



POLICY BRIEF | OCTOBER 2020

NEAR-TERM MITIGATION OF PIRACY IN THE GULF OF GUINEA

OVERVIEW: In partnership with former Oceans Beyond Piracy Director, Jon Huggins, Stable Seas convened a small group of maritime stakeholders to develop near-term actions to deter piracy and armed robbery incidents in the Gulf of Guinea. While the regionally-developed and -managed Yaoundé Code of Conduct has yielded progress in maritime security in the region, much of the Yaoundé Architecture hinges on longer-term plans to build regional capacity, which is still maturing. Meanwhile, piracy and armed robbery continues to pose a threat to vessels transiting the region. The recommendations included in the study are intended to complement the initiatives enshrined in the Yaoundé Code of Conduct and subsequent Yaoundé Architecture.

I. RESHAPING THE FRAMEWORK FOR COOPERATION

Gaining a Shared Understanding of the GoG Piracy Threat:

All stakeholders must agree to an objective assessment of the threat of piracy in order to maximize coordination for risk mitigation and policy cohesiveness. While the magnitude of the threat can be inferred from the aggregated actions of maritime and regional stakeholders, legitimate threat assessments must be developed that can properly inform decision processes across stakeholders.

- The impact of piracy on seafarers has been under-reported.
- Uneven messaging on level of threat has hindered a collective response.
- A common reference is needed to evaluate progress (or deterioration) in maritime security
- Regional input is needed for targeted intelligence to produce a valid - and current - threat assessment.
- Land-based intelligence is needed to allow for intelligence-based operations.

Actions For Consideration:

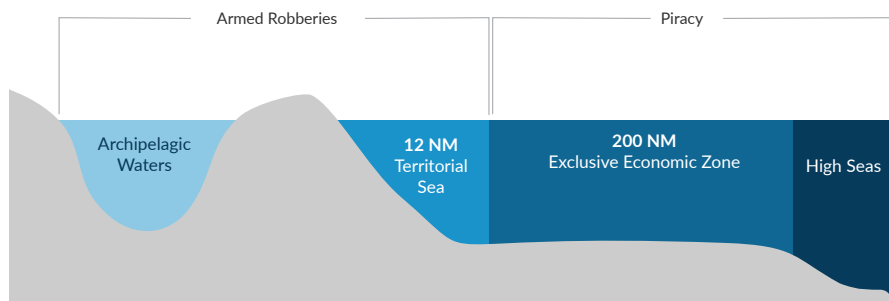
- G7++/FoGG to guide the assessment process as a recurring agenda item (would require expansion of membership)
- SHADE-like forum with regional leadership could develop and publish Threat Assessments
- The Security Council could be engaged to provide a credible mandate and framework for cooperation

| STAKEHOLDER | CRITERIA/DESCRIPTION |
|---------------------|------------------------------------------------------------------|
| Joint War Committee | War Risk Area Established (Expanded in Sept. 2020) |
| Seafarers | IBF High Risk Area and Extended Risk Areas Established |
| Regional States | Regional States Offer or Require Contracted Armed Security |
| Shipping Industry | Best Management Practices Established for West Africa |
| Maritime Nations | National Warnings Published and Appeals Lodged at IMO |
| Stable Seas Index | Significant Threats Identified in Several Gulf of Guinea Nations |

Clarifying the Obligation for All States to Fight Piracy

Regional states should be encouraged to clearly outline their interpretation of maritime boundaries and zones and their intended impact on regional and international cooperation on piracy.

UNCLOS MARITIME ZONES



- Some regional maritime claims may be inconsistent with international norms.
- Unclear maritime interpretation in the region has hindered international cooperation, prosecution of offenders, and self-protection options in the Gulf of Guinea.
- Regional states have identified sovereignty concerns, sensitivities, and concerns about possible interference with regional law enforcement efforts.

Actions For Consideration:

- Regional states should clarify maritime zone interpretations as part of the G7++/FoGG agenda for the Legal Working Group so that potential security partners can better understand opportunities for cooperation.

Moving from Multinational to Multi-stakeholder Cooperation

Encourage existing forums to expand beyond their multilateral constructs to include a larger pool of stakeholders at the strategic planning level.

- Gaining trust and ensuring cooperation across stakeholders in the Gulf of Guinea will require all sides to meet on an equitable basis.
- There is a stark difference in the success gained by the Contact Group on Piracy (a multi-stakeholder group) and the G7++ (a multilateral group), which has struggled with legitimacy due to limited membership.

| CURRENT G7++/FRIENDS OF THE GULF OF GUINEA MEMBERSHIP | | |
|-------------------------------------------------------|-------------------|------------------------------|
| Canada | United States | Portugal |
| Germany | Belgium | Spain |
| Italy | Brazil (Observer) | European Union |
| Japan | Denmark | UN Office on Drugs and Crime |
| France | Netherlands | Interpol |
| United Kingdom | Norway | |

Actions For Consideration:

- G7++/FoGG consider re-configuration that would allow for greater inclusion of stakeholders and regional states
- Consider Indian proposal to IMO to form a Contact Group in the Gulf of Guinea; “The formation of such a multi-stakeholder collaboration would better help in coordinating the efforts of various agencies involved in the mitigation of piracy and armed robbery in the Gulf of Guinea.”
- Engage UN bodies to invite multiple stakeholders to coordinate efforts in mitigating the risk of piracy in the GoG

II. SPECIFIC RECOMMENDATIONS

Reassessing Private Security

RECOMMENDATION: Assess the potential of contracted security schemes in the Gulf of Guinea to contribute to collective counterpiracy efforts in the Gulf of Guinea.

Planning Considerations:

- Contracted security services (particularly Security Escort Vessels (SEVs) manned by the Nigerian Navy) represent a sizable capability that could be engaged to address the regional piracy threat.
- A lack of transparency has prevented the full incorporation of contracted security into regional counterpiracy schemes.
- Lack of transparency impedes proper Flag State oversight of embarked teams and hired SEVs.

NIGERIAN SECURITY ESCORT VESSELS

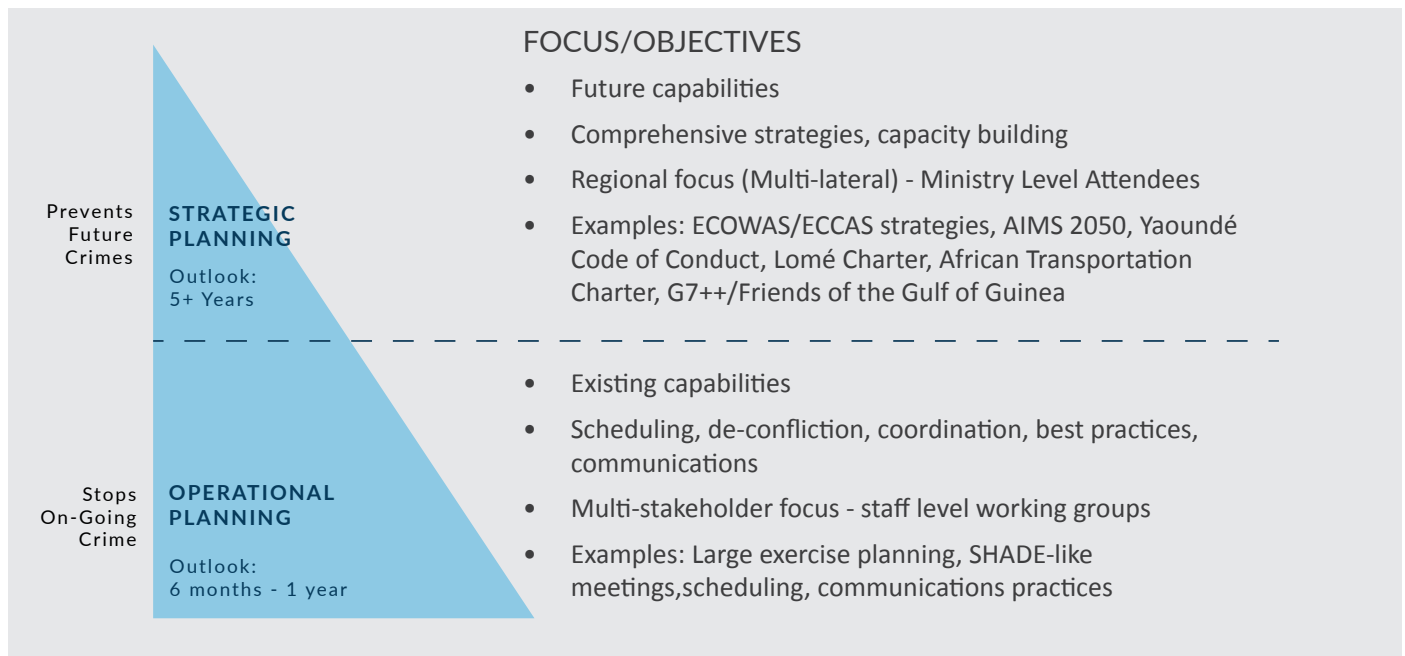
- There are estimated to be over 150 SEVs in operation within the Nigerian EEZ.
- SEVs are routinely contracted to protect individual vessels approaching Nigeria from as far out as 150nm, or between ports and secure patrolled areas.
- SEVs are also contracted to protect international oil and bulk carriers, oil rig platforms and other off-shore infrastructures, and supply vessels.
- Each SEV is normally manned by 7-8 Nigerian Navy members and is incorporated into Nigerian Command and Control.
- SEVs are governed by MOUs signed between Nigerian Navy and private operators

Enhancing Operational Planning and Coordination

RECOMMENDATION: Form a SHADE-like group to coordinate planning at the “operational” level to ensure the coordination and de-confliction of regional resources (militaries/coast guards), military operations, and industry practices to achieve maximum efficiency and effectiveness in countering piracy and other threats to shipping.

Planning Considerations:

- Existing strategic planning and regional frameworks are sufficient to guide operational implementation.
- Near-term implementation should be delegated to planners with operational expertise to allow flexibility in execution.
- Certain maritime crimes may require a segmented approach with specialized working groups and specific expertise.



Incorporating International Partners

RECOMMENDATIONS: International partners could develop cooperative schemes to support regional forces (akin to the “independent deployers” scheme in EUNAVFOR). Engagement could be further enhanced if a “framework for cooperation” could be established, possibly to include pre-designated patrol boxes and/or designated transit paths that would allow for rapid incorporation into regional security schemes.

Planning Considerations:

- Political sensitivities in the GoG, lack of a UN Mandate, and lack of available resources will prevent the establishment of an independent international task force.
- Historically, the international navy presence in the GoG has been moderate. However, de-conflicting and coordinating available resources through a SHADE-like forum could help maximize those platforms that are available.
- Extra-regional nations have chosen not to exercise universal jurisdiction and prosecute piracy in the GoG. Therefore, counterpiracy operations involving the detention of perpetrators must be closely coordinated with regional partners and law enforcement agencies.

POTENTIAL INTERNATIONAL ASSETS FOR COORDINATION

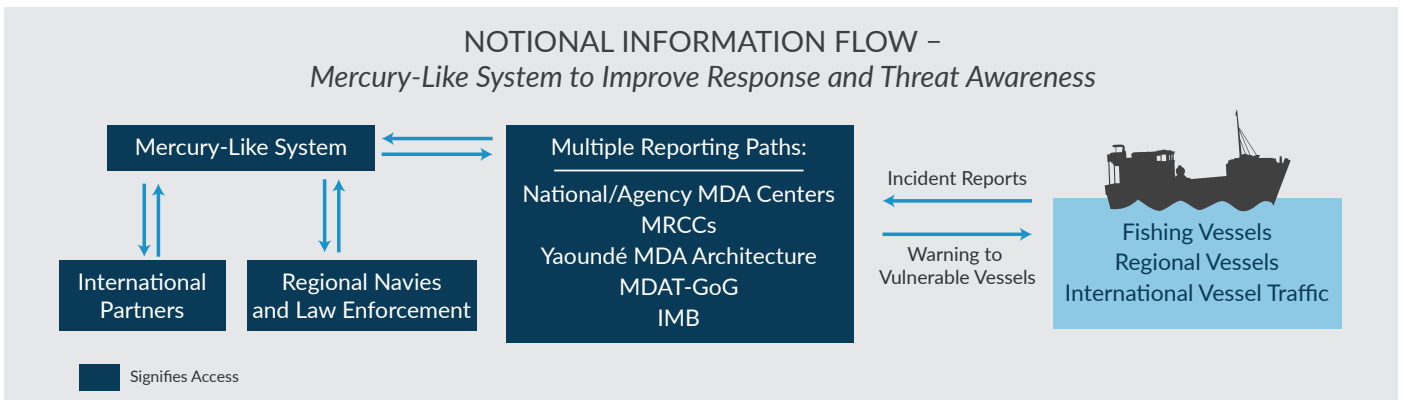
- Shipping industry support for regional training exercises
- Intermittent ship deployments, including those by Italy, US, UK, Denmark, Spain, France, and Portugal
- Expected EU Coordinated Maritime Presences (CMP) to coordinate and deconflict EU maritime deployments
- Embarked training teams, such as US Operation Junction Rain, the operational phase of the African Maritime Law Enforcement Partnership (AMLEP)
- Multinational exercises (e.g., NEMO and Obangame Express)
- Training and engagement missions such as the US’s Africa Partnership Station

Formalizing Information Sharing Protocols

RECOMMENDATION: Establish formal communications protocols between regional centres and international partners, with specific and early emphasis on those areas where most attacks are occurring. Short-term gains could be achieved through use of a “Mercury-like” system, which provides a secure chat room and instantaneous incident notification, for navies and law enforcement agencies.

Planning Considerations:

- Myriad reporting and information sharing centres have resulted in parallel capabilities and reporting frameworks.
- Lack of trust between stakeholders, particularly industry, has resulted in low transit reporting rates (less than half of IO-based tracking centres) and erratic incident reporting.
- Parallel and in some cases rigidly hierarchical reporting structures have resulted in critical delays in coordinating incident response and threat awareness.
- The roles and responsibilities of the different “tiers” within the Yaoundé architecture have not been adequately defined to allow full integration between national centres, MRCCs, MDAT-GoG, and the IMB.



ONE EARTH FUTURE

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One Earth Future (OEF) is a self-funded, private operating foundation seeking to create a more peaceful world through collaborative, data-driven initiatives. OEF focuses on enhancing maritime cooperation, creating sustainable jobs in fragile economies, and research which actively contributes to thought leadership on global issues. As an operating foundation, OEF provides strategic, financial, and administrative support allowing its programs to focus deeply on complex problems and to create constructive alternatives to violent conflict.


STABLE SEAS


stableseas.org




Stable Seas, a program of One Earth Future, engages the international security community with novel research on illicit maritime activities such as piracy and armed robbery, trafficking and smuggling in persons, IUU (illegal/unregulated/unreported) fishing, and illicit trades in weapons, drugs, and other contraband. These activities perpetuate organized political violence and reinforce each other to threaten economic development and the welfare of coastal populations.

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