

Maritime Piracy in the Gulf of Guinea

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Tomorrow (28 June 2022), the African Union (AU) Peace and Security Council (PSC) will convene its 1090th session to discuss maritime piracy in the Gulf of Guinea.

Following opening remarks by Daniel Owassa, Permanent Representative of Congo to the AU and Chairperson of the Council for the month of June, Bankole Adeoye, AU Commissioner for Political Affairs, Peace and Security is expected to deliver statement while the representative of the Gulf of Guinea Commission (GCC) is scheduled to make presentation. The representatives of Congo, Sao Tome and Principe, Equatorial Guinea, Nigeria, Gabon, and Angola will also make statements in their capacity as members of the GGC. In addition to the representatives of Economic Community of West African States (ECOWAS) and the Economic Community of Central African States (ECCAS), the representatives of the Indian ocean Commission, United Nations Office to the African Union (UNOAU), and the European Union (EU) are also expected to make statements.

The last time Council considered the issue of maritime security in Africa was at its 1012th session, which was convened on 23 July 2021 under the chairship of Nigeria. In that session, Council, among others, expressed its 'deep concern over the challenging situation in some regions and areas of Africa's maritime security domain'. Council also condemned the 'illegal exploitation of Africa's maritime resources and the dumping of toxic waste in Africa's maritime domain'. This session is expected to focus on the maritime insecurity in the Gulf of Guinea, which has overtaken the Gulf of Aden and the Horn of Africa over the past few years,

turning the region into the world's major hotspot for piracy, armed robbery at sea and other forms of maritime crime including transnational organized crime, oil and cargo theft, illicit trafficking and diversion of arms, drug and human trafficking, illegal trade and smuggling, and illegal, unreported and unregulated fishing (IUU). As such, tomorrow's session presents Council the opportunity to assess the maritime security situation of the Gulf of Guinea and explore ways and means to effectively respond to the situation. It is to be recalled that a resolution on maritime security in the Gulf of Guinea (S/RES/2634 (2022)) – co-sponsored by Ghana and Norway – was unanimously adopted by the UN Security Council on 31 May, a decade after its last resolution on the issue.

Stretched from Angola to Senegal and covering around 11,000 square kilometres (4,247 sq. miles), the Gulf of Guinea remains one of the world's most important shipping routes for both Gulf of Guinea oil exports from the Niger Delta and consumer goods to and from central and southern Africa, accounting for 25 % of African maritime traffic. Piracy has continued to emerge 'almost exclusively' from Nigeria's oil rich Niger Delta though attacks also take place elsewhere, according to Dryad Global.

Although it is difficult to establish the exact cost of maritime insecurity in the region, a recent report by the UN Office on Drugs and Crime (UNODC) revealed direct, indirect and opportunity costs to the region and beyond. One source claim that piracy in the region costs the coastal states some 2 billion USD a year. As UNODC's study rightly pointed out, the cost will not be however limited to the coastal states but also 'trickle along trade corridors to the heart of the continent', highlighting the importance of the issue for countries beyond the coastal states.

The maritime security landscape of the Gulf of Guinea has been changing over the years. Maritime incidents are no longer restricted to territorial waters but increasingly occurring

further offshore often outside of the Exclusive Economic Zones. The threat has spread outward from the shore with pirates operating over a vast region extending hundreds of miles from the coast, showing a worrying trend of increasing operational capability of pirates. While incidents have turned increasingly violent, kidnap for ransom has also become the most significant risk to commercial operations in the region. Moreover, a dangerous linkage between piracy and terrorism is also evolving in the region as the tentacles of terrorist groups operating in the Sahel is reaching to the Gulf of Guinea. In this connection, members of Council could be interested to know more about how piracy and armed robbery in the region interact with the expansion of terrorism and violent extremism as well as the resurgence of coups, and how these can impact the peace and security situation of the West and Central Africa regions.

Despite the grim picture however, the maritime security landscape of the region recorded a notable improvement in 2021 though the sustainability of such gain remains questionable. The 2021 annual report of Dryad Global, a maritime risk company, indicates that piracy off West Africa in 2021 declined dramatically with 56% drop from previous year. It further highlights that incidents of actual and attempted attacks and vessels being fired upon decreased by more than 85%. The number of vessels boarded throughout the region fell by 54% while incidents of crews being kidnapped declined by 60%.

Many attributes the decline in piracy in the region with Nigeria's 195 million USD Integrated National Security and Waterways Protection Infrastructure, otherwise known as the Deep Blue Project (DBP), though some like the Dryad Global doubts this. On the other hand, Linda Thomas-Greenfield, United Representative at the UN, during UN Security Council meeting on maritime security in May associated the crimes decrease with enhanced international collaboration. The blue

project of Nigeria, initiated in 2017 but officially launched this month, brings together a mix of special mission vessels, fast interceptor boats, special mission aircraft, helicopters, and drones to patrol the shipping lanes off Nigeria's coast. It is to be recalled that the country passed an anti-piracy bill, the Suppression of Piracy and Other Maritime Offences Act in 2019, to stem the rising trend of piracy in the region. During the launch ceremony on 10 June, President Muhammadu Buhari stated that the Deep Blue would 'advance the security architecture and ensure greater enforcement action in Nigerian waters and beyond', particularly in the prosecution of suspects under the Suppression of Piracy and other Maritime Offences Act.

While the project is a significant positive development to tackle the immediate maritime security concerns in the region, the long-term success of this initiative in turning the tide against piracy is not guaranteed nor the gains of last year remain sustainable without addressing the underlying causes of piracy and armed robbery. The absence of economic opportunities and governance deficit have become major drivers of piracy and other criminal activities in the region. It is imperative that the security measures are complimented with addressing such underlying conditions if the threat is to be resolved sustainably. On a related note, it is worth noting that the UN Security Council resolution 2634 (2022) requested the Secretary-General to report on the situation of piracy and armed robbery at sea in the Gulf of Guinea and its underlying causes, including any possible and potential linkages with terrorism in West and Central Africa and the Sahel.

Another important factor to stem maritime insecurity in the Gulf of Guinea is the need to strengthening the existing frameworks and institutions created to address the security challenges in the Gulf of Guinea, as well as enhancing cooperation and coordination between the plethora of structures. In this respect, the Yaoundé Architecture for

Maritime Security and Safety, a culmination of a meeting between ECOWAS, ECCAS and GGC in Yaoundé, Cameroon, in 2013, is at the centre of such mechanisms designed to address the maritime insecurity in the region. While significant progress has been made towards its operationalization and strengthening cooperation with international partners, limited capacity continues to remain a challenge for the effectiveness of the architecture. Yaoundé Code of Conduct, Africa Integrated Maritime Strategy (AIMS) 2050, African Charter on Maritime Security and Safety and Development in Africa (Lomé Charter) are also relevant instruments available at regional and continental level.

The presence of different structures and initiatives at national, regional, and international levels to address maritime insecurity in the Gulf of Guinea also raises the question of coordination. One notable development of interest to the Council in this respect is the establishment of the Gulf of Guinea Maritime Collaboration Forum and Shared Awareness and De-Confliction (GoG-MCF/SHADE) last year. The platform was created by Nigeria and the Inter-Regional Coordination Centre (ICC) – representing 21 countries in the Gulf of Guinea – to serve as a platform for navies, industry partners and other relevant stakeholders from across the Gulf of Guinea and beyond with the view to harmonising counter-piracy efforts and communication in the region. International partners such as the G7++ Friends of the Gulf of Guinea and the European Union have also stepped in to support regional efforts against piracy.

Adding to the above structures, the PSC in its last session on the theme also envisioned a naval capacity within the African Standby Force (ASF) for promoting maritime and security and safety in Africa though its practicality would remain a problem. This will be in addition to the Counter-terrorism unit which Council decided to establish within the ASF at its 960th session held on 28 October 2020.

The expected outcome of tomorrow's session is a communique. Among others, Council is expected to express concern over the persistent threat posed by piracy, armed robbery, and other forms of maritime crime in the Gulf of Guinea. It may further express concern over the trend of the expansion of the threat posed by pirates far from the coast, as well as the economic implications of the threat on the coastal states. Council is likely to welcome the launch of Nigeria's Deep Blue Project on 10 June 2022 and may appeal to international partners to provide the necessary support to the effective implementation of the project. It may also re-emphasize the importance of adopting a comprehensive solution to the multidimensional underlying causes and drivers of maritime insecurity in order to sustainably address the problem. Echoing UN Security Council Resolution 2634 (2022), Council may urge member states in the region to criminalize piracy and armed robbery at sea under their domestic laws, and may further call to investigate, prosecute, or extradite, in accordance with applicable international law, perpetrators of piracy and armed robbery at sea. Taking note of the decline of piracy in the region over the past year, Council may encourage coastal states to keep the momentum and sustain the gains through continued collaboration and strong coordination among states of Gulf of Guinea as well as the different initiatives and institutions including the Yaoundé Architecture, AU, ECOWAS, ECCAS, and GGC in the fight against piracy and armed robbery at the sea of Gulf of Guinea.