

# Piracy in the Gulf of Guinea

## EU and international action

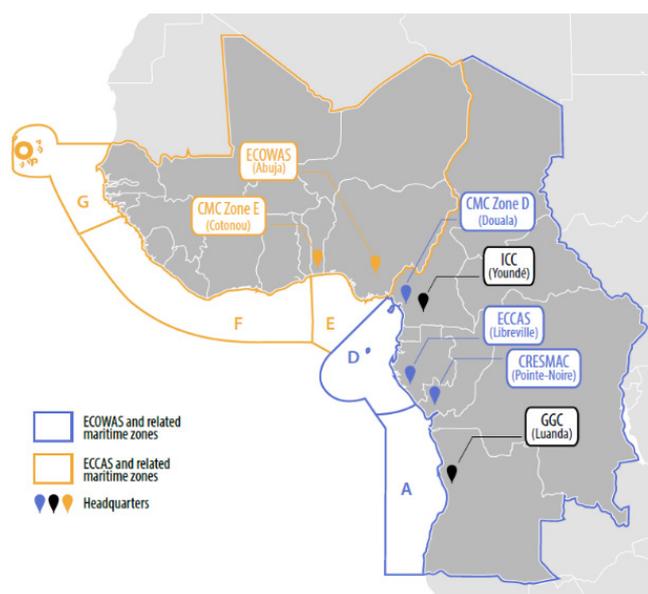
### SUMMARY

The Gulf of Guinea is framed by 6 000 km of west African coastline, from Senegal to Angola. Its sea basin is an important resource for fisheries and is part of a key sea route for the transport of goods between central and southern Africa and the rest of the world. Its geo-political and geo-economic importance has grown since it has become a strategic hub in global and regional energy trade. Every day, nearly 1 500 fishing vessels, cargo ships and tankers navigate its waters.

The security of this maritime area is threatened by the rise of piracy, illegal fishing, and other maritime crimes. Regional actors have committed to cooperate on tackling the issue through the 'Yaoundé Code of Conduct' and the related cooperation mechanism and bodies. The international community has also pledged to track and condemn acts of piracy at sea.

The European Union (EU), which has a strong interest in safeguarding its maritime trade and in addressing piracy's root causes, supports regional and international initiatives. The EU is also implementing its own maritime security strategy, which includes, among other features, a regional component for the Gulf of Guinea; this entails EU bodies' and Member States' cooperation in countering acts of piracy, as well as capacity-building projects.

*This briefing draws from and updates the sections on the Gulf of Guinea in '[Piracy and armed robbery off the coast of Africa](#)', EPRS, March 2019.*



*Map of the Gulf of Guinea and ECOWAS and ECCAS member states.*

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## Background

Maritime piracy and armed robbery at sea are not a new phenomenon in the Gulf of Guinea, yet pirate attacks have risen constantly over the past ten years. According to the 2018 [state of maritime piracy](#) report, there were 112 piracy or maritime robbery incidents in the Gulf of Guinea in 2018, making it the most affected area in the world. The original centre of the region's maritime crime lies in the [Niger Delta](#), where the discovery of large amounts of hydrocarbon has increased social tensions and environmental [pollution](#), while central government, local elites, and oil companies alone have [profited](#) from oil production. Some of those excluded from welfare have turned to maritime crime in the form of '[petro-piracy](#)'. **Petro-piracy** is aimed at stealing crude oil from tankers and pipelines to process the gains in illegal refineries. This not only causes losses for oil producers, but also for the local economy and, most notably, **damages the local environment**, as many amateur refineries have no waste management systems for side-products or oil spills. Weak law enforcement, corruptible officials and a largely unregulated oil market make it easy for criminal organisations to move stolen and then refined products back onto legitimate markets. Originating from this specific form of piracy, and facilitated by a lack of regional cooperation, criminal networks quickly expanded to the high seas and neighbouring countries. They have also diversified the scope of their criminal activity and targets. Today, the most common form of maritime piracy and armed robbery in the Gulf of Guinea is the **hijacking of ships**, with a focus on kidnapping and ransom payments. In West Africa, the [economic cost of piracy](#) was estimated at more than €750 million in 2017. After long neglecting their maritime zones, states in the Gulf of Guinea are becoming increasingly aware of maritime security. As maritime security in Africa also has a global impact, maritime crime in the Gulf of Guinea has become a [global concern](#).

In addition, overfishing by third countries and **illegal, unreported and unauthorised fishing** deprive local communities of fisheries resources, potentially leading to a 50 % [drop in fishing stocks](#), by 2050, when stocks are already declining due to climate change. This situation [compromises](#) the achievement of the United Nations sustainable development goals in the Gulf of Guinea.

The **root causes** of the re-occurrence of African maritime piracy and armed robbery at sea can be found on dry land rather than at sea. [Studies](#) show that piracy tends to be conducted or supported by marginalised communities that have not been participating in economic development. Fewer fishing opportunities leads to greater involvement in piracy. [Researchers](#) have shown that increases in reported or unreported industrial fish catch correlates with an increase in piracy, while a rise in artisanal and subsistence fish catch is often linked to a decline in piracy. As long as piracy is lucrative and an alternative livelihood is not feasible for the individuals involved, maritime piracy will remain [hard to fight](#) in Africa. Whereas **unemployment and poverty** appear to be a key driver, it is important to point out that other poverty-stricken regions do not yet tend to see maritime piracy at the same levels as in the Gulf of Guinea (and the Gulf of Aden). **Weak law enforcement and corruption** are critical factors that allow maritime piracy to prosper. This affects both maritime and onshore [capabilities of law enforcement](#), from coastguards to the judicial sector. Corruption and complicity fuels this tendency, as piracy often occurs in collaboration with law enforcement agencies acting unlawfully. **Domestic conflicts, as well as border disputes** between countries, also feed pirate activity. Some pirates are connected with the separatist Movement for the Emancipation of the Niger Delta ([MEND](#)); a border dispute on the Bakassi Peninsula between Cameroon and Nigeria led to large areas of their maritime borders being under-governed, allowing a [safe haven](#) to develop for pirate groups.

## Regional cooperation

Understanding of the [economic opportunities](#) that come with a secure maritime area and the importance of protecting maritime territories for their people is growing among Africa's regional Economic Communities and the African Union. Regional cooperation is a central mechanism for fighting maritime crime in general, and tackling piracy and armed robbery at sea in particular.

In 2013, the 25 states of the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS), and the Gulf of Guinea Commission signed the **Yaoundé Code of Conduct**. Under this [code of conduct](#), the states involved agreed to cooperate on the repression of transnational organised maritime crime, including maritime piracy, maritime terrorism and illegal fishing. Cooperation is organised through the Central Africa Regional Maritime Security Centre ([CRESMAC](#)), created by ECCAS in 2009, and the West Africa Regional Maritime Security Centre (CRESMAO), a similar structure established by ECOWAS in 2014. CRESMAC and CRESMAO are each subdivided into maritime zones with specific maritime cooperation centres. In addition, the Yaoundé Code of Conduct established an [Interregional Coordination Centre](#) to foster and oversee cooperation. The 'Yaoundé' architecture therefore has three different levels of cooperation: inter-regional, regional, and zonal, allowing to gather and pool intelligence to help fight maritime crime in the shared maritime sphere.

In 2016, the African Union adopted the **African Charter on Maritime Security and Safety and Development in Africa** ([Lomé Charter](#)), to safeguard the continent's maritime space and 18 950 miles of coastline from criminal activity. The charter also promotes economic exploration, while at the same time ensuring the sustainability of the oceans and waterways. Each state party has committed to undertake measures to improve the security of its maritime domain. The African states should achieve this goal by providing enhanced training and capacity-building, harmonising national legislation and creating national maritime coordination agencies. As a binding treaty, the charter moves maritime security in Africa from mainly soft law to hard law [in many respects](#).

## International action

Maritime security is addressed primarily through the 1982 United Nations (UN) **Convention on the Law of the Sea** ([UNCLOS](#)). Article 105 provides that any state can exercise jurisdiction over acts of piracy. With [Resolution 1816 \(2008\)](#), the UN Security Council (UNSC) extended the remit of [Chapter VII](#) of the UN Charter ('Action with respect to threats to the peace...') to combating piracy at sea. However, as the definition of 'piracy' only covers acts that occur on the high sea or outside the jurisdiction of a state, 'armed robbery' that occurs in territorial waters does not fall under the UNCLOS legal provisions for piracy.

The **UNSC has condemned** acts of piracy and armed robbery in the Gulf of Guinea and urged regional actors to take strong action against perpetrators ([Resolution 2018 \(2011\)](#)) and to develop a common maritime strategy ([Resolution 2039 \(2012\)](#)). At global level, the main players in the fight against all types of maritime crime are the International Criminal Police Organization (**Interpol**), which [focuses](#) on collecting evidence, facilitating data exchange, and building capacity, and the **International Maritime Bureau's Piracy Reporting Centre** ([IMB PRC](#)) which broadcasts reports on piracy and armed robbery to shipmasters, and assists vessels that have been attacked. It also raises awareness with [updates](#) on pirate activity. The **G7++ Friends of the Gulf of Guinea** ([G7++ FOGG](#)) include the [G7 states](#) together with Belgium, Denmark, the Netherlands, Norway, Portugal, Spain, Switzerland (and Brazil as observer), and international bodies (the EU, the UN Office on Drugs and Crime and Interpol). The G7++FOGG initiated cooperation with the oil and shipping industry, as well as with ECCAS and ECOWAS, to support implementation of the Yaoundé Code of Conduct. A reporting mechanism operated by the French and UK navies, the **Maritime Domain Awareness for Trade in the Gulf of Guinea** ([MDAT-GoG](#)) allows shipmasters to report their presence in the gulf and report any incident occurring so that appropriate warning is delivered to other ships.

## EU strategies

In June 2014, the Council adopted the **EU maritime security strategy** ([EUMSS](#)), acknowledging that the EU has a heavy reliance on maritime trade and therefore [maritime security has become an increasing priority](#). In addition, considering Europe's [dependence on Russian hydrocarbons](#), the Gulf of Guinea might become an [alternative supplier](#) of energy resources; although maritime crime

within the region has a serious impact on global energy supply. To scale up maritime awareness and efficiency of maritime operations, the EUMSS is designed to increase cooperation within the EU, to strengthen links between internal and external security and couple the overall EU security strategy with EU [integrated maritime policy](#). Based on these objectives, the 2014 [EUMSS action plan](#) and the 2018 [revised EUMSS action plan](#) list a set of actions in various areas, including coordinated external action, [information sharing](#), capability development, risk management, and maritime security research. The revised action plan adds a section dedicated to regional responses in key maritime hotspots, such as the Gulf of Guinea. This includes a call on EU bodies and Member States to support regional ('Yaoundé') and international (G7++FOGG) efforts, as well as the **EU strategy for the Gulf of Guinea** adopted in 2014. This [strategy](#) (and its [2015-2020 action plan](#)) is based on the overall goals laid out under the 'Yaoundé' process. It has four strategic objectives: building a common understanding of the scale of the threat; helping regional governments to put robust institutions in place; supporting the development of prosperous economies; and strengthening the existing cooperation structures. This makes the strategy for the Gulf of Guinea very much like the strategic framework for the [Horn of Africa](#), as both acknowledge the need to counter the root causes of maritime crime and set up a comprehensive approach to cooperation with affected states. However, the EU toolkit in the Gulf of Guinea does not include a naval force similar to [EU Navfor Somalia](#).

The EU also [finances several programmes and projects](#) (with over €55 million) to help regional countries implement their maritime security strategy and secure their maritime assets. The **critical maritime routes programme (CMR)**, set up in 2009 in response to a global worsening of maritime security, has established different regional projects, including **GoGIN, the Gulf of Guinea Inter-regional Network**. **GoGIN's** main goal revolves around supporting the establishment of an effective and technically efficient regional information-sharing network. It includes 19 coastal states, as well as the Gulf of Guinea Commission, ECOWAS and ECCAS. It is scheduled to conclude by October 2020. The EU has called for [sustained cooperation](#) both between the countries of the region and from EU Member States. In August 2019, an [informal meeting](#) of EU defence ministers discussed the possibility for Member States to deepen [collaboration between their naval forces](#) in some strategic areas. Such '**coordinated maritime presences**' might be first tested in the Gulf of Guinea.

## European Parliament

In [September 2013](#), the European Parliament pointed out that piracy along the east and west African coastline stems **from lack of governance and development**. To address the problems posed by piracy for the security of navigation in vital maritime transit choke points, Parliament called for a **holistic approach**, taking the causal relationship between piracy and social, political and economic governance into account. On [16 January 2018](#), Parliament repeated that security at sea is essential to the **sustainable management of oceans**. Other Parliament resolutions on piracy at sea largely concern the Gulf of Aden ([2008](#), [2009](#), [2012](#)). However, its calls for increased coordination apply *mutatis mutandis* to the situation in the Gulf of Guinea.

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