General Assembly 1 - International Security and Disarmament

Combating piracy in the Gulf of Guinea

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Introduction

Piracy has been an issue in numerous regions of Africa for a significant time period, and slowly the international community is realising the imminence of the conflict caused by this issue. In 2011, the most dangerous waters were off the coast of Somalia, yet, since then, piracy in that region has decreased significantly. During the peak, an attack by pirates occurred once a day on average, yet has decreased to a handful of attacks per month. Instead, currently the hotspot of piracy is the Gulf of Guinea, which accounted for 19% of the global piracy attacks in 2014, according to the International Maritime Bureau. There is an attack nearly once a week.[1] Keep in mind that these numbers are most likely underestimated, and that America's Office for Naval intelligence believes that the real figure will likely be double. It also believes that the rate of attacks is increasing every month.

The nature of piracy differs on both sides of the continent. Piracy in Somalia, and the Horn of Africa, was focused at seizing ships and crew, and to hold them for ransom. The attacks were also frequent deep into the Indian Ocean. Conversely, in the Gulf of Guinea, pirates are more interested in the money and cargoes of the ships coming into ports, sometimes kidnapping the crew. The implication includes that the attacks are more violent, as pirates have little incentive to keep crewmembers safe. When resisted with arms, pirates often engage in machine gun fire and military tactics. This form of piracy is also preferred as it is a quicker hit, and rewards prove to be more appealing opposed to long negotiations about ransoms.

There are many implications of the increasing number of attacks in the Gulf of Guinea, as industries and the economies of nearby countries can be harmed. For example, Captain Lube, a local fisherman in a harbour in Lagos, used to look forward to guiding his shrimp trawler through the rough Atlantic waters. Yet, recently he is too scared to venture too far from the coast, as the pirates infest the West African Seas. The economic, political, and

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[1] See the appendix for a map comparing the attacks of 2010 and 2014, provided by The Economist.

social implications of the infested waters are significant, and the international community has begun to understand the imminence of finding a solution to this pressing issue.

Definition of Key Terms

Pirate

Translated from its original Latin meaning, "pirate" literally translates to "enemies of mankind". An implication is thus that pirates are according to their definition "not enemies of one state, but of *all* states". Recently the term has been associated with "a person who attacks and robs ships at sea."

General Overview

Pirates are often said to be motivated by economic incentives and encouraged by a lack of law enforcement. It is thus noticeable that pirates frequently operate from countries with an unstable government, and as a result, they face limited consequences for their actions. The United Nations asked for "even sterner military actions to eradicate piracy," which has led to a certain level of progress. The progress came from better surveillance of international and territorial waters, improved control of ports, and enforcing maritime codes more frequently. Yet, despite this progress, there is still legal limited support for the hot pursuit across maritime borders, which means that nations are not allowed to enter other territorial waters in the pursuit of pirates.

Piracy reflects a typical case of the "tragedy of commons," where individual parties, in this case the states, act in self-interest, and consequentially deplete a resource, in this case security. This observation suggests that resolution of the issue may require regional partnership between the affected nations.

The current situation in the Gulf of Guinea and the causes of piracy

Eight oil states that lie on the coast of the Gulf of Guinea in West Africa, combined possess 10% of all oil reserves worldwide. They produce 5 million barrels of oil daily, and at the centre of the oil production lays Nigeria. Nigeria's population makes up 35% of the entire continent's population, and is also the 14th largest oil producer worldwide. However, according to the 2014 Failed States Index, Nigeria is among the nations ranked lowest when

it comes to the health of a state. Not surprisingly, the weakest and most underdeveloped region in Nigeria lies along the Niger River Delta, which is directly linked to the Gulf of Guinea.

There is a heavy reliance on the oil industry by the corrupt government officials in the region. They rely on the foreign oil companies that ship the oil out of the country. Analysts have observed that there is a spike in the supply and sale of oil during election cycles, which points towards corruption, as the revenues earned from the sale of oil, is used to fund the campaigns of the hopeful politicians. Hans Tino Jansen, managing director of the Risk Intelligence consultancy, states that there is a form of a "feudal system," where protection of pirates is offered by politicians in return for a share of the revenue that is made when hijacking vessels and ships.

Also noteworthy is that pirates sell stolen goods to the Movement for the emancipation of the Niger Delta[2] (MEND), which in return sells weapons and (military) equipment to the pirates. This results in continued funding of an organisation that adds to the lawlessness of a region, while the pirates are able to continue their resupply of equipment. This embodies the implications that piracy has on the stability of a region on land, and adds to the complexity of the issue discussed.

The economic instability resulting from high levels of unemployment and high levels of poverty, along with the lack of opportunity and mismanagement of resources are incentivising other methods of earning ones livelihood. Despite the common occurrence that pirates and terrorist organisations work together, attacks by pirates are often economically motivated, and therefore not politically motivated. Greed and the economy are therefore fundamental underlying issues of the piracy in the Gulf of Guinea.

A widely considered theory as to why piracy was able to peak in recent years is that countries in the regions that have largely ignored the issue, instead focussing on inter-state security issues on land. Therefore, the underperforming socioeconomic environment, together with the lack of oversight over the maritime security, has acted as an incentive for people to turn towards committing crimes at sea. This once more demonstrates the interconnectivity of maritime piracy and the instability of the region.

In a more direct context, poor governance is a factor which affects the infestation of the Gulf of Guinea with pirates. Governments have been unstable, and contained high levels of corruption, which means that governments were unable to effectively sign laws into

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[2] The MEND is a militant group opposing the Nigerian government to address social grievances and perceived injustices, adding to the instability of the Niger River Delta.

practise that ensure security of vessels in their territorial waters. As simple rules and regulations either did not exist, or were not maintained, it became easy for a conflict to evolve over a greater period of time.

Moreover, the limited interest of ship owners to protect their vessels with the appropriate security measures has been a compounding factor. Ship owners are worried that their profits are impaired when such measures have to be taken, and therefore choose to take the risk. Another issue is that insurance companies frequently cover the cost of the goods that are stolen, which reduces the incentive to reduce piracy from the maritime industry in the region. On top of that, many believe that the government should be responsible for the fight against piracy, and that this is not a private issue. However, the Gulf of Guinea is too large to be effectively patrolled by naval forces provided by the government. Furthermore, the naval fleet is underequipped for a task of such great extent. Finally, another issue is the high corruption, which means that most naval forces would prove ineffective, as they are easy subjected to bribes.

Certain issues arise when the piracy is combated. For example, many targets themselves are involved in illegal activity, such as regional smuggling of goods. This means that they will often travel on false identities, or switch off transponders. They will furthermore frequently not report their attacks, and therefore it becomes more difficult for anti-piracy forces to effectively carry out their work and objectives.

The most vulnerable ships in the Gulf of Guinea are anchored or lined up to enter or exit the harbours. This differs from the Gulf of Aden, where ships were often able to prevent attacks by sailing at high speeds. Furthermore the Nigerian government has resisted calls by shipping companies to bring the necessary protection on board such as armed guards. In some instances, the government has arrested crews of ships that did, and charged them on allegations of illegal arms smuggling.

The social, economic and political implications of piracy in the Gulf of Guinea

As aforementioned, there is a noticeable relationship between maritime piracy and social stability on land. Fishermen are afraid to enter the territorial waters, as they are afraid of kidnapping and possibly being murdered. In cases where fishermen do not return home, it means that families lose a primary source of income, which has many implications for the family. They will be unable to obtain the amounts of food and other necessities to live a reasonable life. In order to compensate for the loss of income, children in the family may have to begin working at an earlier age, ending their opportunities for education. These children will at an early age become engaged with physical labour, and therefore miss out on

opportunities within their academic lives. In the long-term, this will mean that they lose an opportunity at earning more money, and strengthening the workforce of the local economy. Furthermore, the economic consequences of piracy will also take a toll on life at home. As unemployment and poverty rise, the quality of life for individual families will be reduced.

As fishermen become more afraid of doing their daily jobs, the fishing industry of the country will be increasingly affected. The supply of fish in the economy will be reduced, which eventually will cause prices of such goods to rise. Income will also be lost resulting from reduction of fishery, and therefore fishing families will need to find other ways to compensate for the lack of income, or live a more basic life, cutting on certain necessities. The oil industry, the most important source of income in many of the affected countries in the Gulf of Guinea, is also significantly affected by increasing piracy in the region. If piracy attacks continue to rise, insurance companies may decide to raise their tariffs or they may even stop insuring the oil vessels entirely. This means that the supply of oil will significantly reduce, and therefore raising the price of oil. This may pose a dangerous threat to the energy security of countries such as the United States of America, who consume a lot of oil from the countries in West Africa, particularly Nigeria. The increase of prices of numerous goods that are transported by sea will also lead to a threat of inflation, which could then have devastating effects on the economies of the respective countries. Furthermore the trade of the countries involved will be affected, as exports and imports will obviously be harmed by the increasing threats of piracy in the Gulf of guinea, which may further lead to decrease of revenues for local industries, as they cannot sell their goods abroad, flooding the market at home. In the case of imports, shortages may result from decreasing imports, resulting from the greater threat of piracy in the region.

Politically, as piracy is used to fund political campaigns, democracy is at risk. The high level of corruption within the government means that high-level politicians that benefit from piracy will resist an effective solution to the issue. Furthermore, newer, uninvolved politicians are easily defeated in elections, as the incumbent has greater financial resources. Higher levels of corruption will eventually be noticed and condemned by the public, which will result in greater political and social instability. Groups such as the MEND will form and begin to cause civil unrest, and attempt to influence politics in a call for change. More recently, a great implication of piracy is the rise of Boko Haram, to which profits made from piracy, is an important source of income. The Islamic extremist group is rapidly expanding, and is posing a significant threat to the current local political environment. Boko Haram also has ties to other extremist terrorist organizations, most notably including the Islamic State.

Major Parties Involved and Their Views

Nigeria

Nigeria is the largest supplier of oil in the region, and is the country with the largest population. Nigeria is therefore significantly affected by the pirate raids, as many of its harbours are especially attractive for pirates due to the failure of the state and the vast amounts of oil that are carried by the ships leaving the ports. Due to its role in the region of the Gulf of Guinea, Nigeria is to a certain extent looked at when attempting to solve this issue. They are expected to take the lead, for example when it comes to providing equipment and ships for maritime patrols in the territories of the region.

United States of America

The United States of America is heavily reliant on the oil, which is provided by the countries in the region. As aforementioned, there may be a threat to the energy security of the country, which means that the United States is interested in ensuring that their interests are protected in the region. Despite this however, US involvement in the region, for example by providing troops has been limited.

NATO

The North Atlantic Treaty Organisation has an anti-piracy force, which was used in the fight against the pirates off the coast of Somalia. This force also operates in the Gulf of Guinea, yet it has a smaller fleet, and is less prominently active than before. However, NATO remains a large power that is involved in the conflict.

European Union

The European Union also has a force, which is aimed at protecting the regions affected by the piracy attacks, though their operation was set to be dismantled in 2014. This operation was extended until 2016 at the end of 2014, as there was consensus that more work still needed to be done. The EU remains interested in protecting the region from piracy, as around 12% of its oil is supplied from the countries in the region. This is especially important considering the objective of the EU to become independent of the Russian Federation when it comes to energy.

MEND

The Movement for the Emancipation of the Niger Delta is one of the largest militant groups based in the Nigerian Delta region. The MEND claims that they expose corruption

and exploitation of the people in the Niger River delta, and devastation of the environment by the government and its public-private partnerships. The Economist previously described the MEND as an organization that "portrays itself as political organisation that wants a greater share of Nigeria's oil revenues to go to the impoverished region that sits atop the oil. In fact, it is more of an umbrella organisation for several armed groups, which it sometimes pays in cash or guns to launch attacks." The organization has been linked to attacks on operations regarding petroleum in Nigeria, and engaging in sabotage, theft, guerrilla warfare, and more.

Timeline of Events

In the timeline below, there will be a series of selected attacks in the region that are worth noting.

Date	Description of event
January 4th, 2009	Gunmen hijacked the French oil tanker Bourbon Leda, with 5 Nigerians, 2 Cameroonians, 2 Ghanaians, and 1 Indonesian person(s).
September 14th, 2011	Spanish oil tanker MT Mattheos I hijacked by pirates, and there were 2 casualties in the process.
November 2011	UNSG Ban Ki-Moon assembles a team to examine the situation in the Gulf of Guinea. The team is to recommend certain steps to be taken, which are mentioned in this research report.
February 2012	The US Navy begins joint training exercises with the affected West African nations.
August 19th, 2012	British ship with crude oil was boarded and stolen from in the Port of Togo.
November 19th, 2012	The UN Security Council holds an open meeting to discuss piracy in the Gulf of Guinea, with speakers from more than 40 countries and international organizations.
December 23rd, 2012	Italian registered ship hijacked by 7 Nigerians, who did take 3 hostages, which were released 3 weeks later.
February 4th, 2013	Marshall Islands-flagged chemical tanker robbed of its contents by 7 Nigerian pirates, and killed one Filipino crewmember.
April 16th, 2013	A Greek-flagged oil tanker was able to withstand an attack by sailing quicker and displaying evasive manoeuvres.
October 23rd, 2014	A Nigerian platform supply vessel was attacked and crewmembers

were held hostage, of which the Captain and chief engineer are still held captives of the pirates.

December 21st, 2014	A Nigerian gunboat was escorting an Agip carrier vessel was ambushed and the three accompanying soldiers were killed (it is assumed that the pirates are stockpiling weapons for the 2015 elections).
February 3rd, 2015	A Malta-flagged ship oil tanker (Kalamos) was boarded when it was anchored off the coast of Nigeria, where there was one execution and 3 crewmembers remain held captive.
April 20th, 2015	A Malaysian tanker (MT Imas) was boarded off the coast of Lagos, and was intercepted by Nigerian Naval authorities, who arrested 10 pirates peacefully.

UN involvement, Relevant Resolutions, Treaties and Events

On October 31 of 2011, Resolution 2018 of the Security Council was unanimously adopted, which condemned the acts of piracy and armed robbery in the region of the Gulf of Guinea. It called for cooperation among the parties involved to bring an end to the instability that is caused by the threat and attacks of pirates in the Gulf.

In November of 2011, Secretary General of the United Nations Ban Ki-moon announced and assembled a group of experts who would examine the situation in the Gulf of Guinea. The team recommended that a regional summit should be held attended by the countries in the affected region in order to form a united front against the issue of piracy. Furthermore it recognized the need for a cross-national border security network in order to fight piracy. It also concluded that the international community should provide technical and logistical assistance.

On February 29th, 2012, a second resolution was passed regarding piracy in the region, and was also unanimously adopted by the Security Council of the United Nations. Referring back to the Resolution 2018, and the team assembled by the Secretary General, the resolution called for increased cooperation among the local nations of the region, and the (United Nations) organisations present in the region, in order to effectively defeat piracy.

November 19th of 2012 marked a debate in the United Nations Security Council regarding the issue of piracy in the region of the Gulf of Guinea. Representatives of 40 countries and international organisations attended the open meeting called by the

ambassador of India. Resulting from the meeting, it was stated that piracy was intensifying in the region, and that measures applied in the region surrounding the Horn of Africa should be applied to the current situation in the Gulf of Guinea.

- Resolution 2018, 31 October 2011 (**S/RES/2018**)

- Resolution 2039, 29 February 2012 (**S/RES/2039**)

Evaluation of Previous Attempts to Resolve the Issue

The reliance of the international community on oil supplied by nations in the region, and the success of intervention in the Indian Ocean off the coast of the Horn of Africa, may lead to questions asking why the trick is not repeated on the other end of the continent.

Firstly, the intervention in the Gulf of Aden was the first time that all permanent members of the United Nations Security Council deployed troops on the same side of a conflict, since World War II. This unprecedented international cooperation, additional to the anti-piracy forces deployed by the EU and NATO, has resulted in effective reduction of piracy attacks in the seas and oceans of Africa.

However, this has strained the Navy of the numerous parties involved. High-ranking officials have stated that their crews generally are under trained for the high intensity warfare that is practised in the region. Furthermore, the conditions in the Horn of Africa have taken a toll on the ships of the parties involved, as the heat and have affected the engines, which were built for environments in the Mediterranean Sea. Consequentially, the anti-piracy forces present in the Gulf of Guinea are significantly smaller than the forces that were active in the Gulf of Aden.

Aside from the above, Western countries remain reluctant to become more involved in another conflict in the seas and oceans of Africa. For example, the attacks occur in territorial waters, which means that they are classified as "armed robbery at sea". Dealing with these robberies is thus the responsibility of the littoral states, as their sovereignty needs to be respected. This was not the case in Somalia, where the state was considered a failed state, allowing for intervention of the international community under international law.

Finally, adding to this reluctance is the fact that relatively, the sea traffic in the Gulf of Guinea is far less significant than it was in the Gulf of Aden, and therefore there is a smaller

incentive for the international community to participate in a large operation trying to end the attacks of pirates in the region.

Possible Solutions

There are several possible solutions that can be considered by delegates. Firstly, due to the application and context of the tragedy of commons, it is important that regional cooperation is effectively stimulated. If the nations of the region are able to metaphorically put their heads together, a great step will have been made towards conflict resolution in the Gulf of Guinea. In order to achieve such cooperation, there are several options that may be explored. Firstly, an annual (or another time interval) summit may be organised where representatives of each relevant nation in the region converse about finding a solution together, and proposing a plan of action. The delegates should determine the aim of the summit, and the nations and international organisations present. Secondly, a more permanent solution may encompass the creation of an inter-governmental body, where representatives and experts from each relevant nation implement policies in the entire region. Once more, the specific aim and the structure of such a body would have to be determined by delegates.

An alternative option is to call for intervention in the region, which can come in several forms. Member states may choose to provide training to the local maritime forces in order to increase the effectiveness of patrols and controls in the territorial waters. Members may further discuss sending military and naval equipment that the local governments are unable to acquire themselves, which would benefit the strength and ability of the forces to combat piracy. An additional form of intervention could be that more anti-piracy forces are deployed in the Gulf of Guinea, similar to the intervention in the Gulf of Aden. Important for delegates when considering intervention is the importance of abiding my international law, especially when it comes to respecting the sovereignty of states.

Important elements to consider when drafting a solution to the issue are the relationship between regional stability, piracy, and the corruption of the government. It is important to address these issues, as without tacking corruption and the socioeconomic instability of the region, piracy will remain an attractive alternative to the lives that many people of the population consider suffering. How one chooses to address these issues is up to the delegates of the committee, but once more issues such as sovereignty that may pose challenges under international law have to be considered.

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Appendices

Appendix I

Map comparing attacks in in Guinea in 2010 and 2014