Gulf of Guinea: pirates and other tales

by Alice Vervaeke

Despite a global decline in piracy and armed robbery in recent years, the Gulf of Guinea recorded an alarming increase in these crimes in 2016 and is considered today the most dangerous zone in the world for seafarers. Moreover, since 2016, kidnapping for ransom has become more prevalent because of the decline in the price of oil and, most importantly, the low risks versus the financial benefits. In 2017, although international and regional naval surveillance was increased, the phenomenon shows no signs of slowing down: 17 seafarers have been kidnapped so far.

Nigeria remains the hotspot of piracy in Africa. In 2016, the International Chamber of Commerce (ICC) recorded an increase of 157% in Nigeria alone (14 in 2015 compared to 36 piracy attacks in 2016). However, the ICC is a passive data compiler as it relies on voluntary information. The underreporting of maritime crimes could easily double these figures. Threats to maritime security in the Gulf of Guinea range from piracy, armed robbery and oil theft to illegal fishing and trafficking in illicit goods. Their impact on economic development, human and food security is not to be taken lightly: the threats cost Nigeria $1.5 billion a month, for example. The 'blue economy' is vital for most African countries, as over 90% of imports and exports are conducted across seas and oceans.

Regional cooperation

There have been some concrete successes in terms of maritime security, such as the Nigerian navy rescuing the hijacked UAE-owned oil tanker MT Maximus in 2016. Moreover, in October 2016, African heads of state and government met at the Lomé Summit to discuss the 2050 Africa Integrated Maritime Strategy and to raise the profile of the maritime domain and blue economy across the continent. To date, 33 African countries have signed the Lomé Charter. The Summit was considered a qualified success although the Charter can only enter into force after 15 countries have ratified it – the African Union (AU) should thus push for starting the ratification process swiftly. The Lomé Charter does not include mandatory terms and codes of conduct – like the UN and Djibouti codes – but foresees the creation of a 'Maritime Security and Safety Fund'.

That said, the number of international instruments, actors and institutions in this domain has created a complex web of actors and interests that may easily lead to the duplication of capacity-building efforts and coordination difficulties. There is also a fair amount of scepticism surrounding the actual capacity of the coordination centres. The Inter-Regional Coordination Centre (ICC) in Yaoundé, inaugurated in September 2014, was finally staffed with high-level officials only in February 2017, despite a commitment to be operational in 2016. The ICC's mandate is to lead maritime security in the Gulf of Guinea and coordinate the Central Africa Regional Maritime Security Centre (CRESMAC) and the West Africa Regional Maritime Security Centre (CRESMAO). These structures have common challenges such as a lack of resources and long-term funding mechanisms, and suffer from an

unwillingness of states to coordinate efforts – all of which negatively affects intelligence sharing and patrol surveillance coordination.

Another major challenge lies in the existing tensions concerning legal jurisdiction – over delimited maritime zones or international seas. Piracy is deemed to be an international crime because it occurs beyond territorial waters, but reported cases of piracy are often minor incidents which occur close to shore. As a consequence, this affects what is (and what is not) recorded and categorised as 'piracy' under the UN Convention on the Law of the Sea.

Terrorism, piracy and beyond

Political instability and terrorist threats in West Africa and the Sahel are also exacerbating problems in the Gulf of Guinea. So far, there still is no concrete evidence of interlinked financial flows between terrorists/jihadists in the Sahel, pirates in the Gulf of Guinea, and criminals in the Niger Delta. However, collusion cannot be ruled out altogether. Any possibility for jihadist armed groups – like Boko Haram, Ansaru, Movement for Oneness and Jihad in West Africa (MOJWA) or al-Qaeda in the Islamic Maghreb (AQIM) – to benefit from instability and illegal activities in the Gulf of Guinea needs to be prevented. For instance, gains from oil revenues (set to rise by 2020) or illicit smuggling may contribute to the financing of terrorism.

The 2017 increase in piracy is to some extent associated with the rise of the Niger Delta Avengers and the Niger Delta Greenland Justice Mandate: by disrupting Nigeria's oil and gas production, these groups aim to strengthen their hand in negotiations over oil and gas exploitation revenues in the Niger Delta Region.

In addition to piracy and armed robbery, maritime security bodies in the region have to take into account the damage inflicted on the oceans through factors such as pollution, changes to ecosystems, and overfishing. According to Interpol, unreported and unauthorised fishing (IUU) accounts for approximately 37% of catches in the Gulf of Guinea. A recent study published by the journal Frontiers in Marine Science revealed that illegal fishing by Chinese companies in West Africa is costing local economies approximately $2 billion. And the Chinese government heavily subsidises their voyage to West Africa (between 2011 and 2015, the government subsidised the fishing industry to the tune of almost $22 billion). The combination of China's massive industrial fishing capacities (with the Chinese often misreporting the size of their vessels and contravening laws) and weak local accountability and regulation has led to a decline in fish consumption in the region and ultimately harmed the blue economy.

Maritime security in the Gulf of Guinea requires better coordination of capacities and efforts to enhance the monitoring and surveillance of the fishing sector, to improve the qualitative methods of intelligence gathering and sharing, and to develop the capacity of regional centres. The challenge is that these efforts ought to occur in and through a complex web of cross-sectoral, cross-jurisdictional and trans-boundary – as well as inter-state and inter-agency – arrangements.

The EU contribution

The EU has been active in the region for a long time. In 2009, the EU initiated the Critical Maritime Routes programme (CRIMGO), a project to combat piracy in the Gulf of Guinea by improving the safety of the main shipping routes through the training of coastguards and the creation of a network to share information between countries and agencies across the region. CRIMGO is a €4.5 million project that essentially enhances capacities in the region with crisis response at sea and support for the ICC.

After CRIMGO's mandate ended in 2016, the EU has continued its support to the region with new projects. At the Lomé Summit, Commissioner Vella signed the GoG Information Network (GOGIN) project for a total amount of €9.3 million, funded by the 11th European Development Fund (EDF) regional programming and the Instrument contributing to Stability and Peace (IcSP). EU agencies – including FRONTEX, the European Maritime Safety Agency (EMSA) and the EU Satellite Centre (SATCEN) – are involved in its implementation, specifically in the Earth Observation and Monitoring programme called Copernicus.

The G7++ Friends of the Gulf of Guinea (G7++ FOGG) – which includes Belgium, Denmark, France, Italy, Portugal, Spain and the UK – meet with the actors and structures involved in the Gulf of Guinea twice a year to review the Yaoundé Summit declarations and their implementation. While it is currently under Portuguese presidency, it may soon have an African co-presidency in order to optimise international cooperation.

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