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PIRACY IN THE GULF OF GUINEA AND THE MARITIME DOMAIN OFF THE COAST OF SOMALIA, 2005–2024

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Abstract

For about two decades, the Gulf of Guinea and the maritime domain off the Coast of Somalia have suffered persistent pirate attacks on vessels. The enormity of the problem is brought home by data which indicates the exponential rise in pirate attacks in these areas in recent times. The insecurity created by the activities of pirates on these two important maritime corridors in Africa poses a severe threat to international trade and investment, constrains the ability of countries in these regions to exploit ocean resources for national economic development and also negatively impact the global economy. This paper critically examines the root causes of piracy in the Gulf of Guinea and the waterways off the coast of Somalia and the local and international efforts to contain the problem. The paper depended on secondary data which were sourced from the internet, journals, books, magazines and newspapers. Logical conclusions were drawn after painstaking examination of available data. The paper found that piracy in these areas is caused by a combination of factors occurring onshore which manifests in criminal activities offshore. To resolve the crisis, the paper recommended the institution of effective government in states in the affected regions; boosting the capacity of states to police their maritime domains; tackling issues of poverty and unemployment and addressing local grievances particularly in the Niger Delta region of Nigeria.

Keywords: Piracy, Gulf of Guinea, maritime domain, international trade, off the coast of Somalia.

1. Introduction

Piracy is the criminal act of attacking and robbing ships and vessels at sea. It is a global phenomenon that is as old as the shipping industry. Historically, the sea lanes of Africa and Africans did not play significant roles in the global history of piracy. In the last two decades the Gulf of Guinea and the waterways off the coast of Somalia have been classified as hotbeds of piracy (IMB Report, 2024; Council on foreign relations, 2012; Onuaha, 2012; Kamal-Deen, 2015). The resurgence of piracy in Gulf of Guinea and off the coast of Somalia in contemporary times has had significant negative impacts on global economic activities and the economies of African states (Mbekeani & Ncube, 2011; UNSC, 2022). Piracy in the Gulf of Guinea and off the coast of Somalia has evolved with the use of sophisticated arms and hostage taking of ships and seafarers for ransom has become common practices (Jacobson & Rasmussen, 2024; Anyimadu, 2013; Council on foreign relations, 2012; United Nations Office on Drugs and Crime, n.d). These have resulted in huge annual economic losses; increase in the cost of shipping and the prices of imported goods in the continent (Mbekeani & Ncube, 2011).

In fact, piracy in the Gulf of Guinea and off the coast of Somalia has become the single biggest threat to global business activities as these waterways are major corridors of commerce and investment (Ahorsu, et al, 2024). Piracy do not only threaten global economic activities but also complicates the broad economic objectives of sub-regional organizations, hence the response from the Economic Community of West Africa (ECOWAS) and the Economic Community of Central African States (ECCAS) to the activities of pirates in the Gulf of Guinea (Vrey, 2013). The primary objective of integrating the economies of member states and increasing intra-regional trade within the Economic Community of West African States and the Economic Community of Central African States is endangered by piracy in the Gulf of Guinea.

Piracy is also a security threat not only to East and West Africa but the entire African continent (Ehiane, 2025). In a period where most African countries are suffering from one security crisis or the other, the activities of pirates can contribute to the security problems of the continent (UNSC Resolution 2018 (2011). The huge resources generated by the criminal activities of pirates can be channeled into conflict in parts of the continent. Terrorist organizations like Boko Haram in Nigeria and Al shabaab in Somalia can take advantage of the vast resources from piracy to intensify

their activities in the continent. Piracy can therefore promote civil strife and contribute to the security dilemma of African states most of which belong to the class of fragile states (Fragile states annual report, 2020). Piracy also poses a threat to global peace and security hence the international community reacted promptly to the crisis off the coast of Somalia (Kamal-Deen, 2015; Boamah, 2023). State failure in Somalia, political instability in Africa, the focus on land security to the neglect of security at sea and the weak capacity of coastal states to police their maritime domains are some contributing factors to the violence perpetrated by pirates in these two important sea lanes.

Piracy is an international crime. There have been international conventions and agreements on piracy. International law criminalizes piracy and has robust provisions for appropriate punishment for pirates. The 1958 Convention on the Law of the Sea was the first international attempt at proper governance of the high seas. The Convention criminalized piracy in international maritime domain and made its provisions part of international law. A further standardization of the laws on piracy was done in the 1982 Convention on the Law of the Sea. In both conventions (1958 and 1982) piracy was criminalized with stipulated penalties. Article 101 of the 1982 Convention on the Law of the Sea classified piracy as an activity consisting of the following acts:

(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 sub-paragraph (a) or (b) (Harris, 2004:454-455).

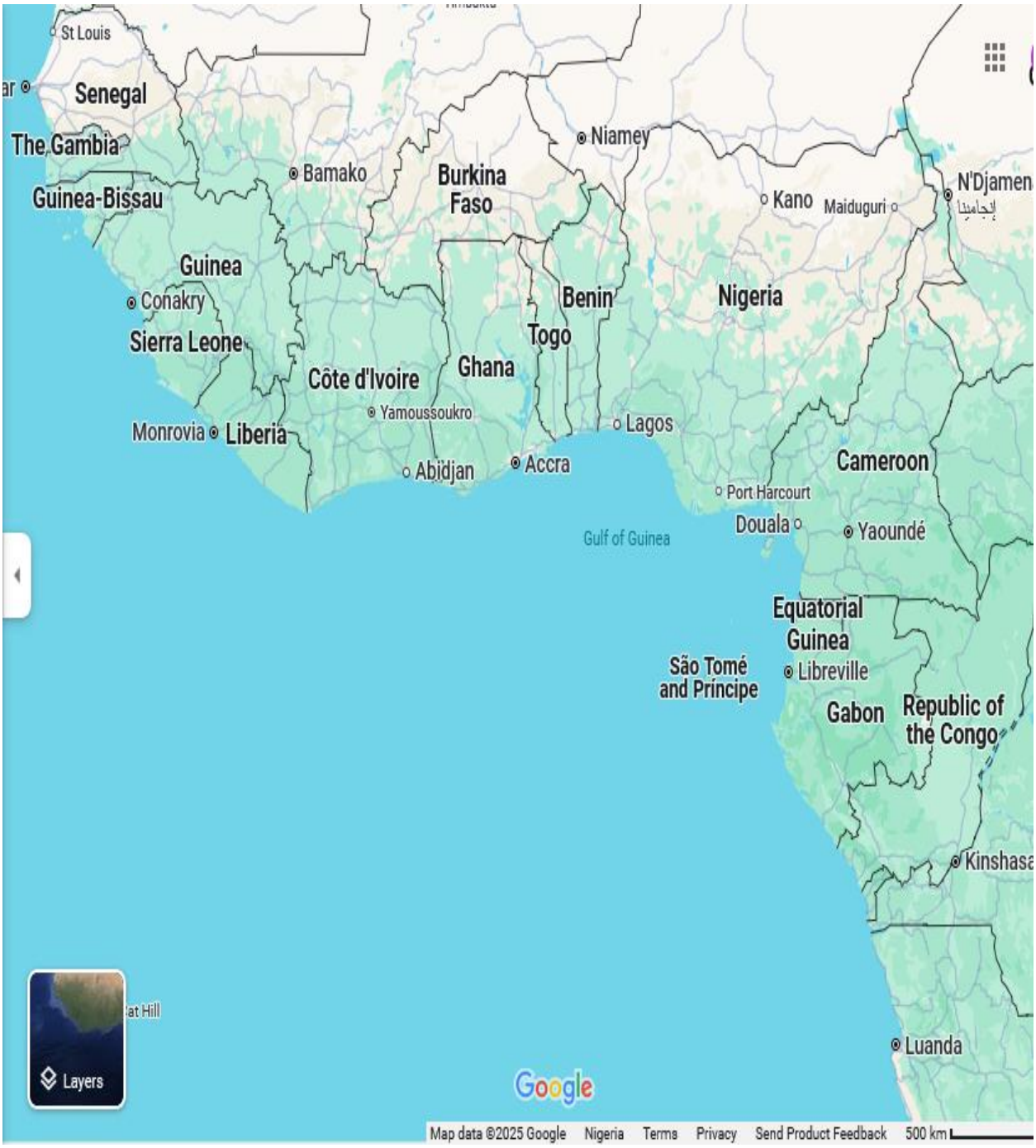
Articles 102-107 of the Convention were also dedicated to dealing with various aspects of the crime of piracy.

Some quick clarifications are immediately necessary in the application of the concept to this discourse. According to the 1982 Convention, acts of piracy can occur only on the high sea. International law recognizes the high seas to be outside the control and jurisdiction of any state. By this provision, robbery and violence against ships in the territorial waters of states is not classified as piracy but armed robbery of ships or vessels (Amadi, 2024). In this paper, all acts of robbery and violence within the territorial waters of coastal states and in the high seas are considered as piracy. In international law, piracy is treated as a crime against humanity (Starke, 1984). The universal jurisdiction principle therefore applies to the crime and it grants authority to all nations to pursue and apprehend pirates found acting within international waters, regardless of national background. This collective enforcement of laws indicates a shared responsibility of all nations in securing the high seas against piracy.

The paper covers the period from 2005-2024. The year 2005 is considered to be the beginning of the second phase in the evolution of piracy off the coast of Somalia (Lucas, 2013). It is a phase that is marked as a watershed in the activities of pirates off the coast of Somalia. The paper is a contribution to the literature on piracy in the Gulf of Guinea and off the coast of Somalia. The paper is divided into sections. Following this introduction is a spotlight on the Gulf of Guinea. Section three deals with piracy in the Gulf of Guinea and section four is on international and regional collaboration against piracy in the Gulf of Guinea. Section five presents the activities of pirates off the coast of Somalia and section six deals with the causes of piracy off the coast of Somalia. Section seven discusses international response to the crisis off the coast of Somalia. Section eight offers some policy recommendations in dealing with the piracy problem in the West and East African coastline. The last section is conclusion.

2. The Gulf of Guinea

Fig 1: The Gulf of Guinea



Source: Google maps

The Gulf of Guinea is an extensive coastline along the West coast of Africa. It comprises of countries in West and Central Africa and embraces the two regional economic blocs of (ECOWAS) the Economic Community of West African States and (ECCAS), the Economic Community of Central African States. It extends from Senegal in its northern fringe to Angola in the south. It is a coastline of 6,000km covering 16 countries: Senegal, Sierra Leone, Liberia, Côte d'Ivoire, Ghana, Togo, Benin, Nigeria, Cameroon, Equatorial Guinea, Gabon, the island state of Sao Tome and Principe, Central African Republic, the Republic of the Congo, the Democratic Republic of the Congo, and Angola (EU maritime security factsheet: The Gulf of Guinea). It is an important gateway between the Sahel, the Lake Chad region and the Atlantic Ocean. About 1,5000 cargo ships, tankers and vessels use its waters every single day **(**EU Maritime Security Factsheet: The Gulf of Guinea).

The Gulf of Guinea is important to international trade as it accounts for 25% of maritime traffic in Africa (Amani Africa Media and Research, 2022). It is also the outlet for oil exports from oil producing countries of the region and the source for consumer goods to the Gulf States and landlocked countries inland. It is also a maritime waterway through which much of the economic activities in the continent are conducted. It is therefore an important hub of international trade and a destination of investment in Africa.

Oil in the Gulf of Guinea is the major interest of industrial powers and emerging economies of the world (Onuoha, 2012). United States was quick in acknowledging the potential and strategic importance of the Gulf in meeting its domestic energy needs. The increasing instability in the Middle East, the Global War on Terrorism in the aftermath of September 9, 2001 (9/11) terrorist attacks on the United States and the rise of Islamic fundamentalism in the Arab world necessitated a new direction for US oil policy.

Confronted by increasing energy needs and instability in its traditional source of supply in the Middle East, United States Government launched its national energy plan in 2001 which projected US energy requirements over a period of 15 years and identified the Gulf of Guinea as a strategic

source of supply to the American market (African oil policy initiative group, 2001; Dieterich, n.d).. In several reports, the region was projected to play a critical role as a source of supply to the oil-hungry American economy (Dieterich, n.d). It is estimated that the Gulf of Guinea contains 4.5% of the world proven oil reserves (Marangio, 2025). The abundance of oil in Gulf of Guinea and its critical importance to the economies of industrial powers elevated the region in the geostrategic calculations of not only United States but all other industrial nations. Nations from every part of the globe were therefore attracted to the Gulf of Guinea primarily to participate in the oil industry (Osaretin, 2011). The Gulf of Guinea is a haven of investment and is host to multinational oil firms with huge investments. It is therefore a region of critical economic interest to many nations. Apart from energy interest, the Gulf of Guinea is also rich in fisheries and a lot of other natural resources. There is abundance of natural gas, estimated to be 2.7% of world gas reserves (Onuoha, 2012). The region is also a major source of diamonds, cocoa, timber, iron ore, bauxite, gold, uranium, tin, bitumen, copper, manganese, phosphate, granite, gas, marble, quartz, lead, zinc and a lot more other strategic resources that are vital to the industrial needs of all nations (Onuoha, 2012). These are the attractions that have accentuated the economic importance of the region. Consequently, many countries are struggling to have a foothold in Gulf of Guinea and the whole of Africa, an emergent phase that is widely acknowledged as the "*New scramble for Africa*" (Eze, et al, 2010).

3. Piracy in the Gulf of Guinea

Piracy is not a new phenomenon in Africa and the Gulf of Guinea (Pichon & Pietsch, 2020; Maritime piracy in the Gulf of Guinea, n.d). However, the upsurge in piracy in the area in the past two decades is linked to the insurgency in the Niger Delta region of Nigeria (Laifer, 2024).

The spike in piracy in the Gulf of Guinea and the significant impact on shipping and other economic activities attracted the attention of the international community. According to the International Maritime Organization (IMO), in 2004 the Gulf of Guinea had the second highest recorded incidents of piracy globally (Shafa, 2011:2 cited in Fiorelli, 2014:6). In 2005, there were 25 pirate attacks which rapidly surged to 53 cases in 2007 before experiencing a lull. Generally, the sustained momentum in piracy in the Gulf of Guinea has become a source of discomfort to the coastal states, the shipping industry and the international community.

Several studies identify militants from the Niger Delta of Nigeria as the perpetrators of piracy in the Gulf of Guinea (Kamal-Deen, 2015; UNODC). Reports of the International Maritime Bureau also consistently warned seafarers on the dangers of Nigerian waters. Citing IMB reports of 2009 and 2010 on acts of piracy and armed robbery against ships in the Gulf of Guinea, Kamal-Deen (2015) noted that 80% of reported incidents of piracy in the region were committed by pirates from Nigeria. This corroborates the findings by the IMO that most piratical activities in the Gulf of Guinea are traced to the Niger Delta of Nigeria (Maritime Piracy in the Gulf of Guinea). This consensus is captured in a report of a study aptly titled "Pirates of the Niger Delta 11: An update on piracy trends and legal finish in the Gulf of Guinea" by the Global Maritime Crime Programme of the United Nations Office on Drugs and Crime (UNODC).

The dominant practice by Pirates in the Gulf of Guinea is kidnap-for-ransom as the region accounted for 95% of these cases globally (UNODC). Though most pirates in the Gulf of Guinea operate within the territorial waters of regional states, ships were increasingly pirated in international waters as the activities of pirates got more daring after the initial phase. For instance, *Arch Gabriel* was attacked 270 nautical miles offshore on April 3, 2022. A year later, *Success 9* met a similar fate on 10th April, 2023 at 310 nautical miles off the coast (UNODC).

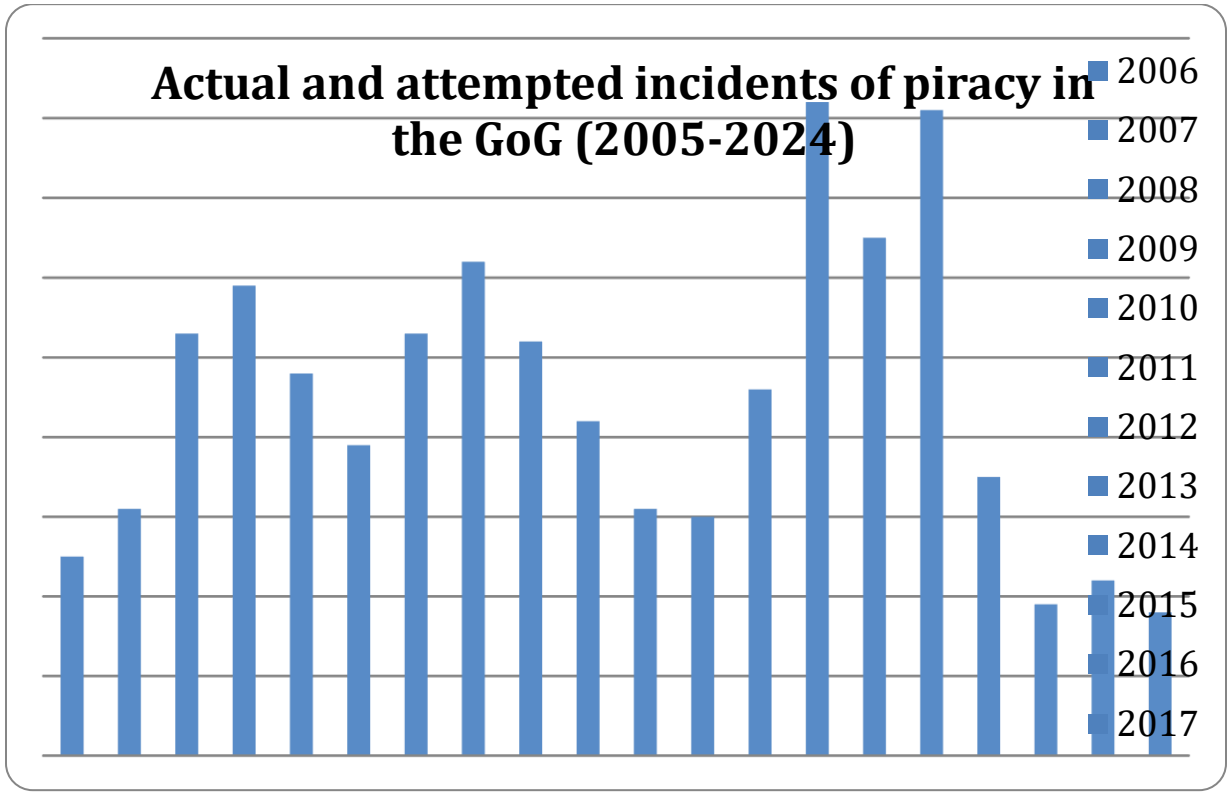
Table 1

Actual and attempted incidents of piracy in the GoG (2005-2024)

Years	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Incidents	25	31	53	59	48	39	53	62	52	42
Years	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2024**
Incidents	31	30	46	82	65	81	35	19	22	18

Source: compiled from ICC-IMB piracy reports.

Fig. 1



source: Collated from ICC-IMB piracy reports.

Table 1 and Fig 1 captured the activities of pirates in the Gulf of Guinea (GoG) from 2005 to 2024. The data shows that the grant of amnesty to militants in the Niger Delta in 2009 and the formal end to hostilities in the region had a negligible impact on incidents of piracy as there was sustained momentum in activities five years after the amnesty programme was rolled out. Fig 1 above shows a slight reduction in the incidents of piracy in the Gulf of Guinea in 2015 and 2016 before gathering momentum again in 2017. The reports indicates that the highest incidents of piracy were recorded in 2018, 2019 and 2020 with 82, 65 and 81 respectively. The last four years recorded a decline in activities. The reduction in incidents could be due to increased coastal security by regional states and intensified regional efforts against piracy.

Stifling living conditions of people along the coastline is a push factor that makes piracy inevitable. The underlying cause of insurgency in the Niger Delta is the economic and social privations of the oil producing communities (Ibaba, 2008). The Niger Delta is the hub of oil production in Nigeria but decades of exploiting oil have left a trail of misery. The Niger Delta is noted to be the most underdeveloped part of Nigeria and is deprived of social and economic opportunities. Oil exploration and exploitation has also left the people impoverished as the environment is despoiled with massive pollution (Imobighe, n.d). Consequently, it has become difficult to engage in fishing and farming which are the occupations of the people. Compromised livelihoods of the people, youth unemployment and the lack of opportunities are all contributing factors to the pirate epidemic off the coast of Nigeria. These are the prevailing push factors that contributed to the insurgency in the Niger Delta and piracy off the coast of Nigeria.

The insurgency in the Niger Delta created a safe haven for the operations of Niger Delta pirates in the Gulf of Guinea. It is worth noting that before the outbreak of insurgency the coastal areas of the Niger Delta lacked government presence and were poorly policed. This is why kidnapping, hostage-taking, vandalism of oil infrastructure, oil theft and other criminal activities were rife in many parts of the Niger Delta (Soremekun, 2011). The youths took advantage of these conditions in initiating the insurgency and the concomitant criminality that characterized the region before the grant of amnesty by President Umaru Yar' Adua in 2009 as part of a deal to restore peace in the Niger Delta (Azaiki, 2022).

The accumulation of environmental, social and economic grievances associated with the oil industry in the Niger Delta resulted to an insurgency that destabilized the oil industry and heavily impacted law and order in the region (Ibaba, 2008). Even though there are robust laws and institutions for monitoring the activities of oil companies for the protection of the environment, oil company operations are almost unregulated thereby leading to environmental pollution and destruction which is a major grievance of the Niger Delta people. The dearth in infrastructural development, unemployment and lack of economic opportunities also form part of the reasons for the insurgency in the Niger Delta (Eregha & Irughe, 2009).

There is also a noticeable lack of robust enforcement of laws on piracy in Nigeria. Nigeria is a signatory to several protocols and conventions on piracy and there are institutional frameworks for

the prosecution of pirates in the country but there has not been significant prosecution of suspects that would serve as an effective deterrent to others. If there were appropriate law enforcement on land, particularly in the coastal regions of the country, it would have prevented the activities of pirates in the entire Gulf of Guinea. The prevailing belief amongst African governments is that security threats emanate mostly from land (Ukeje & Ela, 2013). Gulf of Guinea countries suffer from obsession with land security at the expense of security of their waterways. The focus on land security continues to persist in spite of rising incidents of piracy in their waterways (Ukeje & Ela, 2013).

Illegal, unreported and unregulated fishing (IUU) is a push factor that creates discontent and the resort to piracy by fishermen. The occupation of coastal communities is fishing which provides both employment and a means of livelihood. However, their occupation and source of livelihood has come under threat from fish trawlers from foreign countries which fish without permission or regulation (Ukeje & Ela, 2013). Illegal, unreported and unregulated fishing pose a threat to the occupation of the coastal people and their source of livelihood. The fishermen resort to plundering and pirating ships, trawlers and vessels in the waterways when deprived of their means of livelihood.

Piracy is a serious threat to the exploitation of the rich resources of the Gulf of Guinea by regional countries. The growing realization of the economic potentials of the sea and the enhancement of these resources for the benefit of countries of the region are endangered by the prevailing insecurity. The increasing incidents of piracy will negatively affect the inflow of investments into the booming oil industry and other economic sectors of the Gulf of Guinea states.

Piracy also impacts trade among countries of the region by slowing down regional trade and trade between the Gulf region and the international community. Though intra-regional trade is low, piracy will further deplete the low level of trade by increasing the risk of doing business. Also, piracy directly affects the objectives of the Gulf of Guinea Commission (GGC) and the two regional economic groupings: the Economic Community of West African States (ECOWAS) and Economic Community of Central African States (ECCAS). The primary objective of both regional economic groupings is integration of the economies of regional states through trade and various

other economic activities. So long as the sea facilitates economic activities and also serves as the major artery of trade, piracy impinges on the existence of these regional economic groupings.

Piracy is a disincentive to trade and commerce and contributes to increased cost of goods and services to the end consumer. The activities of pirates increase insurance premiums on ships and the cost of shipping in the Gulf of Guinea (Tepp, 2012: 193 cited in Fiorelli, 2014:7). The additional cost incurred by the shipping industry is borne by the end users of the goods as higher cost. This places essential goods and services beyond the reach of the average person. Also, piracy scares away ships from ports of the Gulf of Guinea. Reduction in the number of ships that berth at various ports directly affects revenue accruable to countries hosting port facilities. Some countries in the Gulf of Guinea that depend on port charges to boost their revenue sources are negatively affected.

Piracy is capable of fueling regional security problems if illicit resources get into the hands of insurgent groups. In recent decades Gulf of Guinea states have been plagued by instability arising from civil wars and volatile political contests. As a result, most regional states are fragile and are susceptible to destabilization by insurgents and terrorist groups. It will be easy to foment insecurity in a crisis-ridden region if proceeds from pirate activities are placed at the disposal of disgruntled groups.

4. International and regional collaboration against piracy in the Gulf of Guinea

For several years, the surging threat of piracy in the Gulf of Guinea (GoG) did not attract global attention as the focus of the international community was on the same threat in the Horn of Africa (Cornelli, 2018:25). In 2011 the region was designated "a war risk zone for shipping" (Fiorelli, 2014:6). In July 27 of the same year, President Boni Yayi of the Republic of Benin whose import-dependent economy was badly affected by the activities of pirates in the Gulf of Guinea (GoG) appealed to the United Nations for assistance in dealing with the crisis (Kamal-Deen, 2015). This request placed piracy in the Gulf of Guinea on the agenda of the international community.

The official involvement of the international community on the threat of piracy in the Gulf of Guinea came through Resolution 2018 (2011). In Resolution 2018 (2011) United Nations Security Council (UNSC) condemned the growing threat of piracy in the Gulf of Guinea and solicited

international support towards repressing the threat. The Security Council further called on member countries of the Gulf of Guinea to step up efforts in combating it and appealed to regional economic organizations in West and Central Africa and the Gulf of Guinea Commission (GGC) to 'develop a comprehensive strategy' in responding to the challenge (United Nations, 2011; Anyimadu, 2013). It is obvious the international community wanted the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission to take the lead in containing the threat of piracy in the Gulf of Guinea.

A year later, the Security Council again intervened through Resolution 2039 (2012). This second Resolution reinforced the former by emphasizing the role of states, regional cooperation and international support in suppressing piracy in the Gulf of Guinea. Both Resolutions left no one in doubt that direct intervention in the Gulf of Guinea was not an option before the international community. Instead, the Resolutions emphasized a tripartite approach involving member states, regional economic organizations and international partnership in containing the crisis. In all, the United Nations issued three Resolutions on piracy in the Gulf of Guinea: 2018 (2011), 2039 (2012) and 2634 (2022), which demonstrated the concern of the international community on piracy in the Gulf of Guinea.

These resolutions were significant in keeping international focus on the prevailing insecurity in the Gulf of Guinea and also in mobilizing resources and establishing partnerships from the international community. One such important partnership that contributes to capacity building of states is the G8++ Friends of the Gulf of Guinea Group (G8++FOGG). The G8++FOGG assists in the coordination of efforts of international partners engaged in capacity building in the GoG (Council of the European Union, 2014). The Gulf of Guinea has also attracted the assistance of countries with interests in the region. The United States, China, India, South Africa and Denmark are all involved in the efforts to suppress piracy in the area (Council of the European Union, 2014).

Interventions by extra regional actors and multilateral organizations followed the call for assistance by the United Nations. The European Union was one important actor in the GoG. The European Union introduced its strategy on the Gulf of Guinea in 2014 with a focus on improving the capacity of regional states, supporting the Yaoundé architecture and strengthening the budding regional cooperation between ECOWAS, ECCAS and the GGC in confronting the numerous

security challenges of the region. The responsibility of ensuring security was entrusted to member states of the Gulf of Guinea.

Realizing the importance of regional cooperation in the fight against piracy and in response to international interest for collaboration among member states, the two regional economic organizations in the Gulf of Guinea and the Gulf of Guinea Commission took the initiative to work together in the promotion of maritime safety. The summit of 25 Heads of State of the Gulf of Guinea in 2013 in Yaoundé, Cameroon established the Yaoundé framework of cooperation between ECOWAS, ECCAS and the Gulf of Guinea Commission (GGC). Known as the Yaoundé Code of Conduct (YCC), the framework established the Yaoundé Architecture for Maritime Security; an ambitious initiative that seek to coordinate and harmonise regional efforts towards eradicating piracy in the Gulf of Guinea (Very, 2013). The Yaoundé framework established regional centres for information sharing and coordination on maritime safety. To this end, two centres were established to coordinate regional efforts: a regional Centre for Maritime Security of West Africa (CRESMAO) with its headquarters in Abidjan, Ivory Coast and another Centre for Maritime Security of Central Africa (CRESMAC) located in Pointe Noire, Congo. A central interregional coordination centre was also established in Yaoundé, Cameroon for the coordination of West and Central Africa regions of the architecture (Amadi, 2024). The regional centres were further divided into zones for effective coordination.

5. Piracy off the coast of Somalia

Fig 2: The coast of Somalia



Source: Google maps

The Gulf of Aden and the sea lane off the coast of Somalia are strategic to international trade. The coast of Somalia serves as an entry and exit point to the Suez Canal and the Cape routes which are two important shipping lanes of the world. 50% of the world container ships pass through the Gulf of Aden every year and 80% of the cargoes come from Europe (Caramerli & Caselli, 2015). Therefore, piracy in these waters presented a major challenge to maritime nations. This explains the robust response of the European Union to the piracy crisis off the coast of Somalia.

Piracy off the coast of Somalia evolved from Somali fishermen protests against foreign fishing trawlers in the waters of Somalia (Lucas, 2013). Irregular, Unreported and Unregulated (IUU) fishing impacted negatively on local fishing and therefore the livelihoods of artisanal fishermen. In its early phase, modern piracy was an unorganized engagement of fishermen. The fall of the Government of Siad Barre in 1991 and the prolonged civil war in that country established safe havens for the operations of pirates from Somalia. The improvements in organization and the consequent dramatic rise in pirate attacks off the coast of Somalia in 2005 marked a watershed in the activities of pirates (Moller, 2009; Lucas, 2013; Moller, 2009; Tsvetkova, 2009).

The progress of piracy off the coast of Somalia suffered a setback with the intervention of the Union of Islamic Courts (ICU) in 2006. The ICU declared war on piracy on the ground that it is against Islamic law. Consequently, in 2006 there were only 10 recorded cases of piracy off the coast of Somalia (Lucas, 2013). This was however short-lived as the Transitional Federal

Government (TFG) was forced out of power in December 2006 by the invasion of Ethiopia. The resultant chaos and instability provided the ideal environment for the resurgence of piracy, making the waters off the coast of Somalia one of the most pirate-prone areas of the world (Lucas, 2013). But even as disruptive as the activities of pirates were to international trade, the international community was reluctant to act until three high profile hijackings attracted the focused attention of the international community.

The first was the hijack on 25th September, 2008 of the MV Faina, a Kenya bound Ukrainian ship conveying large cache of military hardware (The Guardian[1]). The national and regional security implication of the arms falling into the hands of the warring factions in Somalia or even being taken over by Al shabaab or some other terrorist group exacerbated the importance of this incident. The world was literally on edge all through the capture of the cargo and countries scampered to ensure the safety of the cargo. United States sent warships and Russia deployed a frigate to the scene to secure the cargo of the hijacked ship (NBC News, 2008). This incident united world powers on the need for concerted efforts in the fight against piracy off the coast of Somalia. Though the ship was released after five months in captivity and on the payment of £2.2 million, the implications of the incident and the grave danger piracy portends to the peace and security of the world were not lost to the international community (The Guardian[2]).

While MV Faina was still in captivity, MV Sirus Star, a Saudi Arabian oil tanker was also seized by pirates in the waters of the Indian Ocean, 450 nautical miles off the coast of Somalia on November 15, 2008. The Sirus Star was the largest ship ever captured by pirates. The oil tanker had 2 million barrels of oil worth over $100 million and was on its way from Saudi Arabia to the United States (The Guardian[3]).

The third incident was the capture of MV Maersk Alabama, a US flagged ship about 240 nautical miles off the coast of Somalia in April 8, 2009. The significance of this incident is in the fact that it was the first in about 200 years that a US flagged ship was captured by pirates (Britannica). The intervention of US navy seals and the dramatic end to the saga gave the incident a wide publicity. These incidents swayed international opinion on the need to take a decisive action against the threat of piracy off the coast of Somalia.

Table 2

Actual and attempted incidents of piracy off the coast of Somalia (2005-2024)

Years	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**
Incidents	35	10	31	19	80	139	160	62	13	7
Years	**2015**	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2024**
Incidents	0	2	8	3	0	0	1	0	1	8

source: Compiled from ICC-IMB piracy reports.

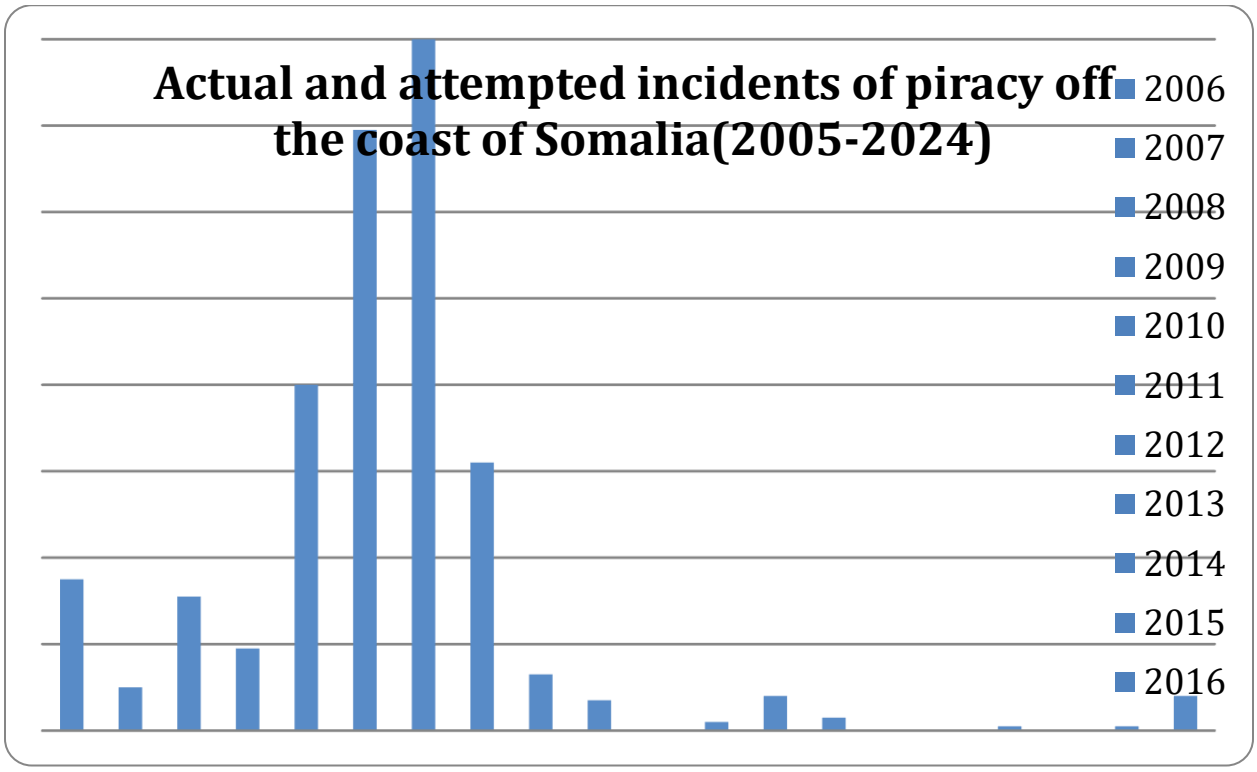


Fig. 2

Source: Collated from ICC-IMB piracy reports.

Fig 2 shows the activities of pirates off the coast of Somalia, between 2005 and 2024. There were significant pirate activities in the first four years. The peak periods were 2009, 2010 and 2011 with recorded incidents of 80, 139 and 160 respectively before declining in 2012. Fewer incidents were recorded in 2013 (13) and 2014 (7) and none recorded in 2015, 2019, 2020 and 2022. One occurrence each was recorded in 2021 and 2023 while 2, 8 and 3 incidents were recorded in 2016, 2017 and 2018 respectively. The decline and the absence of incidents in some years can be attributed to the efforts of the international community in fighting piracy off the coast of Somalia. The data indicates resumption of pirate activities in 2024 with 8 incidents after a period of lull.

6. Modern piracy off the coast of Somalia

The surge in the activities of pirates off the coast of Somalia in the past three decades is correlated to developments onshore. The collapse of the Siad Barre Government in 1991 and the civil war in Somalia left Somalis in poverty and misery. The dire economic conditions were a driving force in the development of piracy in the coastal areas. The poverty created by prolonged the civil strife was exacerbated by severe drought in several years. The combination of civil strife and prolonged drought worsened living conditions and left millions of Somalis threatened by starvation and dependent on food support from the World Food Programme (WFP). It was therefore not surprising that the vessels conveying humanitarian relief to millions of Somalis were also targets of attacks. The failure of the Somali state and the absence of institutions of government to enforce laws in Somalia also contributed to the chaos in the coastal areas **(**Cornell, 2018**).**

Dumping of toxic wastes and Irregular, Unreported and Unregulated fishing (IUU) were twin issues that contributed to the frustration of people living in the coastal areas. The threat posed by foreign fishing trawlers which took advantage of the lawlessness onshore to poach on the rich fish stock in the coast of Somalia was a major push factor in the evolution of piracy off the coast of Somalia. As a result of the lawlessness on land and lack of a functioning government, fishing trawlers from foreign countries freely exploited fishes along the coast of Somalia. The depletion in fish stock and the consequent reduction in economic activities endangered the employment of fisherman and threatened their livelihoods. Therefore Irregular, Unreported and Unregulated fishing (IUU) worsened poverty in the coastal areas and created the conditions for piracy. Piracy evolved from the efforts of fishermen to stop foreigners by seizing their fish trawlers on the coast **(**Cornell, 2018**).** The impact of IUU on the local fishing community was aggravated by dumping of toxic wastes off the coast of Somalia by foreign vessels. The absence of government and effective policing of the coast by coastguards left the coasts of Somalia open for dumping of all kinds of industrial wastes that also contributed to drastic reduction in fish stock in the waters of Somalia. Piracy was the expression of frustration and hopelessness of a people which also proved to be a more lucrative replacement for fishing for folks that were already on the fringes of life.

The fact that for a long time Somalia had no functional government has been noted. The grave implication was that there was no law enforcement and therefore crime was not properly sanctioned; a basic feature of a failed state. The consequence of this failure was the growth in crime in Somalia as criminal activities were not accorded commensurate punishment. This made

it possible for hijacked ships to be berthed in ports in Somalia while ransoms were negotiated, sometimes for prolonged periods.

7. International response to Somali piracy

Piracy is a crime in international law and is acknowledged as a crime against humanity**.** It therefore behooves on nations to take action against it. However, the ability of the international community to act against piracy off the coast of Somalia was constrained by concerns over territorial sovereignty which includes the sovereignty of a state over its territorial waters**.** Surmounting the strictures imposed by international law was the first hurdle before the international community and the role of the United Nations was critical.

The intervention of the United Nations on piracy off the coast of Somalia was sequel to an appeal for assistance by the Transitional Federal Government (TFG) (UNSC Resolution 1816). The response of the Security Council through Resolution 1816 called on the cooperation of maritime nations to safeguard ships in the waters off the coast of Somalia. The Resolution further requested the assistance of states with naval and military presence in these waters to coordinate their efforts to assist in preventing all acts of piracy. Resolution 1816 also empowered nations to secure ships in this vital waterway so long as it was done with the cooperation of the Transitional Federal Government (UNSC Resolution 1816). For a period of six months the Resolution authorized states to enter the territorial waters of Somalia in fighting piracy (UNSC Resolution 1816).

Resolution 1816 was however not quite effective and successful hence there was the need for the UNSC to reinforce its resolve to repress the activities of pirates with yet another resolution, Resolution 1838. This Resolution was more forceful in calling on all maritime nations to take active part in the fight against piracy off the coast of Somalia. While Resolution 1816 appealed to nations that already have naval vessels and military aircraft presence in the area to participate in suppressing piracy, in Resolution 1838 the United Nations Security Council made a broad appeal to all nations interested in maritime security to participate in containing the threat (Resolution 1838). Both Resolutions were concerned about the encroachment of the sovereignty of Somalia by emphasizing the sovereign authority of the Republic of Somalia and the request for assistance from

the Transition Federal Government (TFG). In fact, the Resolutions required intervening nations to work with the TFG.

United Nations Security Council Resolutions 1816 and 1838 empowered the international community to fight against piracy off the coast of Somalia. The Combined Joint Task Force-Horn of Africa (CJTF-HOA), took advantage of its presence in the Horn of Africa to further the mandate of the Resolutions. The creation of CJTF-HOA in 2003 was part of measures taken by the United States in its Global War on Terrorism (GWOT) after the September 9, 2001 terrorist attacks. It was established under the United States Africa Command (AFRICOM) to build the military capacity of African states in the Horn of Africa, mitigate regional conflicts, neutralize threats, promote regional security and above all, protect United States interests and the interests of allied nations in the Horn of Africa (United States Africa Command). Its operational base is in Camp Lemonnier, Djibouti City, Djibouti. In the aftermath of the Resolutions, the fight against piracy off the coast of Somalia was made a priority of the Combined Joint Task Force (CJTF). The multinational task force was the first military formation to respond to the crisis.

The North Atlantic Treaty Organization (NATO) a multinational military establishment of the United States and its European allies also rallied to the Horn of Africa in response to the United Nations appeal to the international community. NATO's involvement was code-named Operation Ocean Shield. (NATO: Operation Ocean Shield; VOA). The operation was to ensure proper coordination of naval efforts of participating nations, provide naval cover for vessels and undertake other counter piracy operations in the Horn of Africa. NATO presence and participation lasted between August 17, 2009 and December 15, 2016 (NATO, 2016).

European Union Naval Force (EUNAVFOR) also mobilized to the Horn of Africa on 8th December, 2008. The EUNAVFOR's Operation Atalanta was one of the early naval missions. Its duties were to ensure the security of the Gulf of Aden, the maritime domain off the coast of Somalia and to build military and civilian capacity in Somalia. Due to the resurgence of piracy off the Coast of Somalia, the mandate of EUNAVFOR has been extended to February 2027 (The Maritime Executive, 2024).

Individual nations also rallied to the Horn of Africa with naval forces to assist in implementing the mandate of the Security Council. Russia, China, India, Denmark and several other nations heeded

the call of the UNSC by mobilizing naval and military resources to the Horn of Africa and off the coast of Somalia (Felbab-Brown, 2016). The impact of these naval and military presences and their active involvement in ensuring security resulted to reduction in the activities of pirates off the coast of Somalia.

8. Recommendations and conclusion

The activities of pirates in the two major sea lanes in Africa are a concern to the continent, the shipping industry and the international community. Piracy is a threat to investments, global commerce, and flow of international economic activities and also impedes regional states from exploiting ocean resources in their territorial waters. The persisting threat of piracy in the Gulf of Guinea (GoG) and off the coast of Somalia in spite of collective efforts of national, regional and international partners indicate that the emphasis on security measures can only guarantee a short reprieve. The security measures have proved to be effective and necessary but a sustainable solution to the problem requires looking beyond securitization of the two regions to the application of socio-economic tools in addressing the root causes of piracy.

The evolution of piracy off the coast of Nigeria is connected to the crisis in the Niger Delta region. The impoverishment and underdevelopment of oil producing communities of the Niger Delta were the root causes of crisis in the region. Though the agitations have abated with the implementation of the amnesty programme in 2009, piracy has continued to thrive in the coastal areas and in the wider Gulf of Guinea region. Proper prosecution and appropriate punishment will curtail the activities of pirates and also serve as deterrent. Beyond prosecution, the provision of social infrastructure and economic opportunities for the teeming youths of the area is important for the sustenance of peace in the coastal areas of Nigeria. Allocation of more oil revenue to the Niger Delta region and aggressive human and infrastructural development are other measures that will address the grievances of the people and greatly contribute to sustainable peace in the Niger Delta. These will reduce piracy off the coast of Nigeria and contribute to security in the Gulf of Guinea.

Countries in the Gulf of Guinea suffer from weak infrastructure to properly police the maritime domain of the area. In most cases, regional states either do not have coast guards or naval forces to man their coastlines which are often ill-defined and porous. Also, most countries in the GoG do not have enabling institutions and laws to prosecute pirates. There is the need for states in the GoG

to establish enough presence in the coastal areas. The international community is funding various programmes aimed at building the capacity of states to boost security along the coastlines but it is the primary duty of governments of the Gulf of Guinea states to establish partnerships for capacity building and muster the will and make necessary sacrifices to tame the activities of pirates in the region.

There is lack of economic development in the coastal regions of the Gulf of Guinea. This is due largely to the fact that these areas are often remote from the centers of government and so do not attract social amenities. Living conditions are poor and the standards of living of people of the coastal areas are often the lowest compared to the rest of the country. Economic opportunities are often non-existent and therefore the prevalence of poverty. The hardship suffered by these people predisposes them to frustration and acts of aggression and in some cases criminality. There is the urgent need for GoG states to drive development in the coastal areas and improve on the infrastructure and economic opportunities in these areas.

The primary cause of piracy off the coast of Somalia was the collapse of the state in Somalia. In Somalia, piracy offshore is a reflection of the disorder ashore. Re-establishing order and a stable government in the country is a necessary condition and panacea to the crisis at sea. Until Somalia is able to maintain a functioning government, the Somali piracy problem will persist. The role of the international community is to assist in establishing a functional government and institutions of government that are able to assert authority country-wide, particularly in the maritime domain. This is central to the resolution of other problems that sustain piracy off the coast of the country.

The establishment of a functional government with capacity is critical to the protection of its fisheries from being exploited by foreigners. It will also arrest the dumping of hazardous wastes on its waters. These are expected to improve the fish stock in the territorial waters of Somalia for the people to resume their traditional occupation of fishing. It is only Somalia with a functional government that can sustainably fight piracy in its territorial waters. The responsibility of the international community is to assist in establishing a government with authority and capacity to deal with its internal security problems. The lack of economic opportunities which fuels piracy off the coast can best be addressed by the government of Somalia with assistance from the international community.

References

1. African oil policy initiative group (2001). African oil: A priority for U.S national security and African development. http://openanthropology.org/libya/AOPIG.pdf

2. Amadi, P. C. (2024). Legal-economic implications of maritime insecurity in the Gulf of Guinea: The role of international communities. *African Journal of International Energy and Environmental Law,* 9, 142-150. https://ajieel.com/index.php/a/article/view/90

3. Amani Africa Media and Research (2022, June 28). Insights on the Peace and Security Council (PSC): Maritime Piracy in the Gulf of Guinea. https://amaniafrica-et.org/maritime-piracy-in-the-gulf-of-guinea/

4. Anyimadu, A. (2013). Maritime Security in the Gulf of Guinea: Lessons learned from the Indian Ocean. Chatham House. https://www.chathamhouse.org/sites/default/files/public/Research/Africa/0713pp_maritimesecurity_0.pdf
5. Azaiki, S. (2022). *Oil politics and blood: The Niger Delta story*. Y books.
6. Britannica. Maersk Alabama hijacking. https://www.britannica.com/topic/piracy-copyright-crime
7. Caramerli, A. & Caselli, Z. (2015). The EU comprehensive approach on Somali piracy. *Acta Universitatis Danubius*, *8*(1), 78-87. https://journals.univ-danubius.ro/index.php/internationalis/article/view/2944
8. Cornell, S. C. (2018). Piracy in the Gulf of Guinea: Responses under international maritime law. A thesis submitted to the University of South Florida. https://www.semanticscholar.org/paper/Piracy-in-the-Gulf-of-Guinea%3A-Responses-under-Law-Cornell/4c31a75b5e96fb16e8237a088736366428635cdb
9. Council of the European Union (2014, March 17). EU strategy on the Gulf of Guinea. https://www.eeas.europa.eu/sites/default/files/eu_strategy_on_the_gulf_of_guinea_7.pdf
10. Council on Foreign Relations (2012). Combating maritime piracy. https://www.cfr.org/backgrounder/combating-maritime-piracy
11. Dieterich, J. (n.d). The Gulf of Guinea and the global oil market: Supply and demand in oil policy in the Gulf of Guinea. Friedrich-Ebert-Stiftung
12. Ehiane, S.O (2025). The emergence of maritime piracy in Nigeria and the challenges in combating the menace. *Journal of law and sustainable developmen*t, 13(4), 1-23. DOI: https://doi.org/10.55908/sdgs.v13i4.4389

13. Eregha, P. B. & Irughe, I. R. (2009). Oil induced environmental degradation in the Nigeria's Niger-Delta: The multiplier effects. *Journal of Sustainable Development in Africa*, *11* (4), 160-175. https://www.researchgate.net/publication/284047257_Oil-induced_environmental_degradation_in_the_Nigeria%27s_Niger_Delta_The_multiplier_effects

14. EU maritime security factsheet: The Gulf of Guinea.

https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea_en

15. Eze, O. C., & Anigbo, C. A. (2010). New scramble for Africa. Nigerian Institute of International Affairs.

16. Felbab-Brown, V. (2016).The not-so-jolly Roger: Dealing with piracy off the coast of Somalia and in the Gulf of Guinea. The Brookings Institution. https://www.brookings.edu/wp-content/uploads/2016/07/02-foresight-piracy-somalia-felbab-brown-1.pdf

17. Fiorelli, M. (2014). Piracy in Africa: The case of the Gulf of Guinea. Occasional paper No 37. https://www.kaiptc.org/wp-content/uploads/2017/03/New%20folder/FiorelliM.2014-PIRACY-IN-AFRICA-THE-CASE-OF-THE-GULF-OF-GUINEA.pdf

18. Fragile states annual report (2020). https://fundforpeace.org/wp-content/uploads/2020/05/fsi2020-report.pdf

19. Geneva Centre for Security Sector Governance (2023). Context and stakeholder analysis of maritime security in the Gulf of Guinea. Webpage

20. Harris, D. J. (2004). Cases and materials on international law (6th ed.). Sweet and Maxwell.

21. Ibaba, S. I. (2008). Alienation and militancy in the Niger Delta: Hostage taking and the dilemma of the Nigerian state. *African Journal on Conflict Resolution*, *8*(2), 11-34. DOI: 10.4314/ajcr.v8i2.39424.

22. IMB Report (2024). New IMB report reveals concerning rise in maritime piracy incidents in 2023. https://iccwbo.org/news-publications/news/new-imb-report-reveals-concerning-rise-in-maritime-piracy-incidents-in-2023/?cmplz-force-reload=1745701670845

23. Imobighe, T. A. (n.d). Conflict in the Niger Delta: A unique case or a 'model' for future conflicts in oil-producing countries? Oil policy in the Gulf of Guinea. Friedrich-Ebert-Stiftung, 101-115. https://library.fes.de/pdf-files/iez/02115/imobighe.pdf

24. Jacobson, K. L & Rasmussen, A. M (2024). Piracy and the broader 'gun business' in the Niger Delta. *International Affairs*, 100 (4), 1693-1712. DOI: 10.1093/ia/iiae165

25. Kamal-Deen, A. (2015). The anatomy of Gulf of Guinea piracy. *National War College Review, 68*(1), 1-26. https://digital-commons.usnwc.edu/cgi/viewcontent.cgi?article=1183&context=nwc-review&httpsredir=1&referer=

26. Laifer, A. (2024). Piracy in the Gulf of Guinea and the effects of unstable governance. https://www.securityoutlines.cz/piracy-in-the-gulf-of-guinea-and-the-effects-of-unstable-governance/

27. Lucas, E. R. (2013). Somalia's "piracy cycle": The three phases of Somali piracy. *Journal of Strategic Study*, *6*(1), 55-63. https://digitalcommons.usf.edu/cgi/viewcontent.cgi?article=1218&context=jss
28. Marangio, R. (2025). Deep waters: The maritime security landscape in the Gulf of Guinea. https://www.iss.europa.eu/publications/briefs/deep-waters-maritime-security-landscape-gulf-guinea
29. Maritime piracy in the Gulf of Guinea. https://www.unodc.org/documents/toc/Reports/TOCTAWestAfrica/West_Africa_TOC_PIRACY.pdf
30. Maritime Piracy in the Gulf of Guinea. https://www.unodc.org/documents/toc/Reports/TOCTAWestAfrica/West_Africa_TOC_PIRACY.pdf
31. Mbekeani, K. K & Ncube M. (2011). Economic impact of maritime piracy. *Africa Economic Brief*, 2(10),1-8. https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/Maritime%20Piracy_Maritime%20Piracy.pdf
32. Moller, B. (2009). Piracy off the coast of Somalia. *Danish Institute of International Studies*, 1-4. https://www.jstor.org/stable/resrep13217
33. NATO: Operation Ocean Shield. https://mc.nato.int/missions/operation-ocean-shield
34. NATO (2016). NATO concludes successful counter-piracy mission. https://www.nato.int/cps/en/natohq/news_139420.htm
35. NBC News (online). (2008, October, 10). "Somali pirates threaten to blow up ship". https://www.nbcnews.com/id/wbna27119678
36. Onuoha, F. C. (2012, June 12). Piracy and maritime security in the Gulf of Guinea: Nigeria as a microcosm. Aljazeera Centre for Studies. https://www.scirp.org/reference/referencespapers?referenceid=2331725
37. Osaretin, I. (2011). From the latent to the manifest: US strategic interests in the Gulf of Guinea. *J. Soc. Sci.* 27(2), 123-128. DOI: 10.31901/24566756.2011/27.02.05
38. Pichon, E. & Pietsch, M. (2020, March). Piracy in the Gulf of Guinea: EU and international action. European parliamentary research service. https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/649333/EPRS_BRI(2020)649333_EN.pdf
39. Soremekun, K. (2011). Nigeria's oil diplomacy and the management of the Niger Delta crisis. In Obi, C. & Rustad, S.A. 'Oil and insurgency in the Niger Delta'. Zed Books, 99 – 111. http://www.diva- portal.org/smash/get/diva2:387024/FULLTEXT01.pdf
40. Starke, J.G (1984). Introduction to international law (9th ed). Butterworths.
41. The Guardian (online news). "Somali pirates capture Ukrainian cargo ship loaded with military hardware". https://www.theguardian.com/world/2008/sep/27/3
42. The Guardian (online news). "Somali pirates release Ukrainian arms ship". https://www.theguardian.com/world/2009/feb/05/somali-pirates-free-military-ship
43. The Guardian (online news). "Hijacked Saudi oil tanker Sarius on the move." https://www.theguardian.com/world/2009/jan/09/somalia-pirates-supertanker-ransom

44. The Maritime Executive (2024, Dec, 16). EU extends Horn of Africa/Indian Ocean maritime security mission to 2027. https://maritime-executive.com/index.php/article/eu-extends-horn-of-africa-indian-ocean-maritime-security-mission-to-2027
45. Tsvetkova, B. (2009). Securitizing piracy off the coast of Somalia. CEJISS. 44-63. https://www.cejiss.org/images/issue_articles/2009-volume-3-issue-1/tsvetkova-piracy-in-somalia.pdf
46. Ukeje, C. & Ela, W.M (2013). African approaches to maritime security – The Gulf of Guinea. Friedrich-Ebert-Stiftung. https://library.fes.de/pdf-files/bueros/nigeria/10398.pdf
47. United Nations office on drugs and crime (UNODC) (n.d). Pirates of the Niger Delta 11: An update on piracy trends and legal finish in the Gulf of Guinea. https://www.unodc.org/documents/Maritime_crime/UNODC_GMCP_Pirates_of_the_Niger_Delta_Part_2.pdf
48. United Nations (2011, October, 31). https://press.un.org/en/2011/sc10430.doc.htm
49. United Nations Security Council (2012, January 19). https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/AUUN%20S%202012%2045.pdf
50. United Nations Security Council Resolution 1838 (2008). https://digitallibrary.un.org/record/638737?ln=en&v=pdf
51. United Nations Security Council Resolution 2018 (2011). https://digitallibrary.un.org/record/714712?ln=en&v=pdf
52. United Nations Security Council Resolution 2039 (2012). https://digitallibrary.un.org/record/714712?ln=en&v=pdf
53. United Nations Security Council (2022). Situation of piracy and armed robbery at sea in the Gulf of Guinea and its underlying causes. Report of the Secretary General. https://docs.un.org/en/S/2022/818
54. United Nations Security Council Resolution 1816 (2008, June 2). https://ofac.treasury.gov/media/5151/download?inline
55. United Nations Security Council Resolution 1838 (2008, October 7). https://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/SOMALIA%20S%20RES%201838.pdf
56. United States Africa Command: Combined Task Force- Horn of Africa. https://www.africom.mil/about-the-command/our-team/combined-joint-task-force---horn-of-africa
57. Vrey, F. (2013). Turning the tide: Revisiting African maritime security. *Scientia Militaria, South African Journal of Military Studies,* 41(2), 1-23. DOI : 10.5787/41-2-1065
58. VOA online news (2016, November 24). https://www.voanews.com/a/nato-ends-anti-piracy-mission-in-indian-ocean/3609724.html