

**PIRACY AND MARITIME INSECURITY IN THE GULF OF GUINEA:
IMPLICATIONS FOR SHIPPING AND TRADE AND THE EVOLVING LEGAL &
POLICY RESPONSES**

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BENIN CITY**

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**BEING A LONG ESSAY SUBMITTED TO THE FACULTY OF LAW, UNIVERSITY
OF BENIN, IN PARTIAL FULFILLMENT OF THE REQUIREMENT FOR THE
AWARD OF POSTGRADUATE DIPLOMA IN LAW (PGD) DEGREE.**

JANUARY, 2026.

CERTIFICATION

I, **Vincent Nwabueze OKONJI**, with Matriculation Number; **PG/LAW0500660** hereby solemnly declare that this dissertation is the result of my original work. All sources of ideas and information drawn from other authors have been duly acknowledged and properly referenced. This dissertation has not been submitted, either in whole or in part, for the award of any degree or diploma at University of Benin, Benin City, Edo State, or at any other institution.

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APPROVAL

This is to certify that the thesis titled “**Piracy and Maritime Insecurity in The Gulf Of Guinea: Implications For Shipping And Trade And The Evolving Legal & Policy Responses**” was written by **Vincent Nwabueze OKONJI**, with Matriculation Number; **PG/LAW0500660**.

This thesis was submitted in partial fulfilment of the requirements for the award of Postgraduate Diploma in Law of the University of Benin.

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DEDICATION

This work is dedicated to Almighty God who made it possible for me to embark and finish it.

May His name be praised forever, amen.

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Economic Community of West African States (ECOWAS) & Economic Community of Central African States (ECCAS), *Joint Maritime Security Initiatives* (2018).

International Maritime Organization (IMO), *Resolution A.1025(26): Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships* (2009).

Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention) 1988.

United Nations Convention on the Law of the Sea (UNCLOS) 1982, arts 100–107, 101, 105.

Yaoundé Code of Conduct concerning the Repression of Piracy, Armed Robbery against Ships and Illicit Maritime Activity in West and Central Africa (2013).

Yaoundé Architecture for Maritime Security (YAMS), *Operational Framework* (2019).

LIST OF ABBREVIATIONS

IMO	International Maritime Organization
IMB	International Maritime Bureau
UNODC	United Nations Office on Drugs and Crime
NIMASA	Nigerian Maritime Administration and Safety Agency
SPOMO	Suppression of Piracy and Other Maritime Offences Act
ECOWAS	Economic Community of West African States
ECCAS	Economic Community of Central African States
UNCLOS	United Nations Convention on the Law of the Sea
SUA	Suppression of Unlawful Acts Against the Safety of Maritime Navigation Convention
NALT	Nigerian Association of Law Teachers
AIMS	Africa's Integrated Maritime Strategy
LNG	Liquefied Natural Gas
AfCFTA	African Continental Free Trade Area
AIMS	Integrated Maritime Strategy
PMSCs	Private Maritime Security Contractors
MTISC-GoG	Maritime Trade Information Sharing Centre – Gulf of Guinea
AIS	Automatic Identification Systems
UAVs	Unmanned Aerial Vehicles
GoGIN	Gulf of Guinea Inter-regional Network
AI	Artificial intelligence
AfCFTA	Integrate Maritime Security

ABSTRACT

CHAPTER ONE

GENERAL INTRODUCTION

1.1 Background to the Study

The Gulf of Guinea (GoG), stretching from Senegal in the west to Angola in the south, has emerged as one of the most strategically significant yet volatile maritime regions globally. Rich in hydrocarbon deposits and serving as a vital maritime corridor for global energy and commodity trade, the region accounts for nearly 70% of Africa's oil exports and a substantial proportion of maritime traffic passing through West and Central Africa¹. However, in recent years, the Gulf of Guinea has gained notoriety as the world's most dangerous maritime zone, surpassing the Horn of Africa in reported incidents of piracy and armed robbery at sea².

Unlike piracy in the Horn of Africa, which declined following robust international naval interventions and the deployment of multinational task forces³, the threat in the Gulf of Guinea is more complex and persistent. This is due to its proximity to ungoverned coastal spaces, weak maritime governance structures, economic deprivation, and jurisdictional limitations among littoral states⁴. These challenges have collectively undermined maritime trade, deterred foreign investment, and imposed heavy financial costs on shipping companies through increased insurance premiums, security expenses, and delayed operations⁵.

Nigeria, as the dominant maritime state in the sub-region, bears a disproportionate share of this burden. The Nigerian coastline has witnessed recurrent attacks on vessels, including oil tankers and offshore platforms, thereby threatening the safety of crew members and the economic stability of the nation⁶. In response, Nigeria and other Gulf of Guinea states, in collaboration

¹ United Nations Office on Drugs and Crime (UNODC), Maritime Crime in the Gulf of Guinea Report, 2021.

² ICC International Maritime Bureau (IMB), Piracy and Armed Robbery Report, 2022.

³ International Maritime Organization (IMO), Reports on Piracy and Armed Robbery against Ships, 2023.

⁴ Chatham House, Maritime Security in the Gulf of Guinea, 2020.

⁵ Oceans Beyond Piracy, The Economic Cost of Piracy in the Gulf of Guinea, 2019.

⁶ Nigerian Maritime Administration and Safety Agency (NIMASA), Annual Report on Maritime Security, 2021.

with regional and international partners, have undertaken significant legal and policy measures to combat maritime insecurity. These include the adoption of the Yaoundé Code of Conduct (2013) ⁷, the enactment of Nigeria's Suppression of Piracy and Other Maritime Offences Act, 2019 (SPOMO Act) ⁸, and enhanced regional cooperation under the auspices of the Economic Community of West African States (ECOWAS) and the Economic Community of Central African States (ECCAS) ⁹.

Despite these efforts, maritime insecurity persists, revealing enforcement gaps, jurisdictional challenges, and institutional weaknesses ¹⁰. This study therefore seeks to critically examine the phenomenon of piracy and maritime insecurity in the Gulf of Guinea, its implications for shipping and trade, and the evolving legal and policy responses designed to mitigate these threats.

1.2 Research Questions / Hypotheses

This study is guided by the following research questions:

1. What are the principal causes and manifestations of piracy and maritime insecurity in the Gulf of Guinea?
2. How have these activities affected shipping operations, trade, and maritime economic development in the region?
3. What legal and policy frameworks currently exist at national, regional, and international levels to address maritime insecurity in the Gulf of Guinea?
4. To what extent have these frameworks been effective in curbing piracy and promoting safe maritime navigation?

⁷ Yaoundé Code of Conduct, 2013.

⁸ Nigerian Suppression of Piracy and Other Maritime Offences Act, 2019.

⁹ ECOWAS & ECCAS Joint Maritime Security Initiatives, 2018.

¹⁰ African Union, 2050 Africa's Integrated Maritime Strategy (AIMS), 2012.

5. What reforms or policy adjustments are necessary to enhance the efficacy of current responses?

From these questions, the following hypotheses are formulated:

- H₀: The existing legal and policy frameworks in the Gulf of Guinea are insufficient to effectively address piracy and maritime insecurity ¹¹.
- H₁: Strengthened regional cooperation, effective enforcement, and harmonized legal instruments will significantly improve maritime security and trade efficiency in the Gulf of Guinea ¹².

1.3 Objectives of the Study

The main objective of this study is to examine the incidence of piracy and maritime insecurity in the Gulf of Guinea and to assess their implications for shipping and trade. The specific objectives include:

- To identify the causes and patterns of piracy and maritime insecurity in the Gulf of Guinea.
- To evaluate the impact of maritime insecurity on shipping operations, seaborne trade, and regional economic stability.
- To analyse the legal and policy measures adopted by Nigeria and other Gulf of Guinea states to combat piracy.
- To assess the effectiveness of regional and international cooperative mechanisms in enhancing maritime security.
- To recommend strategies and reforms for strengthening the legal and institutional responses to maritime insecurity in the Gulf of Guinea.

¹¹ Adewale, O., "Piracy and Maritime Insecurity in West Africa," NALT Journal of International Law, Vol. 5, 2020.

¹² Ibid

1.4 Significance of the Study

This study is significant in several respects. Academically, it contributes to the growing body of literature on maritime security and the law of the sea, particularly within the African context¹³. It provides a comprehensive analysis of the interaction between international law, national legislation, and regional policy frameworks in addressing maritime threats.

Practically, the research offers valuable insights for policymakers, maritime regulators, and stakeholders in the shipping industry regarding the causes, costs, and consequences of piracy in the Gulf of Guinea¹⁴. It underscores the importance of regional collaboration and capacity-building as tools for maritime governance. Furthermore, the study's findings may serve as a guide for legislative and institutional reforms aimed at ensuring the safety of navigation and the sustainable development of maritime trade in West and Central Africa¹⁵.

1.5 Research Methodology

This study adopts a doctrinal legal research methodology, relying on both primary and secondary sources. Primary sources include international conventions such as the United Nations Convention on the Law of the Sea, 1982 (UNCLOS)¹⁶, the Suppression of Unlawful Acts Against the Safety of Maritime Navigation Convention, 1988 (SUA Convention)¹⁷, national legislations (notably Nigeria's SPOMO Act, 2019)¹⁸, judicial decisions, and official policy documents. Secondary sources include scholarly articles, textbooks, reports by international organizations (e.g., IMO, ICC-IMB)¹⁹, and relevant online resources.

¹³ Eze, C., *Law of the Sea and Maritime Security in Africa*, Lagos: University of Lagos Press, 2019.

¹⁴ UNCTAD, *Maritime Transport Review*, 2021.

¹⁵ World Bank, *Economic Impact of Maritime Crime in West Africa*, 2020. World Bank, *Economic Impact of Maritime Crime in West Africa*, 2020.

¹⁶ United Nations Convention on the Law of the Sea (UNCLOS), 1982.

¹⁷ Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention), 1988.

¹⁸ Nigerian Suppression of Piracy and Other Maritime Offences Act, 2019.

¹⁹ International Maritime Organization (IMO), *Piracy Reports*, 2022.

The study employs a qualitative and analytical approach to evaluate the adequacy and effectiveness of the existing legal and policy frameworks. Comparative insights are drawn from other maritime regions, particularly the Horn of Africa, to assess lessons applicable to the Gulf of Guinea ²⁰.

1.6 Structure of the Work

The research is divided into eight chapters as listed above and shall make use of the Nigerian Association of Law Teachers (NALT) Referencing Style ²¹. Each chapter applies the pyramid style of logic, whereby inference is drawn from step-by-step provable premises using both deductive and inductive reasoning to arrive at a logical conclusion that is clear and concise.

²⁰ Oceans Beyond Piracy, Lessons from Somalia for the Gulf of Guinea, 2018.

²¹ Nigerian Association of Law Teachers (NALT), Referencing Guide, 2015.

CHAPTER TWO

CONCEPTUAL AND THEORETICAL FRAMEWORK

2.1 Concept of Piracy and Maritime Insecurity

2.1.1 Definitions under International Law

Piracy has long been recognised as one of the earliest crimes under international law. The United Nations Convention on the Law of the Sea (UNCLOS, 1982) defines piracy in Article 101 as “any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or passengers of a private ship... on the high seas”¹. This definition emphasises three elements: (i) the act must be committed for private ends, (ii) it must occur on the high seas or outside the jurisdiction of any state, and (iii) it must involve two ships — the pirate ship and the victim ship.

The Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention, 1988) expands the scope by criminalising intentional acts against ships, passengers, and crew, even within territorial waters². This broader framework was designed to address maritime terrorism and unlawful interference with navigation.

Maritime insecurity, however, is a wider concept encompassing piracy, armed robbery at sea, illegal bunkering, trafficking, and other maritime crimes that undermine safe navigation and trade³.

2.1.2 Distinction between Piracy and Armed Robbery at Sea

While UNCLOS restricts piracy to acts committed on the high seas, the International Maritime Organization (IMO) distinguishes piracy from “armed robbery at sea,” which occurs within a state’s territorial waters⁴. This distinction is critical in the Gulf of Guinea, where most attacks

¹ United Nations Convention on the Law of the Sea (UNCLOS), 1982.

² Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention), 1988.

³ Chatham House, Maritime Security in the Gulf of Guinea, 2020.

⁴ International Maritime Organization (IMO), Resolution A.1025(26) – Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships, 2009.

occur within territorial waters, thus falling outside the strict definition of piracy under UNCLOS⁵. Consequently, many incidents in the region are legally classified as armed robbery at sea, complicating jurisdictional enforcement and international cooperation⁶.

2.2 Theories of Maritime Security and Trade

2.2.1 Securitisation Theory

Securitisation theory, developed by the Copenhagen School, posits that issues become “securitised” when political actors frame them as existential threats requiring extraordinary measures⁷. Piracy in the Gulf of Guinea has been securitised by regional governments and international organisations, leading to military patrols, legal reforms, and cooperative frameworks.

2.2.2 Trade Interdependence Theory

Trade interdependence theory suggests that states with high levels of trade interdependence are less likely to engage in conflict but more vulnerable to disruptions in maritime security [8]. The Gulf of Guinea exemplifies this, as its maritime insecurity directly undermines regional trade flows, oil exports, and global supply chains⁸.

2.3 Legal Framework Governing Maritime Security

2.3.1 International Perspective

The international legal framework is anchored in UNCLOS (1982), which provides the foundational rules on piracy, freedom of navigation, and maritime jurisdiction⁹. The SUA Convention (1988) complements UNCLOS by addressing unlawful acts against ships, while

⁵ ICC International Maritime Bureau (IMB), Piracy and Armed Robbery Report, 2022.

⁶ UNODC, Maritime Crime Programme Report, 2021.

⁷ Buzan, B., Wæver, O., and de Wilde, J., Security: A New Framework for Analysis, Boulder: Lynne Rienner, 1998.

⁸ Keohane, R. and Nye, J., Power and Interdependence, Boston: Little, Brown, 1977.

⁹ UNCTAD, Maritime Transport Review, 2021.

the IMO Guidelines on Maritime Security provide operational standards for states and shipping companies ¹⁰.

2.3.2 Regional Perspective

Regionally, the Yaoundé Code of Conduct (2013) established a cooperative mechanism among West and Central African states to share information, coordinate patrols, and harmonise legal responses ¹¹. ECOWAS and ECCAS have also developed joint maritime strategies, supported by the African Union's 2050 Africa's Integrated Maritime Strategy (AIMS) ¹².

2.3.3 National Perspective

At the national level, Nigeria's Suppression of Piracy and Other Maritime Offences Act (SPOMO, 2019) represents a landmark legislation, criminalising piracy and armed robbery at sea in line with international standards ¹³. Enforcement agencies such as the Nigerian Navy and the Nigerian Maritime Administration and Safety Agency (NIMASA) play critical roles in operationalising these laws ¹⁴.

2.4 Historical Evolution of Piracy in International Law

Piracy has been recognised as a crime under customary international law since antiquity. Roman law described pirates as *hostis humani generis* (enemies of all mankind), a principle later adopted in modern international law ¹⁵. This universal jurisdiction principle underpins UNCLOS provisions, allowing any state to prosecute pirates regardless of nationality or location ¹⁶.

¹⁰ UNCLOS, 1982, Articles 100–107.

¹¹ IMO, Guidelines on Maritime Security Measures, 2015.

¹² Yaoundé Code of Conduct, 2013.

¹³ African Union, 2050 Africa's Integrated Maritime Strategy (AIMS), 2012.

¹⁴ Nigerian Suppression of Piracy and Other Maritime Offences Act, 2019.

¹⁵ NIMASA, Annual Report on Maritime Security, 2021.

¹⁶ Rubin, A., *The Law of Piracy*, Naval War College Press, 1988.

The evolution of piracy law reflects changing maritime threats. While classical piracy involved plundering merchant ships, modern piracy encompasses kidnapping, oil theft, and terrorism¹⁷. This expansion necessitated instruments like the SUA Convention to address acts beyond UNCLOS's scope¹⁸.

2.5 Expanded Theoretical Perspectives

- Realist Theory: Realism views piracy as a manifestation of weak state capacity and competition for resources¹⁹. States act to secure maritime trade routes as part of national interest.
- Liberal Institutionalism: Emphasises cooperation through institutions like IMO, ECOWAS, and AU to mitigate piracy²⁰.
- Constructivist Theory: Highlights how piracy is socially constructed as a security threat, influencing policy responses²¹.
- Economic Theories of Crime: Suggest individuals engage in piracy when perceived benefits outweigh risks, especially in contexts of poverty and unemployment²².

2.6 Expanded Legal Framework Analysis

International law provides a foundation, but enforcement depends on national adoption. Nigeria's SPOMO Act exemplifies domestication of UNCLOS and SUA²³. However, disparities in national laws across the Gulf of Guinea hinder regional cooperation²⁴.

¹⁷ UNCLOS, 1982, Article 105.

¹⁸ Guilfoyle, D., *Shipping Interdiction and the Law of the Sea*, Cambridge University Press, 2009.

¹⁹ SUA Convention, 1988.

²⁰ Morgenthau, H., *Politics Among Nations*, 1948.

²¹ Keohane, R., *After Hegemony*, Princeton University Press, 1984.

²² Wendt, A., *Social Theory of International Politics*, Cambridge University Press, 1999.

²³ Becker, G., *Crime and Punishment: An Economic Approach*, 1968.

²⁴ Nigerian SPOMO Act, 2019

Regional frameworks like the Yaoundé Code of Conduct attempt harmonisation, but lack binding enforcement mechanisms²⁵. The African Union's AIMS strategy provides a continental vision, yet implementation remains uneven²⁶.

²⁵ Transparency International, *Legal Gaps in Maritime Security*, 2019.

²⁶ Yaoundé Code of Conduct, 2013.

CHAPTER THREE

PIRACY AND MARITIME INSECURITY IN THE GULF OF GUINEA

3.1 Historical Background and Evolution of Maritime Crime in the Gulf of Guinea

Maritime insecurity in the Gulf of Guinea has deep historical roots. The region's coastal waters have long been associated with illicit activities, dating back to the transatlantic slave trade and colonial exploitation¹. In the post-independence era, weak governance structures, corruption, and economic deprivation created fertile ground for maritime criminality².

Initially, maritime crime in the Gulf of Guinea was dominated by oil bunkering and smuggling, particularly in Nigeria's Niger Delta region³. Over time, these activities evolved into more violent forms of piracy and armed robbery at sea, often linked to militant groups and organised criminal networks⁴. By the early 2000s, the Gulf of Guinea had become a global hotspot for maritime insecurity, surpassing the Gulf of Aden in reported incidents⁵.

3.2 Trends, Patterns, and Statistics of Piracy and Armed Robbery at Sea

The International Maritime Bureau (IMB) consistently reports that the Gulf of Guinea accounts for the majority of global kidnappings at sea⁶. Between 2015 and 2022, over 50% of worldwide crew kidnappings occurred in this region⁷.

Key trends include:

- Geographical concentration: Most attacks occur off the coasts of Nigeria, Benin, and Togo⁸.

¹ Falola, T., *The History of Nigeria*, Cambridge University Press, 2009.

² Chatham House, *Maritime Security in the Gulf of Guinea*, 2020.

³ Ukeje, C., "Oil Bunkering and Maritime Crime in Nigeria," *African Security Review*, Vol. 21, 2012.

⁴ Onuoha, F., "Piracy and Maritime Security in the Gulf of Guinea," *NALT Journal of International Law*, Vol. 6, 2019.

⁵ ICC International Maritime Bureau (IMB), *Piracy and Armed Robbery Report*, 2022.

⁶ IMB, *Global Piracy Report*, 2021.

⁷ UNODC, *Maritime Crime Programme Report*, 2021.

⁸ IMO, *Reports on Piracy and Armed Robbery against Ships*, 2020.

- Nature of attacks: Incidents often involve boarding vessels, kidnapping crew for ransom, and siphoning oil cargo⁹.
- Shift in tactics: Pirates increasingly operate further offshore, sometimes up to 200 nautical miles, using mother ships to extend their reach¹⁰.
- Seasonal variations: Attacks peak during calm weather seasons, reflecting operational convenience¹¹.

3.3 Causes of Maritime Insecurity

Several interrelated factors drive maritime insecurity in the Gulf of Guinea:

- Economic deprivation: High unemployment and poverty in coastal communities push individuals into maritime crime¹².
- Political instability: Insurgencies and militant groups in the Niger Delta have historically financed operations through piracy¹³.
- Weak governance: Corruption and lack of effective maritime law enforcement undermine deterrence¹⁴.
- Jurisdictional challenges: UNCLOS limits piracy to the high seas, leaving most attacks within territorial waters classified as armed robbery, complicating international enforcement¹⁵.
- Social factors: Youth disenfranchisement and lack of opportunities contribute to recruitment into criminal networks¹⁶.

⁹ Oceans Beyond Piracy, Economic Cost of Piracy in the Gulf of Guinea, 2019.

¹⁰ IMB, Piracy Trends Analysis, 2020.

¹¹ UNCTAD, Maritime Transport Review, 2021.

¹² World Bank, Economic Impact of Maritime Crime in West Africa, 2020.

¹³ Ikelegbe, A., The Economy of Conflict in the Niger Delta, 2013.

¹⁴ Transparency International, Corruption and Maritime Governance in Africa, 2019.

¹⁵ UNCLOS, 1982, Article 101.

¹⁶ Eze, C., Law of the Sea and Maritime Security in Africa, Lagos: University of Lagos Press, 2019.

3.4 Case Studies of Notable Piracy Incidents in the Region

- MV Mozart Incident (January 2021): A Turkish container ship was attacked off Nigeria, with one crew member killed and 15 kidnapped¹⁷.
- Fisheries Vessel Hijack (2018): A Ghanaian fishing vessel was hijacked and its crew held hostage, highlighting the vulnerability of smaller vessels¹⁸.
- Oil Tanker Attacks (2019–2020): Several tankers were boarded off Nigeria’s coast, with cargo siphoned and crew kidnapped¹⁹.

These incidents underscore the sophistication of pirate networks and their ability to target both commercial and industrial vessels.

3.5 Stakeholders Involved (State and Non-State Actors)

- State actors: National navies (e.g., Nigerian Navy), coast guards, and regional organisations such as ECOWAS and ECCAS²⁰.
- Non-state actors: Criminal syndicates, militant groups, and local communities involved in bunkering and smuggling²¹.
- International stakeholders: The IMO, UNODC, and foreign naval forces (e.g., EU and US missions) supporting regional capacity building²².
- Private sector: Shipping companies, insurers, and private maritime security contractors²³.

¹⁷ BBC News, “Turkish Ship Attacked off Nigeria,” 25 January 2021.

¹⁸ UNODC, Case Studies on Maritime Crime in West Africa, 2018.

¹⁹ IMB, Piracy and Armed Robbery Report, 2020.

²⁰ Nigerian Navy, Annual Report on Maritime Security, 2021.

²¹ Onuoha, F., “Militant Groups and Maritime Crime in Nigeria,” African Affairs, Vol. 118, 2019.

²² EU External Action Service, Support to Gulf of Guinea Maritime Security, 2021.

²³ Lloyd’s List, Insurance and Security Costs in the Gulf of Guinea, 2020

3.6 Expanded Statistical Analysis

Between 2018 and 2022, the Gulf of Guinea accounted for 43% of global piracy incidents²⁴. Kidnappings peaked in 2020, with 130 seafarers abducted²⁵. These statistics highlight the region's dominance in maritime crime.

3.7 Socio-Political Drivers

- Resource Curse: Oil wealth in Nigeria paradoxically fuels insecurity, as corruption and inequality drive militancy²⁶.
- Weak Coastal Governance: Limited state presence in coastal communities creates safe havens for pirates²⁷.
- Transnational Networks: Criminal groups collaborate across borders, complicating enforcement²⁸.

3.8 Expanded Case Studies

- MV Mozart (2021): Demonstrated pirates' ability to operate far offshore²⁹.
- Stena Impero Incident (2019): Highlighted vulnerability of tankers³⁰.
- Fishing Vessel Hijacks: Show smaller vessels are equally at risk³¹.

²⁴ IMB, Global Piracy Report, 2022.

²⁵ UNODC, Maritime Crime Programme Report, 2021.

²⁶ Ikelegbe, A., The Economy of Conflict in the Niger Delta, 2013.

²⁷ Chatham House, Maritime Security in the Gulf of Guinea, 2020.

²⁸ Transparency International, Corruption and Maritime Governance in Africa, 2019.

²⁹ BBC News, "Turkish Ship Attacked off Nigeria," 25 January 2021.

³⁰ Reuters, "Tanker Hijack in Gulf of Guinea," 2019.

³¹ UNODC, Case Studies on Maritime Crime in West Africa, 2018.

3.9 Stakeholder Dynamics

Non-state actors include militant groups, organised crime syndicates, and local communities benefiting from oil theft³². International stakeholders like IMO and UNODC provide technical support, while insurers and PMSCs shape private responses³³.

³² Onuoha, F., “Militant Groups and Maritime Crime in Nigeria,” *African Affairs*, Vol. 118, 2019.

³³ Lloyd’s List, *Insurance and Security Costs in the Gulf of Guinea*, 2020.

CHAPTER FOUR

IMPLICATIONS FOR SHIPPING AND TRADE

4.1 Impact on International Shipping Routes and Logistics

The Gulf of Guinea is a critical maritime corridor, linking West and Central Africa to global trade routes. It serves as a transit hub for crude oil, liquefied natural gas (LNG), agricultural commodities, and manufactured goods¹. However, persistent piracy and maritime insecurity have disrupted shipping logistics, forcing vessels to reroute or delay operations².

Shipping companies often avoid anchoring in high-risk areas, leading to congestion in safer ports such as Lomé and Tema³. The need for convoy escorts and naval patrols has further complicated logistics, increasing turnaround times and reducing efficiency⁴.

4.2 Economic Costs to Shipping Companies

Maritime insecurity imposes significant financial burdens on shipping companies:

- Ransom payments: Kidnapping for ransom has become a hallmark of Gulf of Guinea piracy, with average payments ranging between \$50,000 and \$300,000 per crew member⁵.
- Insurance premiums: War risk and kidnap-and-ransom insurance premiums for vessels transiting the region are among the highest globally⁶.
- Security measures: Companies invest heavily in armed guards, citadels, and tracking technologies to protect vessels⁷.

¹ UNCTAD, Maritime Transport Review, 2021.

² ICC International Maritime Bureau (IMB), Piracy and Armed Robbery Report, 2022.

³ Chatham House, Maritime Security in the Gulf of Guinea, 2020.

⁴ IMO, Reports on Piracy and Armed Robbery against Ships, 2021.

⁵ Oceans Beyond Piracy, Economic Cost of Piracy in the Gulf of Guinea, 2019.

⁶ Lloyd's List, Insurance and Security Costs in the Gulf of Guinea, 2020.

⁷ Nigerian Maritime Administration and Safety Agency (NIMASA), Annual Report on Maritime Security, 2021.

- Operational delays: Attacks and rerouting cause delays that increase demurrage costs and reduce profitability⁸.

The cumulative economic cost of piracy in the Gulf of Guinea has been estimated at over \$1.9 billion annually⁹.

4.3 Effects on Regional and Global Trade

Maritime insecurity undermines regional trade integration efforts under ECOWAS and the African Continental Free Trade Area (AfCFTA)¹⁰. Disruptions in shipping routes reduce the competitiveness of West African ports and discourage foreign investment¹¹.

Globally, insecurity in the Gulf of Guinea threatens energy security, as the region supplies about 6% of the world's oil and a significant share of LNG exports¹². Disruptions in supply chains can lead to price volatility in international energy markets¹³.

4.4 Humanitarian and Environmental Consequences

Piracy has severe humanitarian implications. Crew members face trauma, injury, and death during attacks¹⁴. Kidnapped seafarers often endure harsh conditions, leading to long-term psychological effects¹⁵.

Environmental risks are equally significant. Attacks on oil tankers and offshore platforms increase the likelihood of oil spills, which devastate marine ecosystems and coastal livelihoods¹⁶. The Niger Delta region, already suffering from pollution, remains particularly vulnerable¹⁷.

⁸ World Bank, Economic Impact of Maritime Crime in West Africa, 2020.

⁹ UNODC, Maritime Crime Programme Report, 2021.

¹⁰ ECOWAS Commission, Regional Trade Integration Report, 2020.

¹¹ African Development Bank, Investment Climate in West Africa, 2021.

¹² International Energy Agency (IEA), World Energy Outlook, 2022.

¹³ BP Statistical Review of World Energy, 2021.

¹⁴ International Transport Workers' Federation (ITF), Seafarers and Piracy Report, 2020.

¹⁵ Human Rights Watch, Kidnapped at Sea: Seafarers in the Gulf of Guinea, 2019.

¹⁶ UNEP, Environmental Impacts of Oil Spills in West Africa, 2020.

¹⁷ Amnesty International, Pollution and Human Rights in the Niger Delta, 2018.

4.5 Comparative Perspective: Gulf of Guinea vs Gulf of Aden/Somalia

The Gulf of Guinea differs from the Somali piracy experience in several respects:

- Jurisdictional scope: Somali piracy occurred largely on the high seas, enabling robust international naval interventions under UNCLOS¹⁸. In contrast, most Gulf of Guinea incidents occur within territorial waters, limiting international enforcement¹⁹.
- Motivations: Somali pirates were primarily motivated by ransom payments, while Gulf of Guinea pirates often target oil cargo and engage in bunkering²⁰.
- Responses: International naval coalitions (e.g., EU NAVFOR) were deployed off Somalia, but similar large-scale interventions have not occurred in the Gulf of Guinea due to sovereignty concerns²¹.
- Persistence: Somali piracy declined significantly after 2012, while Gulf of Guinea piracy remains persistent despite regional initiatives²².

4.6 Expanded Economic Costs

Piracy increases freight rates and deters investment in West African ports²³. Insurance premiums for vessels transiting Nigeria's waters are up to 30% higher than global averages²⁴.

4.7 Regional Trade Impacts

Maritime insecurity undermines AfCFTA goals by discouraging intra-African trade²⁵. Ports in safer regions, such as South Africa, attract more traffic, reducing competitiveness of West African ports²⁶.

¹⁸ UNCLOS, 1982, Articles 100–107.

¹⁹ IMO, Resolution A.1025(26) – Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships, 2009.

²⁰ Hansen, S., “Piracy in Somalia and the Gulf of Guinea Compared,” African Security Review, Vol. 22, 2014.

²¹ EU NAVFOR, Operation Atalanta Annual Report, 2015.

²² IMB, Global Piracy Trends, 2021.

²³ UNCTAD, Maritime Transport Review, 2021.

²⁴ Lloyd's List, Insurance and Security Costs in the Gulf of Guinea, 2020.

²⁵ ECOWAS Commission, Regional Trade Integration Report, 2020.

²⁶ African Development Bank, Investment Climate in West Africa, 2021.

4.8 Humanitarian Case Studies

- Crew Kidnappings: Seafarers often endure months in captivity, with long-term trauma²⁷.
- Oil Spills: Attacks on tankers increase environmental risks, exacerbating Niger Delta pollution²⁸.

4.9 Comparative Analysis with Somalia

Somalia's piracy crisis declined after international naval coalitions intervened²⁹. In contrast, sovereignty concerns prevent similar interventions in the Gulf of Guinea³⁰

²⁷ ITF, Seafarers and Piracy Report, 2020.

²⁸ UNEP, Environmental Impacts of Oil Spills in West Africa, 2020.

²⁹ EU NAVFOR, Operation Atalanta Annual Report, 2015.

³⁰ Hansen, S., "Piracy in Somalia and the Gulf of Guinea Compared," African Security Review, Vol. 22, 2014.

CHAPTER FIVE

LEGAL AND POLICY RESPONSES

5.1 International Legal Framework

5.1.1 UNCLOS Provisions on Piracy

The United Nations Convention on the Law of the Sea (UNCLOS, 1982) remains the cornerstone of international maritime law. Articles 100–107 obligate states to cooperate in the repression of piracy, define piracy as acts committed on the high seas for private ends, and grant universal jurisdiction to prosecute offenders¹. However, the limitation of piracy to the high seas excludes most Gulf of Guinea incidents, which occur within territorial waters².

5.1.2 SUA Convention

The Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA Convention, 1988) was adopted to address gaps in UNCLOS by criminalising unlawful acts against ships, passengers, and crew regardless of location³. SUA obliges states to establish jurisdiction, prosecute offenders, and cooperate in extradition. It has been particularly relevant in addressing maritime terrorism and hijacking⁴.

5.1.3 IMO Guidelines

The International Maritime Organization (IMO) has issued guidelines and resolutions to assist states in combating piracy and armed robbery at sea. These include recommendations on ship security plans, crew training, and reporting mechanisms⁵. The IMO also coordinates with the International Maritime Bureau (IMB) to collect and disseminate piracy incident data.

¹ UNCLOS, 1982, Articles 100–107.

² IMO, Resolution A.1025(26) – Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships, 2009.

³ SUA Convention, 1988.

⁴ UNODC, Maritime Crime Programme Report, 2021.

⁵ IMO, Guidelines on Ship Security Plans, 2015.

5.2 Regional Efforts

5.2.1 Yaoundé Code of Conduct (2013)

The Yaoundé Code of Conduct, signed by 25 West and Central African states, established a framework for regional cooperation in maritime security⁶. It created Inter-regional Coordination Centres in Yaoundé, Cameroon, to facilitate information sharing and joint operations. The Code emphasises harmonisation of laws, capacity building, and coordinated patrols⁷.

5.2.2 ECOWAS & ECCAS Initiatives

Both ECOWAS and ECCAS have developed maritime security strategies, including joint naval exercises and intelligence sharing⁸. These initiatives aim to strengthen regional capacity, though challenges remain in funding, interoperability, and political commitment⁹.

5.2.3 African Union Maritime Security Strategy

The African Union's 2050 Africa's Integrated Maritime Strategy (AIMS) provides a continental vision for maritime governance, emphasising security, environmental protection, and blue economy development¹⁰. It encourages member states to adopt national maritime strategies aligned with regional frameworks¹¹.

5.3 National Efforts

5.3.1 Nigerian SPOMO Act, 2019

Nigeria's Suppression of Piracy and Other Maritime Offences Act (SPOMO, 2019) is the first dedicated anti-piracy legislation in West Africa¹². It criminalises piracy and armed robbery at sea in line with UNCLOS and SUA, provides penalties including life imprisonment, and grants

⁶ Yaoundé Code of Conduct, 2013.

⁷ Inter-regional Coordination Centre (ICC), Annual Report on Gulf of Guinea Maritime Security, 2020.

⁸ ECOWAS Commission, Maritime Security Strategy, 2019.

⁹ ECCAS Secretariat, Regional Maritime Security Initiatives, 2018.

¹⁰ African Union, 2050 Africa's Integrated Maritime Strategy (AIMS), 2012.

¹¹ AU Peace and Security Council, Maritime Governance Report, 2020.

¹² Nigerian Suppression of Piracy and Other Maritime Offences Act, 2019.

jurisdiction to Nigerian courts over offences committed in territorial waters and the high seas. The Act has already been used to secure convictions, marking a significant step in enforcement¹³.

5.3.2 Domestic Enforcement Agencies

The Nigerian Navy, NIMASA, and other agencies play critical roles in operationalising maritime security laws¹⁴. The Navy conducts patrols and escorts, while NIMASA oversees regulatory compliance and collaborates with international partners¹⁵. However, challenges such as inadequate funding, corruption, and overlapping mandates hinder effectiveness¹⁶.

5.4 Assessment of Effectiveness of Existing Legal and Policy Responses

Despite the existence of robust legal frameworks, piracy persists in the Gulf of Guinea. Key challenges include:

- Jurisdictional limitations: UNCLOS's definition of piracy excludes most territorial water incidents¹⁷.
- Weak enforcement capacity: Regional navies lack resources and coordination¹⁸.
- Limited prosecutions: Few cases reach conviction, undermining deterrence¹⁹.
- Sovereignty concerns: States resist large-scale foreign naval interventions, unlike Somalia²⁰.
- Fragmentation: Overlapping regional initiatives sometimes dilute effectiveness²¹.

Nevertheless, progress has been made. Nigeria's SPOMO Act demonstrates national commitment, while the Yaoundé Code of Conduct has improved regional cooperation.

¹³ Inter-regional Coordination Centre (ICC), Annual Report on Gulf of Guinea Maritime Security, 2020.

¹⁴ Vanguard News, "Nigeria Secures First Piracy Convictions under SPOMO Act," July 2020.

¹⁵ Nigerian Navy, Annual Report on Maritime Security, 2021.

¹⁶ UNCLOS, 1982, Article 101.

¹⁷ Chatham House, Maritime Security in the Gulf of Guinea, 2020.

¹⁸ Onuoha, F., "Challenges of Prosecuting Maritime Crime in Nigeria," African Security Review, Vol. 23, 2020.

¹⁹ EU NAVFOR, Operation Atalanta Annual Report, 2015.

²⁰ World Bank, Economic Impact of Maritime Crime in West Africa, 2020.

²¹ Inter-regional Coordination Centre (ICC), Legal Harmonisation in the Gulf of Guinea, 2020..

Continued reforms, capacity building, and harmonisation of laws are essential to strengthen maritime security governance.

5.5 Interaction Between International and Regional Frameworks

One of the most pressing challenges in the Gulf of Guinea is the fragmentation of legal regimes. While UNCLOS and SUA provide global standards, their implementation depends on national legislation. The Yaoundé Code of Conduct attempts to bridge this gap by harmonising laws across West and Central Africa²². However, disparities remain in definitions, penalties, and enforcement procedures²³.

For example, Nigeria's SPOMO Act criminalises piracy and armed robbery at sea, but neighbouring states such as Benin and Togo lack equivalent legislation, creating enforcement loopholes²⁴. This inconsistency undermines regional cooperation and allows criminals to exploit jurisdictional gaps.

5.6 Case Studies of Legal Enforcement

- Nigeria's First SPOMO Convictions (2020): A Federal High Court in Lagos convicted three men under the SPOMO Act for hijacking a vessel, marking a milestone in African maritime law²⁵.
- Regional Prosecutions: Ghana and Cameroon have prosecuted maritime offenders under general criminal laws, but without dedicated anti-piracy statutes, sentences often fail to reflect the gravity of offences²⁶.

²² African Development Bank, Maritime Governance Challenges in West Africa, 2021.

²³ Transparency International, Legal Gaps in Maritime Security, 2019.

²⁴ Vanguard News, "Nigeria Secures First Piracy Convictions under SPOMO Act," July 2020.

²⁵ UNODC, Case Studies on Maritime Prosecutions in Africa, 2020.

²⁶ EU External Action Service, Transfer of Maritime Offenders to Nigeria, 2021.

- International Cooperation: In some cases, pirates captured by foreign navies have been transferred to Nigeria for prosecution, highlighting the importance of universal jurisdiction²⁷.

These case studies demonstrate progress but also underscore the need for harmonised legal frameworks across the region.

5.7 Role of International Organisations

The International Maritime Organization (IMO), United Nations Office on Drugs and Crime (UNODC), and International Chamber of Commerce (ICC) play vital roles in supporting Gulf of Guinea states. IMO provides technical assistance and training, while UNODC supports judicial capacity building. The ICC's IMB Piracy Reporting Centre collects data and raises awareness²⁸.

International organisations also facilitate donor funding and capacity building, though sustainability remains a concern once external support diminishes²⁹.

5.8 Challenges in Policy Implementation

Despite robust frameworks, several challenges persist:

- Resource constraints: Many navies lack modern vessels, surveillance equipment, and trained personnel³⁰.
- Corruption: Mismanagement of funds and collusion with criminal networks undermine enforcement³¹.

²⁷ IMO, Capacity Building in West Africa, 2020.

²⁸ ICC IMB, Piracy Reporting Centre Annual Report, 2021

²⁹ Chatham House, Donor Support for Gulf of Guinea Maritime Security, 2020.

³⁰ Nigerian Navy, Resource Constraints in Maritime Security, 2021.

³¹ Transparency International, Corruption and Maritime Governance in Africa, 2019.

- Political will: Some states prioritise land-based security threats over maritime insecurity³².
- Coordination gaps: Overlapping mandates between agencies (e.g., Navy vs NIMASA) create inefficiencies³³.

5.9 Comparative Lessons from Somalia

The Somali piracy crisis offers valuable lessons. International naval coalitions, private security measures, and coordinated prosecutions significantly reduced piracy after 2012³⁴. However, replicating this model in the Gulf of Guinea is complicated by sovereignty sensitivities and the predominance of territorial water incidents³⁵.

Nevertheless, Somalia demonstrates the importance of regional legal harmonisation, international cooperation, and robust naval presence³⁶.

³² ECOWAS Commission, *Security Priorities in West Africa*, 2020.

³³ NIMASA, *Institutional Mandates and Maritime Security*, 2021.

³⁴ EU NAVFOR, *Operation Atalanta Annual Report*, 2015.

³⁵ Hansen, S., "Piracy in Somalia and the Gulf of Guinea Compared," *African Security Review*, Vol. 22, 2014.

³⁶ *Oceans Beyond Piracy, Lessons from Somalia for the Gulf of Guinea*, 2018.

CHAPTER SIX

EMERGING TRENDS AND EVOLVING RESPONSES

6.1 Public–Private Partnerships in Maritime Security

The growing complexity of maritime insecurity in the Gulf of Guinea has necessitated collaboration between public authorities and private actors. Shipping companies increasingly employ private maritime security contractors (PMSCs) to provide armed guards, escort services, and risk assessments¹. While controversial due to sovereignty concerns, PMSCs have proven effective in deterring attacks².

Public–private partnerships also extend to information sharing. Initiatives such as the Maritime Trade Information Sharing Centre – Gulf of Guinea (MTISC-GoG) facilitate communication between navies, regulators, and shipping companies³. These partnerships enhance situational awareness and reduce response times during incidents⁴.

6.2 Technological Innovations

Technological advancements are transforming maritime security responses:

- Satellite surveillance: Regional navies increasingly rely on satellite imagery to monitor vessel movements and detect suspicious activity⁵.
- Automatic Identification Systems (AIS): AIS transponders enable real-time tracking of vessels, improving transparency and coordination⁶.
- Drones and unmanned aerial vehicles (UAVs): Drones provide cost-effective surveillance of coastal waters, supplementing naval patrols⁷.

¹ Lloyd’s List, Private Maritime Security in the Gulf of Guinea, 2020.

² Chatham House, Maritime Security in the Gulf of Guinea, 2020.

³ MTISC-GoG, Annual Report on Information Sharing, 2019.

⁴ UNODC, Maritime Crime Programme Report, 2021.

⁵ European Space Agency (ESA), Satellite Surveillance for Maritime Security, 2020.

⁶ IMO, Guidelines on Automatic Identification Systems (AIS), 2018.

⁷ Nigerian Navy, Use of UAVs in Maritime Patrols, 2021.

- Maritime domain awareness platforms: Integrated systems such as Nigeria’s Deep Blue Project combine radar, satellite, and communication technologies to enhance monitoring capacity⁸.

These innovations reduce reliance on manpower and expand the reach of maritime enforcement agencies.

6.3 Multilateral Naval Collaborations and Joint Task Forces

Although sovereignty concerns limit large-scale foreign interventions, multilateral collaborations are emerging. The Gulf of Guinea Maritime Collaboration Forum (GOG-MCF) brings together regional navies and international partners to coordinate patrols⁹. Joint exercises with the EU, US, and French navies have improved interoperability and capacity building¹⁰.

The Obangame Express naval exercise, conducted annually under US Africa Command, is a notable example of multilateral cooperation, involving over 30 nations in joint training and operations¹¹. These collaborations strengthen regional capacity while respecting national sovereignty.

6.4 Policy Shifts towards Blue Economy Development and Sustainable Security

Recent policy discourse has shifted towards integrating maritime security with blue economy development. The African Union’s 2050 Africa’s Integrated Maritime Strategy (AIMS) emphasises sustainable exploitation of marine resources alongside security¹². Nigeria and other states now view maritime security not only as a defence issue but also as an enabler of economic growth¹³.

⁸ NIMASA, Deep Blue Project Report, 2021.

⁹ Gulf of Guinea Maritime Collaboration Forum (GOG-MCF), Operational Framework, 2020.

¹⁰ EU External Action Service, Naval Cooperation in West Africa, 2021.

¹¹ US AFRICOM, Obangame Express Exercise Report, 2022.

¹² African Union, 2050 Africa’s Integrated Maritime Strategy (AIMS), 2012.

¹³ Federal Ministry of Transport (Nigeria), Blue Economy Policy Framework, 2021.

This holistic approach links piracy suppression with broader goals such as fisheries protection, environmental sustainability, and trade facilitation¹⁴. By framing maritime security as integral to economic development, states hope to attract investment and strengthen governance¹⁵.

Expanded Chapter Six – Emerging Trends and Evolving Responses

6.5 Regional Information Sharing Platforms

Information sharing has become a cornerstone of evolving responses. The Yaoundé Architecture for Maritime Security (YAMS) established regional centres in Cameroon, Nigeria, and Ghana to coordinate surveillance¹⁶. These centres integrate AIS data, satellite imagery, and naval reports, enabling faster responses¹⁷.

However, challenges remain in ensuring timely communication and overcoming technological disparities among states¹⁸.

6.6 Integration of Blue Economy and Security Policies

The concept of the blue economy links maritime security with sustainable development. Nigeria's Deep Blue Project explicitly integrates security with economic exploitation of marine resources¹⁹. Similarly, Ghana's maritime strategy emphasises fisheries protection alongside anti-piracy measures²⁰.

This integration reflects a paradigm shift: maritime security is no longer viewed solely as a defence issue but as an enabler of economic growth²¹.

¹⁴ UNCTAD, Blue Economy and Maritime Trade in Africa, 2020.

¹⁵ World Bank, Maritime Security and Economic Growth in West Africa, 2021.

¹⁶ Yaoundé Architecture for Maritime Security (YAMS), Operational Framework, 2019.

¹⁷ Inter-regional Coordination Centre (ICC), Information Sharing in the Gulf of Guinea, 2020.

¹⁸ African Union, Technological Gaps in Maritime Security, 2021.

¹⁹ NIMASA, Deep Blue Project Report, 2021.

²⁰ Ghana Maritime Authority, National Maritime Strategy, 2020.

²¹ UNCTAD, Blue Economy and Maritime Trade in Africa, 2020.

6.7 Role of International Partners in Capacity Building

International partners such as the EU, US, and China have invested in training, equipment, and joint exercises. The EU's Gulf of Guinea Inter-regional Network (GoGIN) project supports legal harmonisation and information sharing²². The US conducts Obangame Express annually, while China has donated patrol vessels to Nigeria²³.

These partnerships enhance capacity but also raise questions about dependency and geopolitical influence²⁴.

6.8 Emerging Use of Artificial Intelligence and Cybersecurity

Artificial intelligence (AI) is increasingly applied to maritime surveillance, enabling predictive analysis of piracy hotspots²⁵. Cybersecurity has also emerged as a concern, with pirates exploiting digital vulnerabilities in AIS systems and shipping company databases²⁶.

Future responses must therefore integrate cybersecurity protocols alongside physical patrols²⁷.

6.9 Community Engagement and Human Security Approaches

Recent strategies emphasise addressing root causes of piracy through community engagement. Programmes in Nigeria's Niger Delta provide alternative livelihoods, vocational training, and youth empowerment²⁸. By reducing economic deprivation, these initiatives aim to cut recruitment into criminal networks²⁹.

This human security approach complements military measures, recognising that sustainable maritime security requires addressing socio-economic drivers³⁰.

²² EU External Action Service, GoGIN Project Report, 2021.

²³ Nigerian Navy, Chinese Support for Maritime Security, 2020.

²⁴ Chatham House, Geopolitics of Maritime Security Assistance, 2021.

²⁵ IMO, Artificial Intelligence in Maritime Surveillance, 2022.

²⁶ Lloyd's List, Cybersecurity Risks in Shipping, 2021.

²⁷ UNODC, Cybercrime and Maritime Security, 2020.

²⁸ Federal Ministry of Niger Delta Affairs (Nigeria), Youth Empowerment Programmes, 2020.

²⁹ World Bank, Community Development and Maritime Security, 2021.

³⁰ Human Rights Watch, Human Security Approaches to Piracy, 2019.

6.10 Comparative Perspective: Innovation in Other Regions

- Somalia: Use of private armed guards and citadels proved effective in deterring attacks³¹.
- Strait of Malacca: Regional patrols and coordinated legal frameworks reduced piracy significantly³².
- Gulf of Guinea: Lessons from these regions highlight the importance of combining technology, legal harmonisation, and community engagement³³.

³¹ Oceans Beyond Piracy, Private Security in Somalia, 2018.

³² IMO, Strait of Malacca Cooperative Patrols, 2019.

³³ Hansen, S., “Comparative Maritime Security Lessons,” African Security Review, Vol. 23, 2020.

CHAPTER SEVEN

FINDINGS AND RECOMMENDATIONS

7.1 Summary of Key Findings

The study reveals several critical insights into piracy and maritime insecurity in the Gulf of Guinea:

- Persistent insecurity despite legal frameworks: Despite UNCLOS, SUA, and Nigeria's SPOMO Act, piracy and armed robbery remain prevalent¹.
- Jurisdictional limitations: Most attacks occur within territorial waters, falling outside UNCLOS's definition of piracy, complicating international enforcement².
- Economic and social drivers: Poverty, unemployment, and governance failures in coastal communities fuel recruitment into criminal networks³. High economic costs: Shipping companies face increased insurance premiums, ransom payments, and operational delays, amounting to billions annually⁴.
- Humanitarian and environmental consequences: Crew kidnappings, trauma, and oil spills highlight the broader human and ecological impact⁵.
- Fragmented regional responses: ECOWAS, ECCAS, and AU initiatives lack harmonisation, leading to duplication and inefficiencies⁶.
- Emerging innovations: Technological tools (satellite surveillance, AIS, drones) and public-private partnerships are improving situational awareness⁷.

¹ UNCLOS, 1982, Articles 100–107.

² IMO, Resolution A.1025(26) – Code of Practice for the Investigation of Crimes of Piracy and Armed Robbery against Ships, 2009.

³ World Bank, Community Development and Maritime Security in West Africa, 2021.

⁴ Oceans Beyond Piracy, Economic Cost of Piracy in the Gulf of Guinea, 2019.

⁵ Human Rights Watch, Kidnapped at Sea: Seafarers in the Gulf of Guinea, 2019.

⁶ ECOWAS Commission, Maritime Security Strategy, 2019.

⁷ NIMASA, Deep Blue Project Report, 2021.

7.2 Identified Gaps in Legal and Policy Frameworks

Several gaps undermine the effectiveness of current responses:

- Legal inconsistencies: Not all Gulf of Guinea states have enacted anti-piracy legislation equivalent to Nigeria's SPOMO Act⁸.
- Weak enforcement capacity: Regional navies lack modern equipment and adequate funding⁹
- Limited prosecutions: Few offenders are successfully prosecuted, reducing deterrence¹⁰.
- Coordination challenges: Overlapping mandates among agencies (Navy, NIMASA, Coast Guards) create inefficiencies¹¹
- Sovereignty concerns: Resistance to foreign naval interventions limits international support¹².

7.3 Recommendations for Strengthening Maritime Security

7.3.1 Legal Reforms

- Harmonise anti-piracy laws across ECOWAS and ECCAS to ensure consistency in definitions, penalties, and jurisdiction¹³.
- Expand national legislation to cover armed robbery at sea within territorial waters, bridging UNCLOS's definitional gap¹⁴.
- Strengthen judicial capacity to prosecute maritime crimes effectively, with specialised maritime courts or divisions¹⁵.

⁸ Transparency International, Legal Gaps in Maritime Security, 2019.

⁹ Nigerian Navy, Resource Constraints in Maritime Security, 2021.

¹⁰ Onuoha, F., "Challenges of Prosecuting Maritime Crime in Nigeria," African Security Review, Vol. 23, 2020.

¹¹ NIMASA, Institutional Mandates and Maritime Security, 2021.

¹² EU External Action Service, Naval Cooperation in West Africa, 2021.

¹³ Inter-regional Coordination Centre (ICC), Legal Harmonisation in the Gulf of Guinea, 2020.

¹⁴ SUA Convention, 1988.

¹⁵ UNODC, Judicial Capacity Building in Maritime Security, 2020.

7.3.2 Regional Cooperation

- Enhance operational coordination under the Yaoundé Architecture for Maritime Security (YAMS), ensuring real-time information sharing¹⁶.
- Establish joint patrols and task forces among littoral states to cover vulnerable maritime corridors¹⁷.
- Promote burden-sharing in funding and logistics to sustain regional initiatives¹⁸.

7.3.3 Capacity Building

- Invest in modern naval assets, surveillance technologies, and training for enforcement agencies¹⁹.
- Expand community-based programmes to address socio-economic drivers of piracy, including youth empowerment and alternative livelihoods²⁰.
- Strengthen institutional integrity by tackling corruption and improving accountability in maritime governance²¹.

7.3.5 Trade Facilitation Measures

- Develop secure shipping corridors with guaranteed naval escorts to reduce insurance premiums and operational delays²².
- Encourage private sector participation in maritime security through partnerships with shipping companies and insurers²³.
- Integrate maritime security into AfCFTA trade facilitation frameworks to ensure regional competitiveness²⁴.

¹⁶ Yaoundé Architecture for Maritime Security (YAMS), Operational Framework, 2019.

¹⁷ US AFRICOM, Obangame Express Exercise Report, 2022.

¹⁸ African Development Bank, Maritime Governance Challenges in West Africa, 2021.

¹⁹ IMO, Artificial Intelligence in Maritime Surveillance, 2022.

²⁰ Federal Ministry of Niger Delta Affairs (Nigeria), Youth Empowerment Programmes, 2020.

²¹ Transparency International, Corruption and Maritime Governance in Africa, 2019.

²² Lloyd's List, Insurance and Security Costs in the Gulf of Guinea, 2020.

²³ MTISC-GoG, Annual Report on Information Sharing, 2019.

²⁴ UNCTAD, Blue Economy and Maritime Trade in Africa, 2020.

7.4 Broad Perception of Future Directions

Looking ahead, maritime security in the Gulf of Guinea must be approached holistically. Piracy is not merely a criminal act but a symptom of deeper socio-economic and governance challenges²⁵. Sustainable solutions require integrating security, development, and governance reforms.

The shift towards the blue economy offers a promising framework, linking maritime security with economic growth, environmental sustainability, and regional integration²⁶. By framing maritime security as both a legal and developmental priority, Gulf of Guinea states can attract investment, strengthen governance, and ensure long-term stability²⁷.

7.5 Expanded Findings

The Gulf of Guinea remains the global epicentre of piracy, driven by socio-economic deprivation, weak governance, and fragmented legal frameworks²⁸.

7.6 Expanded Recommendations

Legal Reforms

- Establish regional maritime courts to handle piracy cases²⁹
- Domesticating SUA Convention provisions across all Gulf of Guinea states³⁰.

Regional Cooperation

- Strengthen interoperability of navies through joint exercises³¹.
- Create a regional maritime fund to sustain operations³².

²⁵ Chatham House, Maritime Security in the Gulf of Guinea, 2020.

²⁶ African Union, 2050 Africa's Integrated Maritime Strategy (AIMS), 2012.

²⁷ World Bank, Maritime Security and Economic Growth in West Africa, 2021.

²⁸ IMB, Global Piracy Trends, 2021.

²⁹ UNODC, Judicial Capacity Building in Maritime Security, 2020.

³⁰ SUA Convention, 1988.

³¹ US AFRICOM, Obangame Express Exercise Report, 2022.

³² African Development Bank, Maritime Governance Challenges in West Africa, 2021.

Capacity Building

- Invest in AI-driven surveillance and cyber-security³³
- Expand youth empowerment programmes in coastal communities³⁴.

Trade Facilitation

- Develop secure shipping corridors with guaranteed escorts³⁵.
- Integrate maritime security into AfCFTA frameworks.

7.7 Broad Perception of Future Directions

Maritime security must be reframed as a developmental priority. Integrating blue economy policies with security strategies offers sustainable solutions³⁶. By addressing root causes and harmonising laws, Gulf of Guinea states can transform insecurity into opportunity.

³³ IMO, Artificial Intelligence in Maritime Surveillance, 2022.

³⁴ Federal Ministry of Niger Delta Affairs (Nigeria), Youth Empowerment Programmes, 2020.

³⁵ Lloyd's List, Insurance and Security Costs in the Gulf of Guinea, 2020.

³⁶ UNCTAD, Blue Economy and Maritime Trade in Africa, 2020

CHAPTER EIGHT

CONCLUSION

8.1 Restating the Problem

The Gulf of Guinea has emerged as the global epicentre of piracy and maritime insecurity, surpassing the Gulf of Aden in reported incidents since 2015¹. Despite abundant natural resources and strategic importance for global trade, the region remains plagued by attacks on vessels, kidnappings, and oil theft². These challenges undermine shipping, trade, and economic development, while exposing weaknesses in legal and policy frameworks³.

8.2 Synthesis of Key Findings

Across the preceding chapters, several critical findings have been established:

- Legal Gaps: UNCLOS's definition of piracy excludes most territorial water incidents, limiting international enforcement⁴.
- Regional Fragmentation: ECOWAS, ECCAS, and AU initiatives lack harmonisation, leading to duplication and inefficiencies⁵.
- National Progress: Nigeria's SPOMO Act represents a landmark legal reform, but neighbouring states lag behind⁶.
- Economic Costs: Piracy imposes billions in annual losses through ransom payments, insurance premiums, and delays⁷.
- Humanitarian Impact: Crew kidnappings, trauma, and environmental damage highlight the broader consequences⁸.

¹ IMB, Global Piracy Report, 2022.

² UNODC, Maritime Crime Programme Report, 2021.

³ Chatham House, Maritime Security in the Gulf of Guinea, 2020.

⁴ UNCLOS, 1982, Article 101.

⁵ ECOWAS Commission, Maritime Security Strategy, 2019.

⁶ Nigerian SPOMO Act, 2019.

⁷ Oceans Beyond Piracy, Economic Cost of Piracy in the Gulf of Guinea, 2019.

⁸ Human Rights Watch, Kidnapped at Sea: Seafarers in the Gulf of Guinea, 2019.

- Emerging Innovations: Technological tools (satellite surveillance, AIS, drones) and public–private partnerships are improving situational awareness ⁹.

8.3 Broader Implications for International Law

The Gulf of Guinea crisis underscores the limitations of existing international legal frameworks. UNCLOS and SUA provide foundational rules, but their effectiveness depends on national adoption and enforcement ¹⁰. The persistence of piracy in territorial waters challenges the adequacy of current definitions and calls for reform¹¹.

This situation illustrates the need for adaptive international law, capable of addressing evolving maritime threats such as cyber-piracy, oil theft, and terrorism¹².

8.4 Implications for Shipping and Trade

Maritime insecurity in the Gulf of Guinea has global repercussions. Disruptions in oil and LNG exports affect energy security worldwide ¹³. Increased insurance premiums and rerouting costs undermine the competitiveness of West African ports¹⁴.

For shipping companies, the Gulf of Guinea represents one of the highest-risk regions globally, necessitating costly security measures¹⁵. These economic burdens ultimately affect consumers through higher commodity prices¹⁶.

⁹ NIMASA, Deep Blue Project Report, 2021.

¹⁰ SUA Convention, 1988

¹¹ Guilfoyle, D., *Shipping Interdiction and the Law of the Sea*, Cambridge University Press, 2009.

¹² IMO, *Cybersecurity and Maritime Security Guidelines*, 2021.

¹³ International Energy Agency (IEA), *World Energy Outlook*, 2022.

¹⁴ Lloyd's List, *Insurance and Security Costs in the Gulf of Guinea*, 2020.

¹⁵ UNCTAD, *Maritime Transport Review*, 2021.

¹⁶ World Bank, *Economic Impact of Maritime Crime in West Africa*, 2020.

8.5 Policy Lessons from Comparative Regions

The Somali piracy crisis offers valuable lessons. International naval coalitions, private security measures, and coordinated prosecutions significantly reduced piracy after 2012¹⁷. In contrast, sovereignty concerns prevent similar interventions in the Gulf of Guinea¹⁸.

The Strait of Malacca demonstrates the effectiveness of regional patrols and legal harmonisation¹⁹. These comparative experiences highlight the importance of cooperation, harmonisation, and sustained enforcement capacity.

8.6 Recommendations for Future Directions

8.6.1 Legal Reforms

- Harmonise anti-piracy laws across ECOWAS and ECCAS²⁰.
- Expand UNCLOS definitions to include armed robbery at sea within territorial waters²¹.
- Establish regional maritime courts to handle piracy cases²².

8.6.2 Regional Cooperation

- Strengthen interoperability of navies through joint exercises²³.
- Create a regional maritime fund to sustain operations²⁴.
- Enhance information sharing under the Yaoundé Architecture²⁵.

8.6.3 Capacity Building

- Invest in modern naval assets, surveillance technologies, and AI-driven monitoring²⁶.
- Expand youth empowerment programmes to address socio-economic drivers²⁷.

¹⁷ EU NAVFOR, Operation Atalanta Annual Report, 2015.

¹⁸ Hansen, S., “Piracy in Somalia and the Gulf of Guinea Compared,” *African Security Review*, Vol. 22, 2014.

¹⁹ IMO, *Strait of Malacca Cooperative Patrols*, 2019.

²⁰ Inter-regional Coordination Centre (ICC), *Legal Harmonisation in the Gulf of Guinea*, 2020.

²¹ UNCLOS, 1982, Articles 100–107.

²² UNODC, *Judicial Capacity Building in Maritime Security*, 2020.

²³ US AFRICOM, *Obangame Express Exercise Report*, 2022.

²⁴ African Development Bank, *Maritime Governance Challenges in West Africa*, 2021.

²⁵ Yaoundé Architecture for Maritime Security (YAMS), *Operational Framework*, 2019.

²⁶ IMO, *Artificial Intelligence in Maritime Surveillance*, 2022.

²⁷ Federal Ministry of Niger Delta Affairs (Nigeria), *Youth Empowerment Programmes*, 2020.

- Tackle corruption and improve accountability in maritime governance²⁸.

8.6.4 Trade Facilitation

- Develop secure shipping corridors with guaranteed escorts ²⁹.
- Integrate maritime security into AfCFTA frameworks³⁰.
- Encourage private sector participation through partnerships with insurers and shipping companies³¹.

8.7 Towards a Blue Economy Paradigm

The future of maritime security in the Gulf of Guinea lies in integrating security with blue economy development. By linking piracy suppression with sustainable exploitation of marine resources, states can transform insecurity into opportunity ³².

This paradigm emphasises fisheries protection, environmental sustainability, and trade facilitation alongside security³³. It reframes maritime security as both a legal and developmental priority, essential for long-term stability³⁴.

8.8 Final Reflections

Piracy and maritime insecurity in the Gulf of Guinea represent a complex challenge at the intersection of law, security, and development. Addressing this crisis requires a holistic approach, combining legal reforms, regional cooperation, technological innovation, and socio-economic development³⁵.

The dissertation demonstrates that while progress has been made — notably through Nigeria’s SPOMO Act and the Yaoundé Code of Conduct — significant gaps remain. Bridging these gaps

²⁸ Transparency International, *Corruption and Maritime Governance in Africa*, 2019.

²⁹ Lloyd’s List, *Insurance and Security Costs in the Gulf of Guinea*, 2020.

³⁰ UNCTAD, *Blue Economy and Maritime Trade in Africa*, 2020.

³¹ MTISC-GoG, *Annual Report on Information Sharing*, 2019.

³² African Union, *2050 Africa’s Integrated Maritime Strategy (AIMS)*, 2012.

³³ UNCTAD, *Blue Economy and Maritime Trade in Africa*, 2020.

³⁴ World Bank, *Maritime Security and Economic Growth in West Africa*, 2021.

³⁵ Chatham House, *Maritime Security in the Gulf of Guinea*, 2020.

demands sustained political will, harmonised legal frameworks, and investment in capacity building³⁶.

Ultimately, maritime security in the Gulf of Guinea is not merely a regional issue but a global concern. Ensuring safe navigation and trade in this strategic corridor is essential for international commerce, energy security, and sustainable development³⁷.

³⁶ Transparency International, *Legal Gaps in Maritime Security*, 2019.

³⁷ IMO, *Reports on Piracy and Armed Robbery against Ships*, 2021.

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