GoG communities are concerned about the safety of this shipping lane. The EU's concerns are heightened by the need to maintain its exploitation of the region's natural resources, especially hydrocarbons because it obtains 13% of its oil and 4% of its natural gas imports from the GoG. For its oil needs, the region's proximity to Europe and convenient sea access gives it a competitive advantage over the Middle East. And, as long as the crises with Russia persist, Russian oil and gas supply to Europe remains sketchy, and the Gulf of Guinea will remain a viable alternative source of hydrocarbons. This could indicate that the EU will put more effort into maintaining secure oceans in this region, allowing uninterrupted energy commerce.

Furthermore, most EU countries rely on Africa for raw materials, while the GoG countries rely on the EU for consumer goods and services as the region's economic boom accelerates. Considering the lack of naval security presence along the coast of the GoG, drug traffickers have recognized the region as a viable transit route to Europe. As a result, it is in the best interests of the EU to foster security in the Gulf of Guinea to protect EU communities from the damages of illegal drugs. Apart from hydrocarbon exploitation, the GoG is a lifeline for the European fisheries industry, since its fishing fleet conducts extensive fishing operations in the GoG states' Exclusive Economic Zones. Hence, preventing the escalation of maritime piracy, which undermines EU fishing operations, is also in the EU's best interests.

Recognizing their common interests, the EU aimed to build on the regional momentum established at the Yaoundé Summit by providing appropriate support to regional organizations as well as individual governments to assist them in developing effective response strategies to the threat. This led to the development of an EU strategic policy framework for the region in 2014, called the EU Strategy on the Gulf of Guinea. The EU is implementing an integrated effort to help prevent maritime piracy by leveraging the value of political, good governance, security, institutional, economic and development efforts,

drawing on its experience in counterterrorism bids in the Sahel region and counterpiracy efforts in the Horn of Africa. On this note, its strategy sets out to accomplish four objectives;

1. Building a common understanding of the scale of the threat in the Gulf of Guinea and the need to address it among the countries in the region and the international community.
2. Helping governments of the region build robust institutions, maritime administrations, and multiagency capabilities to ensure maritime awareness, security and the rule of law along the coast.
3. Supporting prosperous economies in this region in line with national and regional development strategies, to create employment and assist vulnerable communities to build resilience and resist criminal or violent activities.
4. Strengthening cooperation structures between the countries of the region and the regional organisations to take the necessary actions to mitigate the threats at sea and on land (EU, 2014, p. 3).

Several initiatives (ways) are undertaken by the EU to implement this strategy in the GoG. Initially, the EU “Critical Maritime Routes” program (CMR) which aims to increase security in critical maritime routes through capacity building, information sharing, and cooperation was appropriated in the Gulf of Guinea (CRIMGO). CRIMGO has focused on developing the capabilities of coast guards, marine law enforcement, and other maritime agencies of vulnerable states, as it has done in other vital maritime routes such as Southeast Asia and the Indian Ocean. It also contributed a key role in the establishment of the Inter-regional Coordination Centre (ICC), so contributing to the improvement of Yaoundé’s architecture. CRIMGO was completed in October 2016, paving the path for the launch of a second CMR project in the Gulf of Guinea (CMR, 2022).

The Gulf of Guinea Interregional Network (GOGIN) was established in 2016 to enhance the implementation of the Yaoundé Code of Conduct by building capacity and sharing information. The project provides legal training, information systems, and organizational structure to national maritime organizations and transnational maritime centers of the Yaoundé architecture. The GOGIN project is known for its information-sharing tool among the 27 maritime centers of the Yaoundé architecture. The Yaoundé Architecture Regional Information Sharing (YARIS) is a platform for sharing information that aims to promote collaboration and coordination in crisis among the YA’s maritime operational centers, hence enhancing the campaign against maritime insecurity in the Gulf

of Guinea. The platform, which has been operational since September 2020, already connects 96% of the maritime centers inside the Yaoundé Architecture (Isabelle, 2022).

Finally, with the launch of its Coordinated Maritime Presence (CMP) initiative in 2020, the EU reaffirmed its commitment to improving freedom of navigation and the security of maritime routes in the GoG. Although it is also planned for other maritime locations, such as the northwestern Indian Ocean, the GoG hosted the pilot phase. Its goal is to ensure the EU's maritime presence is permanent and visible in regions of interest, as well as to share awareness, analysis, and information with member states (EU External Council, 2021). This instrument is to facilitate coordination among EU member states' vessels that are already deployed in the region and under their national command. Over the years, individual member nations have deployed naval assets in the region depending on their specific national interests and maritime strategies. The EU, on the other hand, claims that the CMP will increase cooperation and partnerships with the YA's regional and maritime security organizations. The EU attributed the concept's effectiveness to a reduction in pirate incidents of more than 50% by 2021, although the recently strengthened maritime surveillance system of Nigeria, which is a major determinant of the region's maritime security dynamics, cannot be neglected (EU Defence, 2022).

The IMB linked the decline to the increasing presence of naval vessels in the Gulf of Guinea, as well as regional collaboration. Nigeria reported six incidents on its seas, according to the IMB, with no kidnappings reported (IMB, 2022). Since it usually records the highest number of attacks in the GoG, this represents a significant improvement over the past year in its counterpiracy measures. As a result, its Deep Blue project can be termed successful in mitigating the threat in the meantime. Considering the fluidity of the threat, the effectiveness of a single counterpiracy campaign can be difficult to assess, and only regional cooperation with multiple stakeholders can eliminate the threat. This opens a prospect for further research to evaluate how certain counterpiracy measures can singlehandedly improve the overall maritime security of the region.

5.5. The United Kingdom

Maritime security, according to the UK, is the advancement and promotion of the United Kingdom's national interests, both at home or abroad, through the active management of risks and opportunities in and from the maritime domain, to strengthen and

extend the United Kingdom's prosperity, security, and resilience, as well as to contribute to the formation of a stable world. (Ministry of Defense-UK, 2014, p. 9). Insecurity in the maritime sphere, according to the UK Strategy, demands national and international policing and regulation, as well as a strong global collaboration to address areas of mutual interest (Pakiribo, 2015, p. 11). The UK set out five strategic priorities to advance and safeguard its national interests.

One of them is strengthening government's maritime governance capacity and capabilities in strategic important maritime zones such as the Gulf of Guinea. The UK has been working closely with ECOWAS in building its integrated maritime strategy for the Gulf of Guinea to achieve this objective. It has also provided equipment and expertise to states in the region to help them police their coastal waters (Daud & Sayed, 2017, p. 63). Maritime criminality in the Gulf of Guinea poses a substantial risk to the UK's economic development, peace and security, and prosperity since nearly all of the estimated \$10.2 billion worth of regional trade with the UK traveling via the Gulf of Guinea was declared at risk of theft in 2013 (Adeniyi A. O., 2015, p. 2). To counteract this risk, one of its maritime strategy's objectives is to secure the UK, its citizens, and its economy by strengthening the safety and security of ports, offshore installations, and vessels flying the British flag.

In support of the Yaounde framework, the British government collaborated with the French Navy to create a Maritime Domain Awareness for Trade – Gulf of Guinea (MDAT-GoG). The MDAT-GoG's main contribution is to maintain a consistent maritime situational awareness throughout the central and western African maritime domains, as well as to inform and support the industry. It helps to ensure the Mariner's safety and security in the area marine domain (MDAT-GoG, 2022). It's a beneficial tool for the maritime industry's BMP West Africa series as it serves as both a prevention and response measure for vessels transiting the GoG.

In order to enhance collaboration among international partners and interest groups in the region, the UK created the G7++ Friends of the GoG. (FOGG). The multilateral maritime security group aims to support the implementation of the Yaoundé Code of Conduct in a uniform and coherent manner. The group comprises the G8++ along with the EU, UNODC, and IMO. Through the provision of financial support and coordination of planned activities conducted by various partners, the organization minimizes duplication of efforts while optimizing assistance to combat marine crime in the GoG (Ministry of Defense-UK, 2014, p. 28).

5.6. The UN and other Relevant Actors

The alarming surge of maritime piracy in the Gulf of Guinea in late 2011, which has already surpassed that of the Gulf of Aden and the Indian Ocean, spurred the UN to respond by dispatching an assessment team to the sub-region to assess the magnitude of the piracy problem. The UN's objective has been to help regional authorities implement a comprehensive counterpiracy policy by enacting two resolutions, 2018 and 2039 respectively. Through the IMO and the UNODC, the organization also provided technical assistance to coastal states in the subsequent years (Daud & Sayed, 2017, p. 64).

Upon assessing the legal frameworks for maritime security in Liberia, Cape Verde, Guinea Conakry, Senegal, and Sierra Leone, UNODC conducted capacity development and training sessions for various maritime law enforcement actors. The UNODC also provided technical assistance to Nigeria in the formulation of the Suppression of Piracy and Other Maritime Offenses (SPOMO) Act, which was passed in 2019 (Olu, Idris, Dan, & Ali, 2021, p. 49). Furthermore, with financing from the governments of Denmark, Norway, and Portugal, the UN Office on Drugs and Crime facilitated a joint maritime patrol in the ECOWAS Zone E maritime domain from November 22 to 24, 2021. Before the exercise, it provided training to various maritime law enforcement actors from participating member states, allowing them to improve their knowledge of Standard Operating Procedures (SOP), Rules of Engagement (ROE), and operational plans, which they put into practice during the exercise. The Agreement on the Conduct of Joint Maritime Patrols, reached by Togo, Benin, Nigeria, and Niger in 2018, was operationalized during this exercise (UNODC, 2021). This sort of exercise is significant as it increases the interoperability of states within the same maritime zone of the Yaounde structure and automatically extends the patrol range of states with less maritime strength to patrol their territorial waters.

Further efforts to suppress and mitigate the risk of piracy and armed robbery at sea was the publication of the Best Management Practices to Deter Piracy and Enhance Maritime Security off the Coast of West Africa including the Gulf of Guinea (BMP West Africa) by a consortium of stakeholders in the shipping industry in 2020. The purpose of this publication is to assist ships in detecting, avoiding, deterring, delaying, and reporting attacks. Application of the guidance of the BMP has been proved to make a considerable improvement in seafarer safety, notably in the Gulf of Aden (ICS, BIMCO, et al., 2020).

In the Gulf of Guinea, France has also been actively involved in supporting initiatives aimed at boosting regional responses to piracy and armed robbery. First and foremost, The French government, in partnership with the US government, has established the Gulf of

Guinea Maritime Security Sector Reform Support (ASECMAR) program to aid in the battle against maritime crimes in West Africa. The three-year project aimed to consolidate maritime security capabilities through legal training and information sharing in the region. Since its inception in 2013, the program has trained more than six hundred personnel from eleven states within two years (citifmonline, 2015).

Secondly, since the 1990s, the French Navy has maintained a permanent presence in the region, with pre-positioned forces in former French colonies including Senegal, the Ivory Coast, and Gabon under “Operation Corymbe” (Morcos, 2021). A French frigate in the Gulf of Guinea foiled a pirate attempt on the oil tanker Adour in 2013. Two hostages were soon freed after the pirates abandoned the ship due to the presence of the naval vessel (PREMIER MINISTRE, 2015, p. 21). The French Navy, which has naval vessels in the Gulf, organizes the regional African NEMO exercise series and the more ambitious Grand African NEMO exercises each year under the auspices of the YA, which emphasizes the development of capabilities among participants. These annual exercises, according to the French defense ministry, shift from one region of the Gulf of Guinea to another, but always with the same objective: to improve the Gulf of Guinea fleets’ ability to coordinate and act together in the context of State action at sea (Dorian, 2021).

Ultimately, the recent (October 2021) deployment of a Danish frigate in the Gulf of Guinea was a significant development for counterpiracy by the international community. The deployment came after the Danish Minister of Defense and maritime firms, including Maersk, raised concern about the region’s risks and demanded more intervention. Denmark, the world’s fifth-largest maritime nation, claims to have 30 to 40 Danish-operated ships operating through the Gulf of Guinea daily, handling up to \$1.6 billion in yearly trade with the GoG countries. The mission’s objective, according to a joint statement from the defense and foreign ministries, will be to combat pirates while also supporting and escorting civilian ships in the area (Maritime Executive, 2021). Contrary to the CMP approach, which lacks the specific mandate to intervene in an attack, the Danish frigate will attempt to carry out rescue operations in the aftermath of an attack. This incentive represents a considerable shift in the level of support provided by international naval assets in the region, and it is likely to set a precedent for other European nations to increase their involvement (Casper, 2021).

Although this method of counterpiracy may be effective in deterring and countering attacks, it creates a legal dilemma for the flag state of the military vessel, as the Danish Navy has experienced following the arrest of suspected pirates. The suspects’ legal status has been in uncertainty for more than a month while Danish officials debate how or whether to bring

them to Copenhagen for trial after its frigate engages in a gunfight with suspected pirates, killing three and capturing four. The Danish government was concerned that deporting them to their home nation following the criminal processes would be legally difficult. Besides, it was also legally impossible to turn the suspects to a nearby coastal authority for trial (Maritime Executive, 2022). This legal conundrum could have been averted if there had been some type of joint collaboration with the Nigerian Navy, considering the attack occurred 30 nautical miles south of the Nigerian border. The presence of Nigerian law enforcement personnel on board the Danish frigate may have allowed the alleged pirates to be prosecuted rather than released at sea.



Table 5.1 Strategic analysis of the counterpiracy measures of the main actors in the GoG

Strategic Elements	Interregional Framework	Nigeria	United States	EU
Ends	Suppression of piracy, armed robbery on ships	To eradicate piracy in its waters and those of its immediate neighbors	The safe and secure use of the oceans	Safeguarding the shipping lane
	Maritime Safety and security in West and Central Africa	To protect its oil Industry and maritime economy	Freedom of navigation and free movement of goods	Uninterrupted energy commerce
	Preventing and prosecuting illegal maritime activities	To retain its international reputation	Maintaining a sustainable maritime atmosphere	Protecting EU communities from drugs trafficked through the GoG
			Secure waterways of its energy sources	Maintaining its fishing activities in the GoG
			Safety of its Citizens	
Ways	Drafting an MOU on Maritime Safety and Security	Interagency collaboration (NIMASA-NN)	Implementation of the counterpiracy and maritime security action plan -Annex B	EU maritime strategy for the GoG.
	Developing a code of conduct for suppression of piracy and armed robbery at sea	Unilateral, Bilateral means of collaboration	Interagency collaboration between various departments	EU critical Maritime Route Initiative GRIMGO
	Implementation of a regional framework	Cordinated Patrols and law enforcement operations	Capacity building and security cooperations with regional states to develop response capabilities	Coordinated Maritime Presence (CMP) initiative
		Partnership with the private sector.		
		An integrated maritime surveillance project- Deep Blue	Building a maritime domain awareness in the GoG	
		Preemptive and deterrent measures	Supporting state Judiciaries in strengthening the rule of law	
			Advocating for the deployment of PCASP in the GoG	
Means	Establishing an interregional cordination center (ICC)	Amnesty program for potential pirates and armed robbers	The establishment of the Africa Command (AFRICOM)	GOGIN- capacity building and information sharing tool
	Formulation of coordination Maritime zones	By legislating the SPOMO act	The formation of the Africa Partnership Station (APS)	Promoting collaboration and coordination through the YARIS platform
	Joint Patrols within the maritime zones	Joint interagency and bilateral naval patrols	The establishment of the Africa Contingency Operations Training and Assitance (ACOTA)	Deployed naval vessels under the CMP mandate
	Information Sharing through YARIS	Combined Army, Navy, Police personnel under the Maritime Guard Command	Training and policy formation through Africa Center for Strategic Studies (CESA)	
		Depolymnt of Patrol boats in Criticsl regions of the Niger Delta	The Initiation of the Regional Maritime Awareness Capability (RMAC)	
		Combined land, sea, and air platforms		
		Information Sharing through MCF/SHADE project		

Source: Compiled by the author

6. DISCUSSION

The purpose of this thesis is to investigate the causes of piracy in the Gulf of Guinea, with an emphasis on the Niger Delta in Nigeria, through a thematic analysis of the most prominent elements of the literature that are alleged to be a source of piracy. While testing these variables in the Niger Delta and referencing some countries in the GoG, it emerged from the analysis that the oil industry in Nigeria is the main driver of piracy in this sub-region. One might argue, if that is the case, why don't we have the same level of piracy in other oil-producing countries throughout the world, or even in the GoG? This is where inefficient oil resource governance comes into play, as a result of state weakness and corruption. As clearly shown in the provided data, the above-mentioned vices surrounding Nigeria's oil industry have resulted in the creation of various avenues for piracy to thrive, such as the availability of an oil 'black market' infested with sophisticated criminal networks, a surge in militancy, and environmental damage driven unemployment in the region, which has broadened the pool of potential pirate recruits.

The literature on piracy has explored physical geography as a precursor to piracy. As a result, the scope of its impact on piracy in the GoG was assessed. Although piracy requires large marine traffic, which is true in this situation, geography does not appear to play as large a role as other attributes. Interestingly, when assessed in this study, it is regarded a secondary factor to the other causes. It is adopted as a cause because the result reveals that to some extent it helped facilitate piracy especially in the Niger Delta region. This chapter will go into great detail about these result too.

Economically, one intriguing finding from the study is that GDP has no effect on piracy in the Gulf of Guinea, contrary to popular belief in the piracy literature. And despite the fact that no clear link between the GoG fishing industry and the incidence of piracy was found, some circumstantial evidence suggests that some pirates switched to criminal acts as a substitute for their lawful artisan fishing activities. In addition, this hypothesis is also supported by the economic cost the oil industry has brought to the people of the Niger Delta, which has seen a predominantly fishing society turned into a pirate stomping ground. On this background, the economic factor is also categorized as a secondary cause. This chapter will analyze how these findings compare to previous research and where they fit into the larger picture of the piracy literature.

6.1 Primary Causes

First and foremost, although the position of Nigeria as a failed state is firmly advocated throughout and it fits some so-called prerequisites for it, this study appears to differ. Instead, the data imply that Nigeria, despite its limitations, can partially offer security and economic benefits, such as transportation infrastructure and commodity markets throughout most of its territory. This, combined with corrupt institutions/officials and a looming oil black market, made piracy conducive in Nigeria.

As suggested by data in the results section, corruption facilitated piracy in many ways. These include the direct involvement of powerful politicians and businesses in the pirate gang hierarchy, as revealed by indicted pirates in interviews. Similarly, local politicians support pirates in exchange for election fraud and criminal operations. This dramatically increased criminal impunity, resulting in a low probability of pirates being prosecuted, significantly lowering the definite deterrence from committing piracy. Finally, it was found that the involvement of law enforcement and maritime authorities through bribes to assist or “turn a blind eye” to maritime crime is another channel through which corruption plays a role.

An availability of optimal infrastructure (specifically in the oil industry), and an uncontrolled oil black market (illegal economy) with a functioning economy are attainable only in a non-failed state. For this sort of piracy to flourish, a failing state would not have provided the necessary infrastructures and a relatively decent economy (Mehmet & Murat, 2013, p. 402). Piracy necessitates access to a market where pirates can sell their plunder, as well as a somewhat stable environment where pirates can access roads and other infrastructure. The presence of all of these in Nigeria has apparently remarkably supported the tanker hijacking business in the GoG. As a result, these findings are consistent with Hasting’s theory, which posits that a certain level of state weakness is required to provide a favorable climate for sophisticated piracy (Hastings, 2009). Sophisticated in the sense that the variety and number of actors involved, the advanced planning, and the fatal weaponry employed by the perpetrators can only be upheld in a relatively thrived state. This is the first study to test this hypothesis in Nigeria. Furthermore, because the state fragility index of the states in the GoG does not tend to have a relation with the trend of piracy see Table 3.1, and Nigeria is the focal point of the piracy problem, the study was limited to Nigeria in evaluating this hypothesis.

Secondly, due to the primacy of hydrocarbon resources in Nigeria’s political economy, the study operationalized the correlation between piracy and oil resource

governance in Nigeria in two ways: the surge of militancy as a result of the centralization of oil revenue, and the deprivation of economic opportunities for locals in the Niger Delta as a result of environmental damage caused by the oil industry. The latter was similarly viewed as a source of agitation by the people of the Niger Delta. The facts overwhelmingly demonstrated that the violent actions of the insurgents had resulted in an expansion to offshore piracy. First, militants used the disruption and disturbance of the oil income stream as a bargaining tool in negotiations with the government, which eventually led to the kidnapping of international oil workers to intimidate and garner the attention of international oil firms operating in the area. As their operations grew in scope, the militants used this as a source of finance to continue their operations, eventually expanding their buccaneering to further parts of the GoG waters. During this period, MEND conducted a series of attacks on the coast and adjacent waters of Nigeria and its surroundings. The growth of militancy in 2005 corresponded with a significant increase in piracy in the region, and the observations clearly revealed how the trend of militancy interacted positively with the occurrence of piracy in the region. There is abundant evidence to affirm militants' and former militants' intense involvement in maritime crime in the GoG, and it is critical that interest groups in the oil industry, i.e. the government and Multinational Oil Companies in the area, understand the context, and scale, in which these affects the maritime security of the sub-region.

Meanwhile, the indirect influence of militancy violence, such as the proliferation of small fire arms and the state's loss of control and security in the Niger Delta's creeks, has normalized oil bunkering, illegal tapping of oil pipelines, and armed robbery or petty crime in the region's waterways. These crimes are closely related to piracy and can easily spill over to offshore armed robbery. Furthermore, unemployment and destitute levied on the people of the Delta region due to the destruction associated with oil exploration has unsurprisingly increased the willingness to participate in piracy among the youths. Many of them are readily available as recruits without hesitation.

The findings on the correlation between bad oil resource governance and piracy are consistent with what various scholars have observed in the Niger Delta. The findings supports Nincic's and Mandanda's respective claims that maritime piracy should be viewed as a source of social and economic misery, as well as a result of social, political, and economic deprivation (Nincic, 2009) (Mandanda, 2016). The combination of social inequities and political disparities, combined with insecurity and corruption in the oil sector, creates an environment conducive to piracy. The result also confirmed Neethling's notion that, to some extent, maritime security in the GoG is politically motivated, although not all

attacks are solely political in nature (Neethling, 2011). In another perspective, the relative deprivation theory is used to explain how the Nigerian elite's corruption and weak governance expanded the population's social and economic divide, producing an atmosphere of discontent and protest, and ultimately in violence in Nigeria. The theory explains how a lack of social and economic amenities causes anger, aggression, and eventually communal violence (Mohammed & Mohammed, 2015). Although their study focused on the Jihadist movement in northern Nigeria, this theory can also be implied on this occasion to explain why poor governance of oil resources and mismanagement of oil revenues lead to violence and, subsequently, maritime piracy.

6.2 Secondary Causes

Taking a closer look at geography as a contributor to piracy in this subregion, the research disseminated it in to three components and each was evaluated independently. These are; coast length, proximity to busy maritime traffic, and the availability of safe havens for pirates. Although all of these characteristics constitute a region's geographic profile, their impact on maritime crime differs, as manifested by this thesis.

The study compared the length of the GoG countries' coastlines to the frequency of piracy attacks, but it identified no notable pattern in either way. This observation negates Ursula and Brandon's theory of that, a longer coastline increases the probability of piracy (Ursula & Brandon, 2013). That is not the case in the Gulf of Guinea; however, the disparity in naval capability between two neighboring states has been shown to influence pirate trends in the region. Pirates prefer to relocate to less patrolled coastal states to reduce the chance of being caught in relatively capable states. In this instance, this observation was limited to Nigeria, Togo, and Benin; however, further studies can be undertaken in this context to further examine this hypothesis throughout the Gulf of Guinea. To conclude, mere physical length of the coast is evidently not sufficient to predict the prevalence of piracy in the Gulf of Guinea, but the ability of a coastal state to police its waters may dictate the number of pirate incidents. The length of the coastline can affect piracy only if the law enforcement capability does not match the length of the coastline of a state. In that case, it impedes counter-piracy measures because it enables the easy spillover of maritime crimes between neighboring states.

On the other hand, as previously established in the literature, the study affirms that, the presence of a busy maritime route suggests the availability of targets to pirates due to the large number of transiting vessels and vessels awaiting in anchorages. This was

operationalized by looking at the number of vessels transiting GoG waterways, as well as the number of economic ports that act as a life vein for not only coastal states but also landlocked countries. Which is why there is no better environment in West Africa for piracy to grow than the GoG's densely populated waters and insufficient ports. This certainly contributes to the continuance of piracy in this region, as there is always a potential target for pirates.

The last geographical characteristic examined was the inherent safe refuge afforded to pirate groups in the Niger Delta. The topography of the Niger Delta is a unique feature in the region that provides pirates with a haven from which to base and execute their operations. Based on their research, Murphy (2008) and Hastings (2009) found that piracy thrives in locations with distinctive geographic features such as islands, reefs, and waterways that provide safe havens (Martin N. M., 2008) (Hastings, 2009). These results not only support this theory by denoting that the Niger Delta has an unmatched geographical feature that embodies these traits, but they also give account of interviews of pirates and hostages verifying this claim.

In general, apart from the length of coastline, three of the geographic factors have shown to enhance piracy in the region. This, combined with the fact that geography is, for the most part, natural and unchanging, means that its overall impact on piracy is heavily influenced by human activity. Therefore, Geography is termed as a secondary factor when it comes to impacting maritime piracy in the Gulf of Guinea. This study is believed to be the first to examine in detail the relationship between geography and piracy in the GoG. This is significant to the GoG countries because it will provide policymakers a glimpse of how their maritime domain and geopolitical position affect their maritime security status, allowing them to design attainable policies accordingly.

Economic factors, similar to geographical features, have had mixed results in terms of their significance to maritime piracy in the GoG. As previously stated, GDP has no effect on piracy in the GoG, contrary to popular notion in the literature. GDP, GDP per capita, and annual GDP growth are all determined to be irrelevant in this subregion to the phenomena of maritime crime. In terms of GDP, Nigeria, the country with the highest GDP in the region, was determined to have the most reported piracy occurrences in the entire region. Hence, this element is obviously ineligible as a driver of piracy in the GoG.

According to the analysis, using GDP per capita to measure the economic growth of the GoG countries is not realistic because their population sizes and natural resource abundance differ drastically. Additionally, because of rampant corruption in these states,

their equal wealth is not fairly distributed among the population, and as a result, the majority of their citizens continue to live in abysmal poverty. Therefore, regardless of how large the GDP is, it does not translate into total prosperity in these states. Subsequently, further analysis was conducted to determine whether poverty is directly proportional to the rate of piracy. Although poverty is a problem in Nigeria, other states in the Gulf of Guinea are shown to be poorer, and their piracy levels are nowhere near that of Nigeria. As a result, poverty alone is established to be insufficient to promote piracy.

To further assert if GDP affects maritime piracy in the GoG, Regan's theory, which states that a decrease in annual GDP growth increases the likelihood of piracy, was applied in the GoG. The states' average annual GDP growth rates were compared to their reported piracy statistics, but no correlation was found. As previously indicated, GDP appears to have no consequence on the rate of piracy in the GoG.

Interdependence between maritime piracy and the fisheries economy has been stressed in the maritime piracy scholarship, and quantitative approaches have been used to assert this claim in sub-Saharan Africa (Charlebois, 2012). Collectively, IUU fishing is an immense issue in the GoG, and its economic consequences for coastal towns are obvious, but no concrete evidence has been gathered on fishermen engage in act the of piracy. However, owing to Nigeria's huge export of pirates and the fact that most events were reported in its waters, the study focused on this issue in Nigeria, particularly in the Niger Delta. Although not enough verification has been acquired due to fishermen's reluctance to acknowledge their participation in piracy, the Navy has confirmed local fishermen's direct involvement in the smuggling of illegal oil. This has been corroborated by alleged fishermen, who admitted to participating in the illicit sale of stolen oil due to their frustrations at not being able to survive on their insufficient catch. This depicts that, the prospect of the fisherfolk turning to piracy is not far-fetched.

Overall, piracy is an economic crime, and empirical data has related it to poverty and destitute states; nevertheless, this does not imply that piracy is directly proportionate to poverty, as this study simply demonstrated. If poverty were the case, we would have seen other countries in the GoG record higher or equal rates of maritime crime as Nigeria. However, following thorough analysis, a distinct economic dynamic in the Niger Delta was noticed: oil-industry-driven unemployment. This distinct aspect of the Niger Delta has helped us understand why people are prepared to engage in piracy when their primary source of income is threatened by oil exploration in the region. Therefore, the analysis deduce that the disastrous oil sector played a significant impact in impeding economic activity in the

Niger Delta. This is a source of resentment that fuels militancy, which in turn fuels piracy. Also, many resort to illegal means of earning a living, such as maritime piracy due to the lack of legitimate economic alternatives, particularly fishermen and farmers.

To conclude this chapter, the cause of maritime piracy is multi-dimensional, and different regions of the globe in which piracy exists may have notable influences among the different causes. This study aims to not only understand the drivers of piracy in the GoG, but also to recognize and categorize them based on their significance, because not all of them have the same magnitude in impacting piracy. This paper has shown that, bad oil resources governance and state weakness are the main drivers of maritime piracy in the GoG. Therefore, they are prioritized as primary causes of maritime piracy in the GoG in this study. Geography and economic factors have some influence on the dynamics of piracy, but they are not groundbreaking factors especially outside of the borders of Nigeria. Moreover, the economic plight of the Niger Delta people appears to have a direct impact on the dynamics of maritime crime in Nigerian and neighboring waterways. Economic and Geographic variables are therefore classified as secondary causes.

Theoretically dissecting and grouping the drivers of maritime piracy in the GoG allows us to view piracy through the lens of a broader societal, political, and economic dilemma rather than as a one-sided insecurity issue. Thus, governments will know which issues to assess and prioritize in their overriding strategy in fighting piracy. Nonetheless, it is undeniable that maritime piracy is prescribed by the abnormalities onshore.

Furthermore, because most GoG states face the same economic, political, and security complexities, such as corruption, weak institutions, political violence, or insurgency, the tendency of piracy to shift from one state to another is quite normal and understandable. However, Nigeria is decisively overwhelmed by internal violence, particularly in the Niger Delta which is mainly characterized by the mode of oil extraction and the way revenue derived from it is squandered. This research refers to this as Bad Oil Resource Governance in general, and it is primarily attributed to the growth of maritime piracy in the sub-region.

7. CONCLUSION AND RECOMMENDATIONS

The main objective of this research was to collect, classify and process the data in order to conceptualize and analyze the driving factors that contribute to piracy in the GoG. By fulfilling its aim, the thesis was able to demonstrate that the predominant cause of maritime piracy in the GoG is militancy violence in the Niger Delta as a result of bad governance of the oil resources, compounded with weak state institutions that permitted corruption and impunity for pirates. Furthermore, Nigeria's sophisticated oil business has evidently contributed in the growth of piracy (petro-hijacking). This reveals that, state fragility matters, but only in the sense that it is a necessary condition for the emergence of piracy, because Nigeria is not the weakest of states in the GoG, however it has a balanced combination of weak state characteristics that mosaic together to make it conducive to the crime of armed robbery at sea.

This finding suggest that, Nigeria should address the socioeconomic, political, and environmental factors that contributes to militancy, criminality, and political violence in the Niger Delta, which drive piracy. Although preventive and reactionary efforts at sea are equally significant, policies aiming at alleviating these issues on land should be prioritized. Given that it is making significant success in the former with its integrated maritime security policy (Deep Blue), land governance should be evaluated and enhanced as well.

Anti-piracy operations at sea may be successful in the short term, their long-term effectiveness is debatable, particularly given the vastness of the sea and the volatility of pirates in their attacks.

Although the analysis emphasizes the need for Nigeria to strengthen its institutions and improve governance; the other GoG states ought to act in the same manner due to the similarities in the problems confronted such as poverty, unemployment, political violence and marginalization especially in their coastal communities that could lead to maritime crime. Furthermore, future studies can examine some of these countries to see how their socioeconomic aspects would impact maritime piracy in the region in the near future. However, this analysis provides an insight of how Nigeria's influence in the GoG region overshadows all other piracy predictors in the GoG and their effect is apparently minimal contemporary. Other states, on the other hand, should be vigilant in their anti-piracy operations, as recent pirate occurrences indicate that attacks are spreading throughout the GoG rather than being isolated to the waters of Nigeria.

The overriding problem will be difficult to tackle unilaterally due to the transnational nature of maritime crimes, so governments in the GoG, in collaboration with their international partners, must establish a functional framework to combat this threat. As shown in the study, the groundwork for this regional framework and other multilateral partnerships has been laid, but not enough has been done to make a noteworthy difference in the fight against piracy in this region. First and foremost, the implementation of the regional anti-piracy architecture has been delayed due to a lack of finance and resources. To counteract this, this thesis advocates for ocean literacy and maritime domain awareness which can stimulate political will so that states may channel adequate resources and human capital into protecting their maritime zones from seaborne threats.

Most GoG countries lack the financial and technological capacity to command an ocean-going fleet capable of battling piracy on the high seas, as evidenced by their economic realities. Therefore, to maximize their maritime force structure, the most feasible means to contribute is to concentrate on their 12 NM territorial waters. Although not all states currently have the means to adequately police their territorial seas, it is the very minimum that they should persevere to attain. In their extended EEZs, states should heighten their maritime domain surveillance capabilities to be aware of their maritime domain and at the same time deter illegal acts at sea. In addition, to increase their range of law enforcement presence, joint patrols should be encouraged more and 'shipriding' - when a law enforcement official from one party has been granted permission to board a law enforcement vessel or aircraft from the other (Law Insider, 2022) - agreements as well.

This approach would also be useful in foreign vessels to address the problem of sovereignty infringement that the GoG governments are concerned about, because the coastal state will benefit from the naval range and capabilities of the foreign vessel while at the same time enforcing its coastal laws and regulations. This, in turn, would lessen the legal challenges that foreign vessels face when confronted with a maritime piracy case like the one involving the Danish frigate.

Finally, as the West looks for alternative energy sources as a result of the Russia-Ukraine conflict, the GoG could play a key role in supplying more oil and gas to the European Union and its partners, resulting in increased maritime traffic and more targets for hijackers seeking for oil-laden vessels to prey on. As a result of the continuous rise in oil and gas prices, which means greater reward for a less risky adventure, incident numbers may rise in the coming months. On this background, designated safe maritime corridors should

be introduced to enable the safe passage of these tankers and other vital vessels. A well protected corridor capable of fending off pirate attacks to a minimum.



8. REFERENCES

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