
OIL BRIGANDAGE ON INTERNATIONAL WATERS: SECURITY, ECONOMIC AND POLITICAL IMPLICATIONS OF MARITIME PIRACY IN WEST AFRICA

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ABSTRACT

Heightening activities of sea criminals within the Gulf of Guinea assumed an alarming trend since 2011. Overtime, a sharp surge in increasingly audacious and well-planned seaborne attacks along the coast of West Africa seemed to have confirmed initial apprehensions that the region could transform into another Somalia, a menace to shipping and maritime commerce. Piracy in the Gulf of Guinea, which traverses the coastline of about twelve countries from Guinea to Angola, has escalated from low-level armed robberies to hijackings, hostage-taking, cargo thefts and large-scale robberies. This negative development, which is largely attributable to factors that are both national and transnational in orientation, bears serious implications for the security, economy and political stability of states within the region and even beyond. Therefore, this paper is a historical reconstruction of the underlying factors for maritime piracy in West Africa, as well as its salient manifestations and consequences.

Keywords: Oil Brigandage, International waters, Security, West Africa

INTRODUCTION

This article is a discourse on the major causes, manifestations and consequences of oil piracy within the West African Sub-region. It shall also consider available opportunities and possible strategies to successfully combat the growing menace. The essay concludes that the phenomenon has become persistent and pervasive, principally due to the absence of a pragmatic, formidable and effective Pan-West African anti-piracy strategy and mechanism.

Causes and Manifestations of Maritime Piracy in West Africa

Maritime piracy, as defined by the United Nations (UN) Convention on the Law of the Sea, are illegal acts of violence or detention committed on the high seas against ships or aircraft. The

causes and manifestations of piracy in West Africa are both national and transnational in orientation.

Low and high level official corruption in West African states is one of the chief causes of piracy within the sub-region's international waters. This is not surprising, given available data. As an illustration, Nigeria and Cameroon jointly occupy 144th position (Vanguard, 2013; Ben-Arit, 2013; Murphy, 2013) out of 177 states in Transparency International's 2013 Corruption Perceptions Index, while Cote D'Ivoire is 136th, and Togo 123rd.

This is particularly true in the case of Nigeria, where most of the recorded African pirate attacks in recent years have taken place. According to a research report in September 2013, corruption and fraud are widespread in Nigeria's oil sector, and demarcation between legal and illegal supplies of Nigeria's oil are rather unclear. In a similar tune, scholarly evidence supports the view that illegal bunkering (filling ships with oil) is enormously profitable in Nigeria. Widespread poverty and weak law enforcement, act as additional elements to provide an enabling climate and incentive for pirates to steal crude oil due to the assurance of being able to sell it in the booming black market (Nigerian Best Forum, 2013) at a very low risk.

Resource conflict and the attendant violent insurgency in the Niger Delta, have also promoted a surge in maritime piracy in Nigeria and other Gulf of Guinea waters. The basic grievance among Niger Delta militants has been that the Federal government has not been allocating an equitable share of oil revenue to the region since independence in 1960. Thus, since the 1990s, a plethora of Niger Delta militias emerged to seek redress via armed insurgency against the Nigerian state. This serves as cover for a wide range of criminal activities, including bunkering and pirate attacks by criminals under the excuse of seeking socio-economic justice. In spite of the 2009 Amnesty (Disarmament, Rehabilitation and Re-integration) programme initiated by the Federal government, the Movement for Emancipation of the Niger Delta (MEND), the largest and most deadly of the groups, have allegedly resumed attacks since early 2014 (Bala-Gbogbo, 2014; Bridger, 2012).

Geographical terrain of West African states, especially, Nigeria, that is amenable to easy escape, is another contributory factor to the growing menace of maritime piracy in the sub-region. The Gulf of Guinea spurs over 5,500 kilometers of coastline across about 12 countries and is thus a geographic environment that is ever laden with security challenges. This terrain enables pirates to hide their boats and stolen goods in the many islands, thousands of rivers, inlets and mangroves that make up the coastline. In these sanctuaries, crude oil is offloaded to criminal partners for sale in the local markets through government and non-government facilitators. Worse still, West Africa's maritime boundaries are usually improperly delineated, thereby

hindering effective cooperation between governments and navies of the various countries (Starr, 2014), thus allowing ample space for pirates to undertake their nefarious activities.

Due to the aforesaid factors, maritime piracy is now spreading across West African waters at an alarming rate, manifesting in different forms of sea-borne brigandage and criminality, accounting for 19 percent of global attacks, despite a significant decrease in the phenomenon in Somalia's Gulf of Aden on East Africa's coast since 2013. Some observers even believe that the real West African pirate attacks figure is more than twice the aforementioned, and is indeed growing. Although most West African pirate attacks occur in the Niger Delta Region of Nigeria. Attacks have also taken place in Ghana, Benin, Togo, Guinea and also Cote D'Ivoire, etc. It would appear that pirates operating within the West African Coast adopt similar modes and tactics. Unlike in East Africa where Somali pirates snatch ships and crews for ransom. Deep into the Indian Ocean, pirates in the Gulf of Guinea are more interested in robbing for cash and cargoes of oil, from ships arriving to berth in the ports (The Economist, 2014). Usually, pirates hijack vessels for about 5 or 6 days, cart the cargo into smaller ships, and then release the hostage crew. However, attacks on crew members sometimes resulted in injuries or death. Resistance by attacked crews is usually countered by heavy military assault weapons and tactics. In addition, West African pirate groups seem to have access to good intelligence, as they usually know which ship to attack and also employ the skilled personnel required to operate the particular equipment (The Economist, 2014). It may be noted that West African pirates are often more violent than their East African (Somali) counterparts mainly because the former have little or no reason to ensure safety of crew members since their core interest is cargo theft and not hostage for ransom.

Security, Economic and Political Implications of Maritime Piracy in West Africa

The effects of maritime piracy on West African states and their peoples cut across security, economic and political ramifications.

Security wise, West African piracy attacks constitute increasingly serious threats to naval transportation, human life and freedom, particularly those of crew members. Within the period of January 2012 to June 2013, not less than 50 vessels had been boarded, nine ships hijacked, five crews killed, 44 abducted, and many injured during 11 attacks in West Africa's waters. A UN report on maritime piracy covering the period 1995 to 2013, alludes to the view that West African pirates have grown more violent since 2011 (Starr, 2014; Taleb, 2014; Maltezou & Brock, 2013; Maritime Bulletin, 2014; Narayan, 2012). For example, in August 2012, Togo's security forces were involved in a gun fight with pirates who hijacked a Greek oil tanker. Between 2012 and first quarter of 2014, more members of crew were injured and murdered off Nigeria's coast than any country's. On 17 December 2013, a Ukrainian Captain and Greek

Engineer were kidnapped from their oil-filled vessel off the coast of Nigeria. The duo were released three weeks later after ransom money were allegedly paid. In January, 2014 MT Kerala, a Greek ship, disappeared in Angolan waters south of the Gulf of Guinea, before emerging further north in Nigerian waters close to a Nigeria oil terminal, having being robbed of about 13 000 tons of diesel (Starr, 2014; Taleb, 2014; Maltezou & Brock, 2013; Maritime Bulletin, 2014; Narayan, 2012). In view of recent developments, Angola, the second biggest producer of crude oil in sub-Saharan Africa after Nigeria, is fast emerging as the second hub of West Africa's maritime piracy, also after the latter.

In the economic sphere, piracy poses real danger to the national economies of the affected states. In recent years, the oil industry has been the core target of maritime piracy in West Africa, and Gulf of Guinea as a whole, where three million barrels of crude oil are produced daily, out of which European Union (EU) states purchase about 40% while the United States of America (USA) buys about 30%. Piracy in the Gulf of Guinea cost the global economy between 140 million and 950 million in 2012, and expected to increase in subsequent years. Nigeria repeatedly loses two billion dollars (N330 billion) to maritime insecurity yearly mainly due to oil theft and poaching of fish from the country's territorial waters. Apart from the direct losses, West African countries suffered from piracy, the phenomena has also had negative effects on international rates and other trade – related costs. As a result of piracy, trade and investment in the sub-region is increasingly becoming more risky and expensive, thereby causing dwindling patronage and visits to West African ports. Considering the risks involved in transportation of goods through the territory, insurance premiums, have been on the increase because shippers factor in higher risks into their operational costs. The “high risk area” status of West Africa waters implies that under the sustaining international labour norms, seafarers have the right to refuse to enter these waters and are allowed to double the daily basic wage and death/disability compensation during the course of work in the areas of risk. All these have ill effects on the income of sub-regional ports and the costs of goods entering the affected countries.

In the case of Republic of Benin, whose economy largely depends on the Cotonou Port that contributes about 70% to the country's Gross Domestic Product (GDP, heightening piracy, has brought about a drastic decline of around 28% in government revenue (Onuoha, 2009; Secure Anchorage Area-West Africa, 2013; Taleb, 2014; Ben-Arit, 2013; Amodu, 2015): In Addition to the adverse economic effects cited above, piracy also affects the structure and systems of livelihood, such as food supply, of inhabitants of West African States.

Politically, maritime piracy portends real threats to the territorial stability and sovereignty of West African states and the entire comity of nations. Piracy promotes proliferation of small arms and light weapons (SALW) already threatening the security and stability of Nigeria, Mali and some other countries within the territory because pirates utilise portions of their financial

proceeds to acquire more sophisticated weaponry, that are not licensed or subject to any form of state control. In a similar vein, Nigeria and some other West African pirate groups are increasingly linking up with transnational crime networks. There is mounting apprehension that monies realised from piracy are streaming into the funding of terrorism and insurgency by Islamist groups, especially in the Sahel, like Ansar Dine, Al-Qaeda in the Islamic Maghreb (AQIM), the Movement for Oneness and Jihad in West Africa (MUJAO), and Boko Haram (gCaptain Staff, 2013; Onuoha, 2012). Given these developments, rising piracy in the Gulf of Guinea is further compounding the already complex problems of insecurity and political instability within the sub region.

Strategies and Opportunities to Combat Maritime Piracy in West Africa

West African governments have responded to the festering menace of maritime piracy in various ways. In 2012, Togo adopted the option of private security firms to provide security for anchored ships at the Lome port. In 2013, Nigeria introduced anti-piracy surveillance towers along its coastline, while in 2014 Cote D'Ivoire decided upon the policy of naval expansion to fight the scourge, in its territorial waters. At the sub-regional level, Nigeria and Benin Republic launched "Operation Prosperity" against piracy in 2011. In the quest for coordinated response to piracy attacks, in 2013, 21 West African states adopted an anti-piracy code. At the world level, the U.S.A navy provided boats and training for Nigeria. In 2014, the U.S Congress passed a bill of anti-piracy cooperation between the U.S.A on one hand, and West and Central African states, on the other. Also in 2014, Japan donated \$1 million, to the West and Central African Maritime Security Trust Fund, to combat piracy in the Gulf of Guinea. Earlier in 2011, the United Nations Security Council (UNSC), passed a resolution against piracy and armed robbery within the Gulf (Starr, 2014).

Inspite of these and other counter measures, piracy in West African waters is growing and spreading at an alarming rate, thus necessitating further interventionist actions. First, the operational capacities of West African navies require urgent and adequate upgrading. Each country should devote adequate funds, to building local capacity in terms of infrastructure and equipment. This is because even if other variables are available, any country without enough vessels is powerless. In order to effectively police the vast West African coastline, maritime air surveillance is needed to back up the present light surface combatant ships. Second, because the national navy is a reflection of a nation's economic and technological development's status, the generally weak economies and technological underdevelopment of West African states, have to be given serious attention so as to strengthen the fight against piracy. Third, West African states need to introduce potent legal instruments and strong will to prosecute pirates. Fourth, each state should ensure credible and sustained naval patrols of its territorial waters in order to stave off intending sea criminals. Fifth, West African governments should embrace transparency in their

response to the threats of maritime piracy within their domains, as some of them sometimes deny that piracy incidents have occurred at all in their territories (Johnson, 2014; Ben-Arit, 2013). There is no point denying what is in fact an evident menace. Rather, the governments should acknowledge the reality and danger of piracy to be able to adopt the required pragmatic and effective counter-piracy strategies.

Finally, the evolving African Solutions to African Peace and Security (AFSOL) (AFSOL Workshop Report, 2014) concept and interventionist initiative is germane to the anti-piracy fight and quest for maritime security in West Africa. In this regard, African leaders and institutions must adopt an approach of genuine commitment, full ownership, leadership and shared values, in the search for maritime security in the Gulf of Guinea, Gulf of Aden and Africa as a whole. Instead of the present half-hearted measures and over-reliance on extra-regional interventions and solutions, African governments need to collectively take the lead in patrolling their own territorial waters. When this is done, Africa's capabilities to secure its waters would manifest fully.

CONCLUSION

The subsisting and growing spate of maritime piracy in West Africa is an epitome of the kind of danger that oil brigandage on international waters pose to global maritime trade and security. For West Africa in particular, the menace is an additional heavy burden on a sub-region historically beset with a litany of socio-economic and political problems ranging from acute poverty, official corruption, inadequate infrastructure and political instability, among others. Piracy has continued to undermine human security within the territory with particular respect to increasing danger including injuries, kidnappings and death. Maritime merchandise, especially crude oil is also increasingly under danger of oil theft. This has taken its toll on investments in the maritime industry, due to high insurance costs and heightening concerns about possible loss of cargo to pirate attacks. At a broader level, the emerging trend of transnational collaboration between West African pirates, and gun-running and illicit drug gangs and insurgent groups may further compound the problem of insecurity and political instability within the sub-region.

Since West African maritime piracy has now assumed extraordinary dimensions, corresponding measures are urgently needed by West African governments and other international stakeholders. In this wise, the evolving African Solutions to African Peace and Security (AFSOL) initiative is crucial. As a matter of urgency, West African governments and African leaders as a whole should take up full ownership, leadership, and commitment in the quest for maritime security within the sub-region, and entire Africa.

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