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# In the Same Boat? Contrasting Piracy in West and East Africa

Can the counter-piracy strategies employed off the coast of Somalia be applied in the Gulf of Guinea? Not according to Mark Naftalin. Today, he outlines how piracy in West Africa is quantitatively and qualitatively different from what is occurring on the other side of the continent.

By Mark Naftalin for ISN

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When the International Maritime Bureau (IMB) releases its annual report on global piracy in mid-January, it will mark somewhat of a watershed. Figures from 2013 will reveal that, for the first time in six years, the number of registered attacks in the waters off West Africa now exceed those off Somalia and in the Gulf of Aden.

Put simply, the Gulf of Guinea in West Africa has returned as the dominant arena for continental piracy and, together with the seas around Indonesia, is again the most dangerous stretch of water worldwide. With the Gulf of Guinea being the primary shipping route to and from Angola and Nigeria, sub-Saharan Africa's largest oil producers, commercial interests are now coming under increasing pressure. Yet, as the President of the UN Security-Council made clear in August, it threatens ["the security and economic development of States in the region"](#). Piracy in the Gulf, as elsewhere, has ramifications well beyond maritime insecurity.

When the IMB annual report breaks, there will no doubt be a flurry of comparisons between piracy off western and eastern Africa. Prior to this year, incidents off Somalia were at unprecedented levels and the drastic reduction in incidences must be lauded. There are innumerable lessons-learned which should now be used to inform policy and practice in mitigating attacks off West Africa. However, there is a danger that harnessing quick fix solutions for West Africa based on what appears to have been relatively successful in East Africa will be overly crude. Piracy in the waters off the littoral states of West Africa remains qualitatively and quantitatively distinct from that seen off the Horn of Africa. Grasping these dichotomies is as important as understanding the parallels between the two sub-regions.

## Significant Differences

There are four critical areas where piracy in western Africa is divergent from its counterpart across the continent:

(i) *Taxonomy* : Despite the term 'piracy' being commonly used to describe incidents off West Africa,

attacks carried out here actually amount to armed robbery at sea. The [1982 UN Convention on the Law of the Sea](#) defines piracy as illegal acts of violence, detention or depredation undertaken by private actors “in a place outside the jurisdiction of any State”. Whilst violence off Somalia has been predominantly on the high seas, the majority of incidents off West Africa - up to 80% - take place within the territorial waters of sovereign states. As such, they do not amount to acts of piracy.

This distinction is not just taxonomy. The geography of attacks affects the ownership, command and control and legal instruments governing any response. Unlike in international waters, responsibility for security in territorial waters lies firmly with the state in question. This significantly affects the policy-response. There is, for example, a plethora of arduous legal, political, sovereignty, logistic and tactical ramifications in deploying a super-regional or sub-regional international naval taskforce in the Gulf of Guinea or utilizing foreign *privately contracted armed security personnel (PCASP)*. Both proved highly successful in deterring piracy in the international waters off Somalia but are unlikely to be employed in the territorial waters of sovereign West African states. Their role, rules of engagement and laws governing their actions would be, at best, complex. Moreover, Nigeria, in whose waters most incidents occur, is a regional hegemon and is privately loath to receiving external military assistance which it fears may undermine its regional and continental standing.

(ii) *Engagement* : Much of the recent rhetoric and policy regarding maritime insecurity has focussed on events off Somalia. Much like Somalia itself, the violence off its coast entered the collective conscience of key stakeholders. International political and military mobilisation and intervention became major factors impacting the ability of pirates to successfully operate off the Horn. Over forty states have now contributed to ongoing counter-piracy operations including as part of NATO and EU naval taskforces. A specialized international contact group has been established and in excess of fourteen UN Security Council Resolutions have been adopted since 2008 relating to piracy off Somalia.

By way of contrast, in the same period, there have been just two UN Security Council Resolutions dedicated to insecurity in the Gulf of Guinea – even though, according to IMB statistics, there were more attacks in the sub-region between 2008 and 2012 than in any previous five year period in West Africa since the IMB started collating statistics in 1992. Despite some notable exceptions, violence in the Gulf of Guinea has largely been overlooked at the expense of the more coveted prize of stability in and off Somalia.

That’s hardly surprising. During the same five year period that attacks peaked in the Gulf of Guinea, incidents off Somalia and in the Gulf of Aden were significantly more frequent – occurring, on average, once every two to three days. Moreover, with 26,000 commercial vessels passing through the Gulf of Aden each year, global trade and access to Suez was severely threatened. It cost the world economy [\\$18 billion in 2010](#) alone. This is all significant but does not excuse a lack of rigorous engagement in West Africa.

Nowhere is this more apparent than in the sub-region itself where attacks have occurred off the coastlines of more than ten countries in recent years. Despite high-level discussions in June involving multiple West African heads of state and representatives from more than 20 countries, the local response has been sluggish. National capabilities are limited, domestic legal frameworks remain weak, policy development is often protracted, intra-regional cooperation continues to be fractious and political will questionable. Countries in the sub-region must do more to refine their situational awareness and reduce their sea-blindness. That means not only integrating and coordinating their own domestic state agencies (both seaborne and territorial) that can influence maritime security but also widening coordination and harmonisation between states. Engagement - which is likely to remain embryonic unless major changes transpire - has to expand both towards and within West Africa.

(iii) *Operational Context* : Off eastern Africa, pirates have engaged almost exclusively in

hostage-taking and seizing vessels which transit through the Gulf of Aden. With powerful non-state actors governing areas along the vast Somali coastline, pirates utilise large accessible regions of territorial instability and moor boats unhindered along the coastline for months on end whilst awaiting large ransom payments for crew and cargo.

The operational context in West Africa is altogether different. State authority and control over the far shorter and multiple coastlines is significantly more robust. Moreover, in waters off Nigeria, there are a large number of anchored vessels in situ awaiting the collection of crude oil or the delivery of refined fuel. Although often in port, they make an easy target with gangs able to exploit the lack of effective rule of law (maritime and terrestrial – in particular weak policing and law enforcement), corrupt local officials and a burgeoning informal economy centred on the illicit trade in oil and hydrocarbons.

As a consequence of this milieu, the modus operandi of attackers in the Gulf of Guinea is unlike that seen in the waters off Somalia. In West Africa, the tendency is to loot tankers of their valuable cargo for quick resale on the lucrative and sizeable black market. Indeed, it is estimated that, since 2010, [“117,000mt of product worth approximately \\$100 million has been stolen”](#) in the Gulf of Guinea. Moreover, because attackers do not engage in hostage-taking, they are less concerned about the wellbeing of personnel. This results in a higher prevalence of violence against crew who are considered disposable assets. In summary, maritime insecurity in the Gulf of Guinea arises in a different context to that off East Africa which in turn affects the modus operandi of operatives and policy responses.

*(iv) State of Knowledge* : There is a knowledge deficit in the Gulf of Guinea relating to the dynamics, causes and consequences of attacks and how to implement policies to successfully resolve them. Part of the difficulty relates to the relative absence of focussed attention given to maritime insecurity in the sub-region. A second problem is that violence off West Africa involves a complex nexus of actors. At present and unlike piracy off Somalia, we know little about, for instance, attackers’ motivations; their funding; the interface between criminal, opportunist and political groups; and the coalescing of offshore and onshore activities such as networks of support and the complicity of national authorities. Indeed, even the numerical extent of incidents is unclear: no central reporting procedure is in place and it is estimated that [between 50% and 80% of episodes are undocumented](#) by the IMB.

## **Before we react**

Ultimately, piracy off Africa’s eastern waters was greatly reduced as policy-makers, governments and industry began to understand the character and context of the threat. The response was not military alone but included a holistic approach with meticulous research and analysis at its centre in order to identify and undermine the drivers of violence. This must be repeated in West Africa. Compared to East Africa, knowledge is nascent and there must be significant investment in resources to fully comprehend - and then respond to - the scope, nature, rationale and form of violence off West Africa’s coastline.

Despite all this, there is no need to be alarmist. Attacks in the Gulf of Guinea are not increasing in absolute terms and incidents are not out of control as some may contend. Action is, however, required. Nevertheless, it must take into account the specifics of the sub-region rather than blindly mirroring a model based on Somalia. Recognising that East and West Africa are not in the same boat is an important start.

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For additional reading on this topic please see:

[Safe Seas at What Price? The Costs, Benefits and Future of NATO's Operation Ocean Shield](#)

[Maritime Security in the Gulf of Guinea](#)

[Calming Troubled Waters: Global and Regional Strategies for Countering Piracy](#)

[Maritime Security Sector Reform](#)

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