The Role of the UN Security Council in the Fight Against Piracy in the Gulf of Guinea

Frederick Boamah

University of Ghana, Ghana, ORCiD: 0000-0002-4646-8595, corresponding address: fboamah@ug.edu.gh

Abstract

The UN Security Council continues to play a critical role in ensuring the maintenance of international peace and security. Towards this end, the Council has over the years delineated maritime piracy in the Gulf of Guinea as a threat to international peace and security. Through Resolutions 2018 and 2039, the Council has since 2011 adopted what is largely a militarised approach to dealing with the menace of piracy in the region, similar to its approach in the Gulf of Aden. Even though threat levels are beginning to decline, the Gulf of Guinea is still considered a maritime hotspot. It is within this context that the Council has been moved to reconsider its militarised approaches to include non-kinetic measures. Recognising the critical interface between militarised and non-kinetic measures, the Council has adopted Resolution 2634 in what is considered to be a significant departure from its previous approach. This paper interrogates the rationale for this departure and assesses the extent to which this new approach would support the fight against piracy in the region.

Keywords: maritime piracy, Gulf of Guinea, UN Security Council, military approaches, non-kinetic measures

First published online on 8 September 2023, issue published on 8 September 2023

Introduction

The Gulf of Guinea is noted for its significant role in connecting the states of the region to the African continent, as well as the rest of the world in terms of international trade, and for facilitating the import and exportation of goods and services to and from major global markets by sea. The Gulf of Guinea is recognised for possessing large deposits of marine and rain forest resources, especially fish and timber. Given its rather weak national and regulatory frameworks on extraction and exports, resources in the Gulf of Guinea are susceptible to all manner of exploitative agenda.

The region is also noted for the high incidence of maritime insecurity fuelled by incessant attacks by pirates using unconventional means to attack, hijack and kidnap seafarers. The rippling effects of the maritime crimes in the GoG particularly on international shipping, food security and, ultimately, regional and international security has propelled the call for a concerted approach to tackling the maritime insecurity in the region (Morcos 2021). There are presently numerous institutional and legal structures present in the area that have been implemented to combat maritime insecurity in the GoG. The spate of maritime insecurity has garnered global media traction, creating an enabling environment for global action. The priority placed on improving the situation in the region by the international community is demonstrated by UN Security Council Resolutions 2018 and 2039. The UNSC Resolutions 2018 and 2039 have successfully fast-tracked the implementation of both regional and continent-wide security frameworks. These notwithstanding, the threats in the region continue to rise with damning consequences for states in the region and the international community at large. The UNSC has adopted yet another resolution (2634 in 2022) to supress piratical activities of in the region. The central question of this paper is: What accounts for the departure of the Security Council from its militarised approach in the adoption of Resolution 2634? How relevant is Resolution 2634 to maritime security in the Gulf of Guinea? The paper therefore engages in a discursive analysis of the approach as adopted in Resolutions 2018 and 2039, highlighting the strengths and inherent deficiencies of the resolutions. Against the background of a reported decline in the rate of incidents in the region, the paper notes that Resolution 2634 is designed to consolidate gains generally made in the fight against maritime insecurity in the region. The adoption of a new UNSC resolution which characteristically departs from the conventional approach of using kinetic measures in addressing maritime threats to one that recognises the use of non-kinetic and unorthodox measures, is indicative of the UNSC's broader understanding of the root cause of piracy and other transnational organised crimes in the region. The paper also argues that Resolution 2634 is an implied recognition by the Security Council of the inherent deficiencies that exist in the

militaristic approach advanced under earlier Resolutions 2018 and 2039. Further, the paper highlights how the adoption of UNSC 2634 introduces a new orientation in the approach and understanding of maritime related crimes globally.

Literature review

The corpus of literature on maritime security has been compiled from a more classic realist or liberalist theoretical perspective. Bueger and Edmunds (2017) observe that more modern theoretical paradigms, such as constructivism or critical security studies, have had little impact on discussion. The emphasis of the realist understanding of maritime security is on sea power, hard naval strength and military prowess (Grove 1990, 2021; Till 2004; Blunden 2009; Le Miere 2011; Booth 2014; Speller 2018), putting a focus on hierarchical or structural impacts on global change, shifting threat perceptions, naval modernisation and capability changes, and implementation of the Law of the Sea (Bekkevold & Till 2016). However, this strategy disregards the 'bottom-up' effects of maritime disorder on global maritime order, as well as the myriad interactions, cooperative efforts and conflicts that result from such disorder (Bueger & Edmunds 2017). On the other hand, liberalists perceive security at sea as a concept subject to the rigors of collective public order and legal regulation (Geiss & Petrig 2011). For instance, Kraska and Pedrozzo argue that 'international law has changed from a set of principles intended to prevent naval warfare by keeping maritime powers apart to a modern global framework intended to promote maritime security cooperation by uniting nations to achieve common objectives' (Kraska & Pedrozzo 2014: 10). Although this approach by liberal scholars considers the importance of maritime security cooperation as a measure to enhance security at sea, the focus is largely on technical and formal regulation with little to no recourse to maritime security governance.

Indeed, as Buerger and Edmunds admit, maritime security is a relatively recent creation which broadly incorporates a significantly broader range of security concerns, other than the usual emphasis on states, armed forces and conflict (Buerger & Edmunds 2017). Maritime security is focused on new themes such as terrorism, transnational organised crime or environmental degradation, which affect a divergent range of actors including but not limited to states. Over the years, literature on security at sea has grown to a broader and more expansive understanding of maritime security. In accordance with the EU Maritime Security Strategy, maritime security is defined as a 'state of affairs of the global maritime domain, in which international law and national law are enforced, freedom of navigation is guaranteed, and citizens, infrastructure, transport, the environment, and marine resources are protected' (EU 2014). Piracy has emerged as one of the thorny maritime security threats in the world affecting international ship-

ping and navigation (Hasan & Hasan 2017). In the past, combating piracy has primarily been a maritime law enforcement using kinetic measures (Guilfoyle 2008) and the principal defense mechanism against piracy has been through military intervention (Hasan & Hasan 2017). While the act of piracy makes the perpetrators 'common enemies of mankind' (Anyanou 2022), international law limits member states' right of arrest of pirates to the high seas. This has resulted in several contestations on the extent to which states and non-states actors can intervene. Cockyane (2014) reports this as the 'sovereignty obstacle'. Studies have also shown that the UNSC response to this dilemma has been an authorisation of the use of force by member states (Treves 2010; Cockayne 2014). The UNSC has become a focal point for all states who seek international support and authority to counter maritime security threats. To execute this responsibility, the UNSC adopts resolutions which are issue-specific and at times broader in scope to confront a particular problem (Wilson 2018). Bosco (2009) explains that the complexity and the difficulty that underpins the negotiation of a treaty has uniquely positioned the UNSC to intervene timeously to deal with common global security threats under the canons of resolutions. While the frequency of UNSC resolutions has generated considerable attention, there is sparse literature on the impact of resolutions with focus on maritime security.

Further, Wilson (2018) reviews about ninety (90) UNSC resolutions that give effect to the use of naval power to tackle security threats that are transnational in nature. Wilson's investigation concentrated on a growing application of the UNSC resolution to address changing maritime domain risks and how to strike a balance between existing risks and the evolving security issues. However, the examination of the counter measures adopted has received less attention. Again, existing literature seems to be quiet on the extent to which resolutions affect the maritime security architecture of a particular maritime domain. Some critical questions like – To what extent does the military approach adopted in UNSC resolutions effectively address maritime insecurity in a region? How well do these approaches confront the push factors that degenerate into maritime insecurity? – have received less prominence. For a while the success story of the fight against piracy within Somalia and the broader Gulf of Aden cannot be overlooked, the military approach spearheaded and fashionably laid in the UNSC resolution is not comprehensive enough. Valencia and Khalid (2009) posit that the 'vigilante approach' underpinning the multilateral initiatives to deal with piracy in the Gulf of Aden has rather provided an opportunity for naval powers to demonstrate their prowess. Further, they likened the approach to 'swatting a wasp while ignoring the hive'. This paper, however, focuses on the UNSC resolutions adopted to address maritime insecurity in the GoG. This paper argues that the quite impressive arsenal of international measures put in motion through the adoption of UNSC

Resolutions 2018 and 2039 that characteristically employs a vigilante approach to the fight against maritime insecurity in the region is not sustainable and do not comprehensively address the menace to its roots. This paper posits that the measures including international naval operations, self-defensive measures, security sector reform and infrastructure projects, the Yaoundé Code of Conduct (YCoC) process, among others, may have contributed to the recent decline in incidence rate in 2022 but do not provide sustainable solutions. UNSC Resolution 2634 highlights a paradigm shift in approach and, more importantly, introduces a new regime to govern the operations of states and regional bodies in the fight against maritime insecurity in the GoG. The thrust of discussions herein is to highlight the differences in approach and to underscore the importance of adopting both kinetic and non-kinetic approaches in addressing threats to maritime security in the GoG, particularly piracy.

Piracy under contemporary international law

Even though piracy until recently was thought to have been curtailed as an issue of international concern, it has reemerged into the forefront of international security discourse (Nyman 2011). Given its pervasiveness and impact, it presents a problem not just for the state but the international community as it poses a threat to international peace and security. The impact of piracy on international economic relations has long been recognised (Wallner & Kooszkiewicz 2019). In terms of its origins, Gottschalk et al. (2000) assert that piracy as a crime was born as soon as the sea was used to transport items of value. It is noted that piracy is a consequence of privateering, which involved the use of ships to take out other ships in the name of a state during inter-state wars. However, after the war, the privateers used the same approach to sack commercial ships but as pirates, not privateers (Wallner & Kokoszkiewicz 2019). Thus, while privateering was employed by states during inter-state wars, it similarly served as a launching-pad for piratic activities and hence became a crucible to fight against in a time of peace (Nyman 2011). This notwithstanding, the international regime on piracy only existed under customary law, where a coastal state was given the opportunity to judge a pirate – only if it could catch the pirate and the said crime occurred on the high seas (Trzcinski 1998; Wisniewski 1977). In such circumstances, it is deemed that the state that impounds the pirates have universal jurisdiction to do so. The justification is that, in the context of international law, the coastal state's right to exercise jurisdiction is limited to its territorial waters and does not extend to the high seas. Within the high seas, however, the arresting state is given jurisdictional rights. (Kelly 2013).

The status of piracy under international law moved from being recognised as a customary practice to the need for piracy crimes to be codified under in-

ternational law. Although this goal was finally achieved in 1958, the attempt or call for codification pre-dated the Second World War (Wallner & Kokoszkiewicz 2019). In 1926, for instance, the League of Nations constituted a committee of experts charged with the responsibility to ensure the eventual codification of international law (ibid.). The 1932 Harvard Draft Convention on Piracy was also an attempt at codification, the content of which became a point of reference for the International Law Commission (ILC) during its work on the 'Articles concerning the law of the Sea with commentaries' (Jesus 2003).

Notably, the modern laws on piracy in the UNCLOS, specifically article 100 to 107, was directly transplanted verbatim from the Geneva Convention of the High Seas (GHSC). This was made clear at the 288th meeting of the ILC convened on 10 May 1995. Upon the adoption of the UNCLOS (1982), international law in the field of vessel security was considerably expanded by the 1988 Convention for the Suppression of Unlawful Acts of Violence against the Safety of Maritime Navigation (SUA Convention) (Wallner & Kokoszkiewicz 2019). The SUA Convention included politically motivated acts of violence or depredation against ships and persons abroad as forming a part of acts of piracy (Jesus 2003). However, it is pertinent to rehash that the locus of piracy crimes regulated by the SUA Convention do not overlap with the crime of piracy as defined under the UNCLOS (Middleton 2009). The SUA Convention is designed to also fill the apparent gap in the scope of the definition of piracy under UNCLOS.

The attempt to provide an international agreement on the subject of piracy predates the provisions as set out in the UNCLOS. Nonetheless, the existing international law regime on piracy is governed by Article 100 through Article 107 of UNCLOS. To carefully determine when an activity may be defined as an act of piracy under international law, the stratification of the waters of the earth into different juridical categories is key (Azubike 2009). They include the territorial waters,[1] contiguous zone,[2] exclusive economic zone[3] and the high seas.[4] For the purpose of this article, the significance of the classification lies in the fact that international piracy under UNCLOS is construed as an activity that must occur in the high seas. The definition of piracy, as will be examined shortly, will highlight this fact.

The UNCLOS enjoins all states to cooperate to the fullest extent possible in the repression of piracy in the high seas or in any other place outside the ju-

1 Articles 2–32 of UNCLOS; the territorial sea does not exceed 12 nautical miles from baselines.
2 Article 33 of UNCLOS; the contiguous zone does not extend beyond 24 nautical miles from the baselines.
3 Articles 55–75 of UNCLOS; the exclusive economic zone do not extend beyond 200 nautical miles from the baselines.
4 Articles 86–120 of UNCLOS.

risdiction of any state.[5] The heinous act of piracy conferred universal jurisdiction on all states but what constitutes the act itself has fluctuated throughout the centuries (Kelly 2013). This is because maritime piracy has ceased to be as simplistic an activity, which may involve pirates ship approaching victim ship, boarding and robbing it and ultimately sailing away unscathed. The events off the Somali coast changed contemporary conceptualisation of the crime as they closely resemble an organised crime syndicate (Bellish 2013). Nonetheless, the most important definition of piracy is that set out in Article 101 of UNCLOS, which states that piracy 'consists of any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; against a ship, aircraft, persons or property in a place outside the jurisdiction of any state . . .' (UNCLOS 1982: 41-42). Article 101 also defined piracy to constitute 'any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft'. The illegality of the act is not in question. However, whether a modern-day act of piracy is undertaken for 'private ends', it 'must occur in a place outside the jurisdiction of any state' and the suggested 'two-vessel requirement' in the definition has invited contestation on the aptness of the definition of piracy in Article 101 of UNCLOS (Wallner & Kokoszkiewicz 2019; Azubike 2009). Even though this article reechoes the inadequacy of the definition of piracy to cover modern trends of the act, for purposes of examining the status of piracy under international law, any acts of violence, detention or depredation committed in maritime zones within the territorial sovereignty of a coastal state will not be considered as piracy in the eyes of international law. Therefore, for a crime to qualify as piracy, the UNCLOS provides that the illegal act must be carried out outside the national jurisdiction of the coastal state, specifically on the high sea.

Piracy in the Gulf of Guinea: A threat to international peace and security

The threat of piracy in the GoG is not a new phenomenon dating as far back between the sixteenth and nineteenth centuries. However, the naval powers of the Royal Navy of the British Empire and other European states forced a decline in the activities of pirates along the coast of the GoG (Boot 2009; Schubert & Lades 2014). In the wake of decolonisation in the region, piratical activities re-emerged as most coastal states along the GoG inherited weak naval forces, struggling economies and unstable political climates. There is sufficient literature that ties the resurgence of piracy in the GoG to the astronomical increase

---

5   Article 100 of UNCLOS.

in the level of poverty and inequality, deep-seated corruption and nepotism coupled with the inability of post-colonial states to deliver good governance and tangible economic development to their respective constituents (Ukeje & Ela 2013; Ukiwo 2007). It is well-documented that an estimated 63% of all reported incidents of piracy between 1983 and 1984 were recorded in the GoG; nonetheless, the increased incidence of piracy off the coast of East Africa and South Asia overshadowed that of the GoG (IMO 1984). At the time, the maritime domain between the Indian Ocean and the Gulf of Aden served as an important pivot connecting critical destinations such as the Red Sea, Suez Canal, Europe and Asia. That notwithstanding, it is also estimated that 7 to 12 percent of the world's annual oil supply passes this stretch of water that spans more than 2 million square miles (Onuoha 2010).

The sudden scale up in piracy attacks in the GoG gained global traction. Between 2005 and 2006 the reported incidents of piracy increased from 25 to 32. A similar trend is reported in 2007 and 2008 with recorded incidents from 53 to 59 (IMB 2010). The number of incidents declined to 48 in 2009 and 41 in 2010, and steadily rose again to 52 in 2011 and 62 in 2012 and subsequently, a decline again from 2013 when it was 52, 42 and 31 cases in 2014 and 2015 respectively (IMB 2013, 2016). Additionally, the nature of pirate attacks in the region are unconventional and more sophisticated in nature. Pirates in the region use weapons such as AK-47 rifles, varieties of machine guns and other sophisticated weaponry (Oyewale 2015). Notably, the incidence of violence against seafarers has considerably increased with reported cases of 140 kidnapped between 2000 and 2014 (Prins & Daxecker 2017). By the close of 2021, 43% of all injured victims of piratical attacks in the world were from the GoG. The IMB's (2021) global piracy report also indicates that the GoG accounted for all 40 kidnapped crew incidents, as well as the sole crew fatality. The high level of violence in the GoG is tied to the nature of piracy attacks in the region. While Somali pirates are more focused on kidnapping for ransom, capturing vessels and holding its cargo and crew to extract money from ship-owners, pirates in the GoG attack vessels with the aim of stealing all items of value from the vessel and its crew. Anyimadu (2013) observes that kidnapping of crew-members seldom happens, and so levels of violence are comparatively high, as pirates in the region are rather indifferent about ensuring the welfare of hostages.

Although the rate of piracy has seen a sharp decline in 2021, the GoG maintains the global spotlight for being the hotspot of piracy accounting for one occurrence of piratical attack for every 4.5 days since 2016 (Stable Seas 2021). Consequently, the nature of piracy in the GoG has far-reaching consequences which play a significant role given the pervasiveness of poverty in the region. Around 242 million people live in the GoG region below the United Nations'

'extreme poverty' criterion of $1.90 in income per person per day (World Poverty Clock 2021). Although most nations have taken initiatives to eliminate extreme poverty, the number of people living in severe poverty in the GoG is still rising. Bell et al. (2021) assert that there is a mutually reinforcing relationship between piracy and poverty. Indeed, endemic poverty is an important catalyst to drive young people towards maritime crimes. The corollary effect is that these maritime crimes, like piracy, undermine coastal economies and further drain the already overburdened coffers of states. A snapshot of this phenomenon is piracy in the GoG – a development known to drive regional poverty among West and Central African states. Through direct, indirect and opportunity costs, states within the GoG region suffer grave losses traced to maritime crimes (Bell et al. 2021). A report by the UN Office of Drugs and Crime titled 'Pirates of the Niger Delta: Between Brown and Blue Waters' indicates that pirate gangs get roughly $4 million in ransom payments each year for those who have been abducted at sea (Jacobsen 2021).

Piracy in the GoG also contributes to the value lost to the state in terms of the stolen oil and goods. As noted above, the modus operandi of pirates in the GoG are quite unique with more than 80 percent of the incidents targeting the goods and items of value, rather than kidnapping for ransom (Oceans Beyond Piracy 2016). Research conducted by Chatham House highlights that the scale of oil theft in the Niger Delta ranges from $3 billion to $8 billion a year, with this crime mainly occurring 'onshore or in the Niger Delta's swampy and shallow waters' (Katsouris & Sayne 2013). The volatile waters of the GoG require that counter measures are rolled out to address all challenges. It is estimated that the total direct cost for counter-piracy measures is approximately $524 million per year, with most nations increasing naval spending. Since 2011, the twelve nations between Cote d'Ivoire and Angola have spent collectively an estimated $82 billion on national defence, and this sum has been consistently increasing throughout most of the region (Bell et al. 2021).

Furthermore, the tangible losses occasioned by these piratical acts in the GoG cannot be overemphasised. Insurers are compelled to charge higher rates to operate in 'dangerous waters', while a number of companies rather provide 'hazard pay' to seafarers who transit the area (Bell et al. 2021). The increased costs to the maritime transportation sector impose far-reaching indirect costs on African states, especially states within the GoG region and most importantly, these costs have a grave impact on government revenue earned through transoceanic trade (ibid.). Although this trend gravely affects coastal economies, the rippling effect of maritime piracy in the GoG is globally felt. The increased costs of security, shipping insurance and operations are paid largely by international shipping companies.

The frequency and violent nature of these attacks have been a pain point for the respective navies of states in the region, and continue to ward off foreign investment in the region as well as weakening state presence in the territorial domain. Although in 2022 the GoG witnessed marked improvement in the maritime security situation in the region, this development does not mean the GoG is out of the woods yet. Rather, it calls for a re-examination of the approach and strategies to consolidate the gains made in 2022 and most importantly, to comprehensively tackle maritime insecurity in the region. This paper maintains that UNSC Resolution 2634 will serve as a guidepost to a more enhanced and effective maritime security framework in the region.

Fighting piracy in the Gulf of Guinea: An appraisal of existing militarised approach

The definition of piracy under UNCLOS does not wholly tackle the issue of piracy. When a state's territorial waters are involved, the same act that is considered piracy on the high seas is not christened as piracy under Article 101 of UNCLOS. This seeming inadequacy, coupled with the lack of a clear line of action, propelled the call on the UN to support national efforts. In response, the UN Security Council (UNSC) adopted Resolution 2018 in October 2011, which inter alia condemns all acts of piracy and armed robbery at sea committed off the coast of the GoG, as well as calling on regional organisations and the countries concerned to work toward a comprehensive strategy to facilitate the prosecution of alleged perpetrators of the acts (UNSC 2011).

After the adoption of Resolution 2018, the UNSC complemented its initiative with the dispatch of a multi-disciplinary mission to the GoG in November 2011. The objective of the assessment mission were twofold: 'to assist the Government of Benin in the formulation of a national integrated programme to address drug trafficking, organised crime and piracy' and 'to assess the scope of the threat of piracy in the GoG region and explore options for an effective UN response'.[6] Notably, the report necessitated the adoption of another resolution, 2039 (2012), which further urged states in the GoG region, operating with support of the international community, to develop and implement national maritime security strategies with particular prominence on the prosecution and repression of piracy and armed robbery at sea, as well as the prosecution and punishment of those convicted of such crimes (UNSC 2012).

The global initiative spearheaded by the UN Security Council invariably laid the foundation for member states of the Economic blocks – the ECCAS, ECOWAS and, more broadly, the Gulf of Guinea Commission (GGC) – to come up with a broad range of 'regional strategies and frameworks to counter pi-

---

6   Report of the UNSC Assessment Mission on Piracy in the Gulf of Guinea.

racy, armed robbery against ships and other illicit maritime activities, through regional information sharing and strategic coordination mechanisms, and to build on existing initiatives, such as those under the IMO'. In this light, two interrelated agreements have been adopted by the countries within the West and Central African enclave. They are the Code of Conduct concerning the repression of piracy, armed robbery against ships and illicit maritime activity in West and Central Africa (YCoC), adopted in June 2013, and the Memorandum of Understanding (MoU) on the Establishment of a sub-regional Integrated Coast Guard Network in West and Central Africa. The importance of the afore-listed initiatives is to push for a phased approach to national-level capacity building and to foster cooperation within and amongst states in the GoG region. Currently, the 2013 Yaounde Code of Conduct (YCoC), which was developed by governments in the area, commits its 25 signatories (MOWCA members) to combat piracy, armed robbery against ships and illegal maritime activity in West and Central Africa. On a practical note, the aforementioned frameworks ushered the development of two regional information-sharing centres, one for Central Africa states, situated in the Republic of Congo and one in Ivory Coast, assisting Western Africa states (Stable Seas 2020). However, for the purposes of our analysis in this article, prominence will be placed on an appraisal of UNSC Resolutions 2018 (2011) and 2039 (2012). This appraisal is crucial to appreciate the distinction between the aforementioned resolutions and the recently adopted Resolution 2634 (2022).

A critical assessment of UNSC Resolutions 2018 and 2039 and key regional frameworks is indicative that the focus of the UN and West and Central African states towards the fight against maritime security challenges, particularly piracy, was to strengthen the institutional capacity of member states and to foster regional cooperation. The underlying approach advanced to curb maritime piracy in the region is 'militaristic' in nature. Resolution 2018 (2011) expresses the above assertions in the following ways: paragraph 2 of the resolution specifically dealt with the need for regional bodies, the ECCAS, ECOWAS and GGC, to develop a comprehensive strategy with prime focus on developing 'regional framework to counter piracy and armed robbery at sea, including information-sharing and operational coordination mechanisms in the region' (UNSC 2011: para 2(b)). Furthermore, the 'militaristic' approach is well articulated in paragraph 3 of Resolution 2018. In accordance with applicable international law, UNSC Resolution 2018 (2011) clearly authorises counteractions through the conduct of bilateral or regional marine patrols. Again, paragraph 4 of the resolution intimates the use of defensive tactics to either repel attacks on ships or to resist ongoing attack by pirates on ship. Beyond the textual commitments on paper, the militaristic approach is widely seen in the operations of member states as well as regional in-

stitutions designed to fight maritime piracy. This approach has been assimilated into the operations of both national and regional bodies.

The initial response to maritime insecurity in the region was largely anchored on bilateral military alliances. In September 2011, for instance, Benin and Nigeria entered into a six-month joint naval patrol agreement christened 'operation prosperity' (Oyewale 2016a). Six Nigerian ships and aircraft, along with two vessels from Benin, launched the joint patrol (Oyewale 2015). This arrangement between Benin and Nigeria was extended beyond the six months. Since 2013, however, the Yaoundé architecture has ushered in a region-wide framework for dealing with information sharing and collaboration with the Gulf of Guinea (Larsen & Nissen 2018). At the national level, there seems to be an attempt by several states to consolidate and increase the numerical strength and the logistical capacity of security agencies. Following the acquisition of new platforms, regional entities in the region improved their fleets and coast guards (ibid.). From 2000 to 2016, no fewer than 53 platforms were purchased by GoG states (Wezeman & Wezeman 2015). Nigeria acquired 13 platforms including four Shaldags, two Hamiltons, two P18Ns, two FPB-98s and two FPB-38s in 2009, bringing the total number of platforms to 48 (ibid.). However, there is a marked decline in the volume of imports of arms in the period between 2017 and 2021 (Wezeman et al. 2022). This notwithstanding, countries like Nigeria continue to receive major arms from 13 suppliers, including 272 armored vehicles from China, seven combat helicopters from Russia, three combat aircrafts from Pakistan, twelve light combat aircraft from Brazil and nine patrol craft from France. According to Wezeman et al (2022) these imported arms played an important role in the management of crises in-land and offshore.

Surveillance operations of member states have also been reinforced with the acquisition of air power and remote sensors which have improved awareness in the region. Mauritania is noted to have acquired a C-212 aircraft for maritime patrol (MP). Again, Nigeria leads in the consolidation of its security apparatus through the acquisition of unmanned aerial vehicles to patrol internal waters and the maritime domain (Wezeman & Wezeman 2015). Additionally, since 2013, the Nigerian Navy and the Nigerian Maritime Administration and Safety Agency (NIMASA) have implemented satellite surveillance centres (SCC) to monitor its maritime interests (Osinowo 2015).

Evidently, Resolutions 2018 and 2039 primarily advanced a military approach to safeguard the maritime domain in the GoG. It is significant to note that, out of the resolution's eight (8) paragraphs, only paragraph five (5) addressed the necessity of prosecuting alleged offenders, including the locations and financiers of acts of piracy and armed robbery at sea. Furthermore, a cursory look at Resolutions 2018 and 2039 evinces the prominence attached to the creations of institu-

tions or, better still, enhancing the capacities of institutions to position them to adequately fight maritime piracy. The report of the UN Assessment Mission deployed to the GoG supports this assertion. Paragraph 59 of the report recommends the development of institutions and the integration of structures to strengthen surveillance, information gathering and protection activities. In fact, the importance of cooperation runs through most of the recommendation outlined in the report to regional stakeholders. Similarly, the recommendations also evince snippets of the military approach advanced in the resolutions. With respect to regional initiatives within the GoG enclave, it is pertinent to emphasise the key frameworks (YCoC) went beyond piracy, hijacking boats and kidnapping crew members to include illegal and unregulated fishing. However, the crux of the framework focused more on a military approach. The outlined measures and guiding principles in YCoC employed the use of militia to tackle maritime piracy in the GoG.[7]

Despite the modest attempt through the canons of Resolutions 2018 and 2039 and under the auspices of key regional initiatives, ten years down the lane, the UNSC has passed another resolution, 2634 (2022), which is fundamentally different in its nature and scope from predecessor resolutions (2018 & 2039) although all three resolutions are aimed at tackling the scourge in maritime piracy in the GoG. This article will engage in a discursive analysis and assessment of UNSC Resolution 2634 (2022).

UNSC Resolution 2634 (2022) – a non-militarised approach to the fight against piracy

Distinction between UNSC Resolution 2634 (2022) and UNSC Resolutions 2018 & 2039

In general, UNSC Resolution 2018 (2011) condemned all acts of piracy and armed robbery at sea committed off the coast of the states of the GoG. It also welcomed plans to hold a summit for the heads of state in the GoG region to discuss a comprehensive response in the region and to encourage states and regional bodies to develop a comprehensive strategy to address maritime insecurity in the region. With the firm belief that cooperation between regional bodies will help provide advice and direction to ships transiting the Gulf, Resolution 2018 also focused on addressing the issue of cooperation between states and regional organisations, the shipping and insurance industries. On the other hand, Resolution 2039 was a response to the report of the secretary-general's assessment mission on piracy in the GoG. Among others, the resolution places primary responsibility on the states of the GoG to counter piracy and armed robbery at sea and 'requests the Secretary-General through the United Nations Office of West

---

7   Articles 3 to 10 of the Yaoundé Code of Conduct contained several clauses suggestive
     of a more combatant approach.

Africa (UNOWA) and the United Nations Office of Central Africa (UNOCA) to support states and subregional organizations in convening the joint Summit', as referenced in Resolution 2018 (2011). To bring developments in the region to the attention and consideration of the Security Council, the resolution charged the UNOWA and UNOCA with the responsibility of regularly informing the Security Council about the situation of piracy and armed robbery at sea in the GoG.

An understanding of the activities or developments prior to the UNSC's adoption of Resolution 2634 (2022) is key to fully grasping the policy rationale behind the adoption of Resolution 2634 and the possible reasons why it is substantially different. In the previous section, this article demonstrates that in the erstwhile resolutions, 2018 & 2039, the UNSC gave prominence to mechanisms aimed at enhancing the institutional capacity of national and regional institutions. Most importantly, the grand strategy to combat maritime piracy along the coast of the GoG advanced a more 'militaristic' approach. Against this background, and the consequent strategies that followed the adoption of the two resolutions, much ink has been poured on the inherent deficiencies in the maritime security architecture of the GoG (Egede 2016, 2018; Hassan & Hassan 2017; Oyewale 2016a). In particular, Anyimadu (2013) bemoans the wholesale implementation of the Somali counter-piracy model in the GoG. Anyimadu notes that while piracy in the Gulf of Aden and the Indian Ocean is dominated by piracy, threats in the GoG manifest in a variety of ways. Therefore, the formulation of the Yaoundé Code of Conduct along the lines of the Djibouti Code of Conduct is a fundamental deficiency. The maritime security architecture is burdened with sensitive national security issues that seriously impede regional cooperation and result in significantly unequal implementation capacities among member states, among other things when it comes to combating piracy (Hassan & Hassan 2017).

It appears these challenges have gained global traction, more so as there is a scourge in the activities of pirates along the coast of the GoG. In this light, the president of the United Nations Security Council (UNSC) responded to the continuous threat of piracy and armed robbery at sea in the GoG and the seeming deficiencies in the institutional set-up designed to counter maritime piracy in the region. The number of incidents and the severity of piracy and armed robberies reported in the GoG region, as well as the harm being done to efforts at economic development and the destruction of crucial infrastructure, were all addressed in the presidential statement (S/PRST/2016/4) (UNSC 2016: 1-2). Presidential Statement 2016 also highlighted some challenges that have bedeviled the effective realisation of the objectives fashioned out in the maritime security architecture of the GoG. Although the UNSC welcomes the creation of the Inter-regional Coordination Centre (ICC), the CRESMAC and the CRESMAO, it is stated that it appears that their stated functions are not clearly articulated

and defined. As a result, the UNSC encourages states in the region to clarify the mandate of and relationships among these bodies in order to strengthen coordination and cooperation (UNSC 2016: 3).

The presidential statement also noted that the lack of logistical and financial resources to implement projects and programmes of the ICC and other regional institutions seriously jeopardises the effective operationalisation of the maritime security architecture as birthed and supported by Resolutions 2018 and 2039 and the Yaoundé Code of Conduct, respectively. As a result, the UNSC welcomes the idea of raising resources with the assistance of the international community to support the ICC's and other regional institutions' projects and programmes (UNSC 2016). These propositions made in Presidential Statement 2016 shaped the decision to adopt Resolution 2634 (2022) as will be demonstrated by this article. Another important thread that runs through Presidential Statement 2016 is the emphasis placed on the prosecution of suspected pirates. The Security Council emphasises that the respect for human rights, and the respect for the rule of law, are all necessary to create the conditions for a durable eradication of piracy and armed robbery at sea in the GoG (UNSC 2016: 2). According to the presidential statement, the relationship between piracy, armed robbery at sea and transnational organised crime in the GoG region justifies the growing emphasis on the need for member states in the region to prosecute pirates and uphold and respect human rights and the rule of law (UNSC 2016: 1).

UNSC Resolution 2634 (2022) is also shaped by the presidential statement made in 2021 (S/PRST/2021/15). Therein, the Security Council reiterated the importance of member states to take steps in applying international laws on the Law of the Sea, Against Illicit Traffic in Narcotic Drugs and Psychotropic Substance, the Protocol Against the Smuggling of Migrants on Land, Sea and Air. According to the UNSC, the application of these compendium of international laws and conventions will consolidate efforts to combat illicit activities at sea and clamp down on activities of pirates that may metamorphose into acts of terrorism (UNSC 2021: 1). Presidential Statement 2021 called upon member states yet to ratify or accede to the compendium of international laws aforementioned to do so swiftly (UNSC 2021: 2).

A critical scrutiny of the presidential statements highlights that the focus of the UNSC in the fight against piracy and other related maritime crimes in the GoG has seen a paradigm shift in approach to embrace the use of legal frameworks to criminalise acts of piracy and to prosecute all persons involved. The call for the ratification, accession and the application of key international laws, conventions and treaties is to ensure that all manner of violent activities undertaken to hijack, kidnap, hold hostage or to rob seafarers are wholistically captured and the right sanctions provided for in any of the plethora of internation-

al laws recognised. Thus, the adoption of Resolution 2634 comes as no surprise. Although resolution 2634 (2022) does not operate to set aside Resolutions 2018 and 2039, the language and tenor of Resolution 2634 ushers in a new paradigm in the fight against maritime insecurity in the GoG region. Unlike its predecessor resolutions (2018 & 2039) which focused predominantly on militaristic strategies, Resolution 2634 tends to lean more towards a non-military drive to combat maritime piracy in the GoG. Indeed, Resolution 2634 expresses deep concern about the grave and persistent threat that piracy, armed robbery and other forms of transnational organised crime pose to international shipping, regional security and the sustainable development of states in the region, including the impact on littoral countries, their hinterland areas and landlocked nations (UNSC 2022: preamble).

It is noted that more than 1,000 ships crisscross the GoG on a daily basis. However, acts of piracy strip away the possible benefits states may derive from commercial activities along the coast of the GoG but rather costs coastal states some $2 billion a year.[8] One key attribute of Resolution 2634 is the attempt to criminalise piracy in the GoG region (UNSC 2022: 3). On this tangent, a clear distinction can be made between Resolutions 2018 and 2039 and that of Resolution 2634. Under Resolution 2018 (2011), it only encompasses one paragraph (5) which speaks to the issue of prosecution including facilitators and financiers. The language of paragraph 5 of Resolution 2018 is materially different from that of Resolution 2634. For where the former only speaks of prosecution, the latter (2634) adds another layer which is the criminalisation of the act of piracy in the region under the domestic laws of member states. Again, Resolution 2634 allows member states to investigate and prosecute or extradite perpetrators. The key words used in Resolution 2018 and in 2039 were financiers and or facilitators. The brackets of persons who may be liable is extended in Resolution 2634. The UNSC recognises the possibility of the act of piracy being incited, financed and facilitated by persons other than the pirates themselves. The new resolution also contemplates the possibility of piracy being planned, organised, facilitated, financed or profited by a criminal network distinct from the pirates. The implication is that the language and tenor of Resolution 2634 is expansive and covers, to a large extent, all persons directly or indirectly involved in the act of piracy.

Further, Resolution 2634 maintains strict adherence to applicable international law. Under paragraph 4 of Resolution 2634, the UNSC encourages cooperation between and among member states in the prosecution of perpetrators. However, the Security Council requires states to undertake such prosecution while respecting fair trail guarantees. This is an extension of the recognition that in combatting piracy in the GoG region, the respect for human rights and

---

8   Marinelink.com

the respect for rule of law are all necessary (UNSC 2016: 1). The argument that UNSC Resolution 2634 focuses on a non-military approach to combat the maritime piracy in the GoG is not far-fetched. This article makes the case that UNSC Resolution 2634 is not only 'non-militaristic' in nature but predominantly rests on the use of a comprehensive legal regime to complement predecessor resolutions (2018 and 2039) in the fight against maritime piracy and armed robbery at sea along the coast of the GoG. This objective is amplified under paragraph 5 of UNSC Resolution 2634. The UNSC calls on its members to adopt and implement national maritime security plans in line with international law, including those for the creation of unified legislative frameworks for the prevention and suppression of piracy and armed robbery at sea (UNSC 2022: 3).

Additionally, the UNSC used Resolution 2634 to address some of the inherent deficiencies that undermined the full operationalisation of the maritime security architecture birthed and sourced from Resolutions 2018 and 2039 and more particularly, the Yaoundé Code of Conduct. Resolution 2634 seeks to enhance the capacity of member states through bilateral and multilateral partnership, which allows free transfer of adequate legal and operational support upon request. Paragraph 6 of Resolution 2634 highlights the fact that a state's needs will be duly considered to determine the quantum of funds, personnel, technology and training that ought to be transferred. This courtesy is extended to UN entities like UNODC to provide advice and deliver integrated and technical assistance that will improve the capacity of member states, upon request and availability of extra budgetary resources. These constitute a marked improvement in approach as it fundamentally departs from the erstwhile arrangement where member states were afforded same training without recourse to their different implementation capacities.

The argument that there is a link between piratical activities in the GoG and transnational organised crimes metamorphosing into acts of terrorism which in turn further exacerbates the plights of member states is seen in Resolution 2634 (UNSC 2022: 3). This disposition supports the argument of this article that the two presidential statements in 2016 and 2021 significantly shaped and influenced the consequent adoption of Resolution 2634 to reflect current developments in the region. Accordingly, paragraphs 9 and 16 speak to the issue of the proliferation of terrorism if member states fail to crackdown on acts of piracy, the causes of piracy and the source of their finances.

UNSC Resolution 2634 – A holistic approach in tackling maritime piracy in the GOG?

Having demonstrated the underlying distinction between UNSC Resolution 2634 and its predecessor Resolutions 2018 and 2039, this section focuses on an assessment of UNSC 2634.

For more than a decade, the countries in the GoG basin have struggled with piracy attacks, both in their own national territorial seas and further out at sea (Bassist 2022). Following the outbreak of the COVID-19 pandemic and the attendant reduction in global transportation, piracy attacks along the coast of the GoG has seen a decline in the number of attacks. However, the region continues to be particularly dangerous (ICC 2022). It is important to re-emphasise that it's been over a decade that several security frameworks were rolled out yet issues of maritime insecurity remain extant in the region. One of the key reasons why the numerous interventions have yielded slow results is that the policy framework or mechanisms rolled out do not tackle the menace from its root cause. This article argues that it's this gaping hole in approach that UNSC Resolution 2634 seeks to address.

The military strategy used to combat maritime piracy in the Red Sea's Gulf of Aden, off the coast of Somalia, was quite successful in cutting down on attacks and even stopping them altogether (Bassist 2022). Mention can be made of the strong counterattacks by Russia, China and the European Union (EU), the French-led Atlanta Operation, among others,[9] inured positively in the fight to clamp down on the attacks. As noted above, the plethora of mechanisms implemented to tackle maritime insecurity in the GoG region took the form and nature of the approach used in the Gulf of Aden region. For instance, the Yaoundé Code of Conduct is specifically designed along the same lines as the Djibouti Code of Conduct. The main cause of the maritime instability in the GoG region received little to no attention although causative factors differ. Attacks in the GoG are well-planned and carried out by assailants who are knowledgeable about the targets (Bassist 2022). Furthermore, attacks are no longer limited to local seas; the farthest attack in 2021 saw 15 crew members abducted on a Maltese chemical tanker more than 390 kilometres south of Cotonou (Teixiera & Pinto 2022).

Most importantly, the GoG presents 'natural characteristics' that spur the development of piracy. It connects three continents and remains a crucial marine route for international trade (Bassist 2022). Notwithstanding the aplenty resources that sit in the GoG basin, this wealth of resources is not evenly distributed. Bassists point out that the socio-economic disparities in the area are a result of widespread corruption. Additionally, the growth of industrial fishing has eliminated jobs for traditional fishermen, driving them to pursue other options like piracy (Bassist 2022).

The above highlighted complexities on the push factors accounting for maritime insecurity in the GoG region call for a more comprehensive and multilayered approach. Unfortunately, the existing architecture in its 'militaristic form'

---

9   For more information on Operation ATALANTA see https://eunavfor.eu .

do not suffice (Teixiera & Pinto 2022). The Yaounde Architecture, despite its importance, lacks a proper legal and judicial framework, which makes the application of the rule of law difficult to achieve (ibid.). UNSC Resolution 2634 is ordained to chart a new path in the approach and fight towards maritime insecurity in the region. Resolution 2634 makes a passionate call on all stakeholders to ascertain the underlying causes of the maritime insecurity in the region, based on which a framework would be designed accordingly. Paragraph 16 of UNSC Resolution 2634 reflects this paradigm shift. The UNSC further requests a report on the situation of piracy and armed robbery at sea in the GoG, and their underlying causes within five (5) months following the enactment of Resolution 2634. A critical scrutiny of the language and objectives of UNSC Resolution 2634 is indicative of the UNSC's intention of devising a more comprehensive and holistic approach in curbing maritime insecurity in the region. This certainly ushers in a new regime in fighting piracy in the region, which with all intents and purposes is materially different from Resolutions 2018 and 2039.

Although different, the successes and efficacy of Resolution 2634 remains to be seen. Future assessments would have to be done to ascertain whether this paradigm shift aimed at comprehensively tackling or eradicating the root cause(s) of maritime insecurity in the region would yield the desired outcomes.

Conclusion

The importance of UNSC Resolutions 2018 and 2039 cannot be downplayed in tackling maritime piracy in the Gulf of Guinea. However, the maritime security architecture in its current state does not holistically address the maritime concerns in the region. The grave and persistent threat posed by piracy, armed robbery and transnational organised crimes played a significant role in the adoption of Resolution 2634. Although the rate of piracy attacks has declined in recent years, this paper notes that maritime crimes in the GoG are interrelated and that while there may be a reduction in piracy attacks, other crimes are in surge. Therefore, if gains are not consolidated, it will invariably lead to another spike in piracy or other maritime crimes. The holistic approach advanced in Resolution 2634, other than the militaristic approach in Resolutions 2018 and 2039, will breathe a new impetus in the fight against maritime piracy. It is expected that in the coming months GoG states will take up the challenge to operationalise Resolution 2634. The cooperation of states and regional organisations in putting into practice the appropriate solutions envisioned in Resolution 2634 will be crucial to the success of this resolution in the fight against maritime insecurity in the region. Resolution 2634 also presents an opportune moment for states, regional and international bodies to revisit the approach employed in addressing the concerns and threats to the Gulf of Guinea maritime domain.

∿

Frederick Boamah is a research fellow at the Legon Centre for International Affairs and Diplomacy, University of Ghana. He was called to the Ghanaian bar in 2003 and practiced law with the Ministry of Justice and Attorney General's office for several years. Subsequently, he moved into private practice and joined the firm Akufo Addo, Prempeh and Company. He teaches public international law and international humanitarian law at the University of Ghana. He is an adjunct fellow of Webster University Ghana and the Africa Centre of Excellence in Coastal Resilience (ACECoR), University of Cape Coast. He is an external scholar of the Kofi Annan International Peacekeeping Training Centre (KAIPTC) and a member of the Security Council Working Group for Ghana 2022-2023. His research interests cover intelligence, maritime security and diplomacy, natural resource management and climate change, migration and ethics as well as outer space development.

References

Anyimadu, A. (2013): *Maritime Security in the Gulf of Guinea: Lessons Learned from the Indian Ocean*. Chatham House, 2.

Arvin, J. (2021): How Kidnap-for-Ransom Became the 'Most Lucrative Industry in Nigeria'. *Vox*, 2 August, <accessed online: https://www.vox.com.22596198/students-nigeria-profit-kidnapping>.

Attard, F. (2014): IMO's Contribution to International Law Regulating Maritime Security. *Journal of Maritime Law & Commerce,* 45(4), 479-566.

Azubuike, L. (2009): International Law Regime Against Piracy. *Annual Survey of International & Comparative Law*, 15(1), 4.

Bassist, R. (2022): Piracy in the Gulf of Guinea: Those Trying to Curb It, and Those Standing in Their Way. *Ifriqiya Africa Research Program,*7(1).

Bekkevold, J. I. & Till, G. (2016): *International Order at Sea: What It Is. How It Is Challenged. How It Is Maintained.* Basingstoke: Palgrave Macmillan, 3-14.

Bell, C., Huggins, J., Benson, J., Joubert, L., Okafor-Yarwood, I. & Ebiede, T. M. (2021): Pirates of the Gulf of Guinea: A Cost Analysis for Coastal States. *Stable Seas,* November, <accessed online: https://www.unodc.org/documents/Maritime_crime/UNODC_Pirates_GoG_A_Cost_Analysis_for_Coastal_States.pdf>.

Bellish, J. (2013): A High Seas Requirement for Inciters and Intentional Facilitators of Piracy Jure Gentium and Its (Lack of) Implications for Impunity. *San Diego International Law Journal,* 15(1), 115–162.

Blunden, M. (2009): The New Problem of Arctic Stability. *Survival*, 51(5), 121-142.

Bosco, D. L. (2009): *Five to Rule Them All: The UN Security Council and the Making of the Modern World*. New York: Oxford University Press.

Boot, M. (2009): Pirates, Then and Now: How Piracy Was Defeated in the Past and Can Be Again. *Foreign Affairs*, 94-107.

Booth, K. (2014): *Navies and Foreign Policy*. London: Routledge.

Bueger, C. & Edmunds, T. (2017): Beyond Seablindness: A New Agenda for Maritime Security Studies. *International Affairs*, 93(6), 1293-1311.

Cockayne, J. (2014*): The UN Security Council and Organized Criminal Activity: Experiments in International Law Enforcement*. Tokyo: United Nations University.

Council of the EU (2014): The European Union Maritime Security Strategy, *Council of the EU*, 24 June, <accessed online: https://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2011205%202014%20INIT>, p. 3.

Egede, E. (2016): Institutional Gaps in the 2050 Africa's Integrated Maritime Strategy. *Iilwandle zethu: Journal of Ocean Law and Governance in Africa,* 2016(1), 1-27.

Egede, E. (2018): Maritime security: Implementing the AU's AIM Strategy. *Policy Commons,* 8 June, <accessed online: https://policycommons.net/artifacts/1443758/maritime-security/2075491/>.

Geiss, R. & Petrig, A. (2011): *Piracy and Armed Robbery at Sea: The Legal Framework for Counter-Piracy Operations in Somalia and the Gulf of Aden*. London: Oxford University Press.

Grove, E. (2021): *The Future of Sea Power*. London: Routledge, vol. 9.

Guilfoyle, D. (2008): II. Piracy off Somalia: UN Security Council Resolution 1816 and IMO Regional Counter-Piracy Efforts. *International & Comparative Law Quarterly*, 57(3), 690-699.

Hassan, D. & Hassan, S. (2017): Effectiveness of the Current Regimes to Combat Piracy in the Gulf of Guinea: An Evaluation. *African Journal of Legal Studies,* 10(1), 36-65.

International Chamber of Commerce – Commercial Crime Services (ICC-CCS) (2022): No Room for Complacency, Says IMB, as Global Piracy Incidents Hit

Lowest Levels in Decades. *ICC-CCS*, 12 October, <accessed online: https://www.icc-ccs.org/index.php/1321-no-room-for-complacency-says-imb-as-global-piracy-incidents-hit-lowest-levels-in-decades>.

International Maritime Bureau (IMB) (2010): *Piracy and Armed Robbery against Ships: Report for the Period of 1 January – 31 December 2009.* London: ICC-IMB.

International Maritime Bureau (IMB) (2013): *Piracy and Armed Robbery against Ships: Report for the Period of 1 January – 31 December 2012.* London: ICC-IMB.

International Maritime Bureau (IMB) (2016): *Piracy and Armed Robbery against Ships: Report for the Period of 1 January – 31 December 2015.* London: ICC-IMB.

Jacobsen, K. L. (2021): Pirates of the Niger Delta: Between Brown and Blue Waters. United Nations Office on Drugs and Crime. *UNODC,* 21 September, <accessed online: https://www.unodc.org/res/piracy/index_html/UNODC_GMCP_Pirates_of_the_Niger_Delta_between_brown_and_blue_waters.pdf>.

Jesus, J. L. (2003): Protection of Foreign Ships against Piracy and Terrorism at Sea: Legal Aspects. *The International Journal of Marine and Costal Law*, 18(3), 363–400.

Katsouris, C. & Sayne, A. (2013). *Nigeria's Criminal Crude: International Options to Combat the Export of Stolen Oil*. London: Chatham House, <accessed online: https://www.chathamhouse.org/sites/default/files/public/Research/Africa/0913pr_nigeriaoil.pdf>.

Kelly, M. J. (2013): The Pre-history of Piracy as a Crime & Its Definitional Odyssey. *Case Western Reserve Journal of International Law*, 46, 25–42.

Kraska, J. & Pedrozzo, R. (2014): *International Maritime Security Law*. Leiden: Nijhoff, 10.

Larsen, J. & Nissen, C. (2018). *Reconciling International Priorities with Local Needs: Denmark as a New Security Actor in the Gulf of Guinea* (No. 2018: 08). DIIS Report.

Le Mière, C. (2011): The Return of Gunboat Diplomacy. *Survival*, 53(5), 53-68.

Middleton, R. (2009): Piracy and Legal Issues: Reconciling Public and Private Interests. Conference Report. *Chatham House*, 1 October, <accessed online: http://www.chathamhouse.org/sites/default/files/public/Research/Africa/011009piracy_law.pdf>.

Morcos, P. (2021): *A Transatlantic Approach to Address Growing Maritime Insecurity in the Gulf of Guinea.* Washington, D.C.: Center for Strategic & International Studies.

Murray, J. F. & Gottschalk, J. A. (2001): Jolly Roger with an Uzi: The Rise and Threat of Modern Piracy. *Naval War College Review*, 54(4), 18.

Nyman, E. (2011): Modern Piracy and International Law: Definitional Issues with the Law of the Sea. *Geography Compass,* 5(11), 863–874.

Oceans Beyond Piracy (2016): *State of Maritime Policy: 2015*. Broomfield, CO: Oceans Beyond Piracy, One Earth Future.

Onuoha, F. C. (2010). Piracy and Maritime Security off the Horn of Africa: Connections, Causes, and Concerns. *African Security*, 3(4), 191-215.

Osinowo, A. (2015): Combating Piracy in the Gulf of Guinea. *Africa Security Brief*, 30.

Oyewole, S. (2015): *Pirate Sanctuary and the Political Economy of Piracy in the Gulf of Guinea* (MSc. thesis). Ilorin: University of Ilorin.

Oyewole, S. (2016a): Suppressing Maritime Piracy in the Gulf of Guinea: The Prospects and Challenges of the Regional Players. *Australian Journal of Maritime & Ocean Affairs*, 8(2), 132-146.

Oyewole, S. (2016b): The Fate of Hostages: Nigeria's Conflict Theatres in Comparative Perspective. *African Security Review*, 25(2), 193-207.

Prins, B. & Daxecker, U. (2017): Maritime Piracy and Foreign Policy. In: Thompson, W. R. (ed.): *Oxford Research Encyclopedia of Politics*. London: Oxford Univeristy Press.

SBM (2022): The Economics of Nigeria's Kidnap Industry. *SBM Intelligence,* August, <accessed online: https://www.sbmintel.com/wp-content/uploads/2022/08/202208_The-economics-of-Nigerias-kidnap-industry.pdf>.

SBM (2021): Chart of the Week: School Abductions in Nigeria. *SBM Intelligence*, 6 September, <accessed online: https://www.sbmintel.com/2021/09/chart-of-the-week-school-abductions-in-nigeria/>.

Schubert, C. & Lades, L. K. (2014): Fighting Maritime Piracy: Three Lessons from Pompeius Magnus. *Defence and Peace Economics*, 25(5), 481-497.

Speller, I. (2018): *Understanding Naval Warfare*. London: Routledge.

Stable Seas (2020): Gauging Maritime Security in West and Central Africa. *One-Earth Future, Stable Seas*, 24 August, <accessed online: https://www.stableseas.org/post/gauging-maritime-security-in-west-and-central-africa>.

Stable Seas (2021): State of Maritime Piracy: 2020. *One Earth Future, Stable Seas,* 22 June, <accessed online: https://www.stableseas.org/post/state-of-maritime-piracy-2020>.

Teixiera, C. A. & Pinto, J. N. (2022): Maritime Piracy in the Gulf of Guinea. *GIS,* 28 March, <accessed online: https://www.gisreportsonline.com/r/piracy-gulf-guinea/>.

Ukeje, C. & Ela, W. M. (2013): *African Approaches to Maritime Security: The Gulf of Guinea*. Abuja: Friedrich-Ebert-Stiftung.

Ukiwo, U. (2007): From "Pirates" to "Militants": A Historical Perspective on Anti-state and Anti-Oil Company Mobilization among the Ijaw of Warri, Western Niger Delta. *African Affairs*, 106(425), 587-610.

United Nations Security Council (UNSC) (2011): Security Council Resolution 2018 [On Acts of Piracy and Armed Robbery at Sea off the Coast of the States of

the Gulf of Guinea], UN doc.: S/RES/2018(2011). *UNSC*, 31 October, <accessed online: www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2018(2011)>.

United Nations Security Council (UNSC) (2012): Security Council Resolution 2039 [On acts of Piracy and Armed Robbery at Sea off the Coast of the States of the Gulf of Guinea], UN doc.: S/RES/2039(2012). *UNSC*, 24 May, <accessed online: www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2039(2012)>.

United Nations Security Council (UNSC) (2016). Statement by the President of the Security Council, UN Doc: S/PRST/2016/4. *UNSC*, 25 April, <accessed online: https://documents-dds-ny.un.org/doc/UNDOC/GEN/N16/115/50/PDF/N1611550.pdf?OpenElement>.

United Nations Security Council (UNSC). (2021). Statement by the President of the Security Council, UN Doc: S/PRST/2021/15. *UNSC*, 9 August, <accessed online: https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/220/62/PDF/N2122062.pdf?OpenElement>.

United Nations Security Council (UNSC). (2022): Security Council Resolution 2634 [Peace and Security in Africa (Maritime Security in the Gulf of Guinea)], UN Doc: S/RES/2634(2022)*. UNSC*, 31 May, <accessed online: http://unscr.com/en/resolutions/2634>.

Valencia, M. J. & Khalid, N. (2009): The Somalia Multilateral Anti-piracy Approach: Some Caveats. *Policy Forum Online*, 9-12.

Wallner, M. & Kokoszkiewicz, A. (2019): Maritime Piracy and Limitations of the International Law of the Sea. *Historia i Polityka*, 28 (35), 25-35.

Wezeman, P. D. & Wezeman, S. T. (2015): Trends in International Arms Transfers, 2014. *Stockholm International Peace Research Institute,* March, <accessed online: https://www.sipri.org/sites/default/files/files/FS/SIPRIFS1503.pdf>.

Wezeman, P. D., Kuimova, A. & Wezeman, S. T. (2022): Trends in International Arms Transfers, 2021. *Stockholm International Peace Research Institute,* March, <accessed online: https://www.sipri.org/sites/default/files/2022-03/fs_2203_at_2021.pdf>.

Wilson, B. (2018): The Turtle Bay Pivot: How the United Nations Security Council is Reshaping Naval Pursuit of Nuclear Proliferators, Rogue States, and Pirates. *Emory International Law Review*, 33, 1.

World Poverty Clock (2021): World Data Lab. 23 September, <accessed online: https://worldpoverty.io/>.