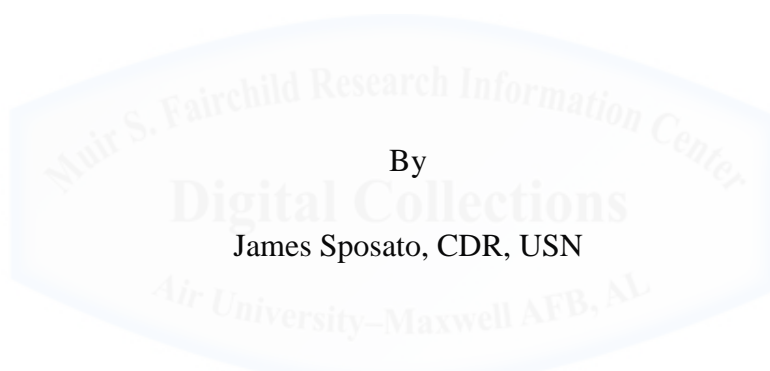


AIR WAR COLLEGE

AIR UNIVERSITY

COUNTER PIRACY IN THE GULF OF GUINEA:
A WHOLE-OF-GOVERNMENT APPROACH



By

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Biography

Commander James Sposato is assigned as a student at the Air War College, Air University, Maxwell AFB, AL. As a Surface Warfare Officer, he completed multiple deployments in guided missile frigates and destroyers as an executive officer, department head, and division officers in support of various maritime security missions to include counter-piracy. Commander Sposato's shipboard tours include USS CARR (FFG 52), USS GONZALEZ (DDG 66), USS STOUT (DDG 55), and USS LABOON (DDG 58). His shore tours include United States Strategic Command Center for Combatting Weapons of Mass Destruction (SCC-WMD), United States Forces – Afghanistan (USFOR-A), and Operational Test and Evaluation Force (OPTEVFOR) Norfolk, VA. He has a Bachelor of Science Degree in Political Science from Old Dominion University, a Master of Arts in Business and Organizational Security Management from Webster University, and is a graduate of the United States Army Command and General Staff College.

Abstract

The threat of piracy in the Gulf of Guinea has significant regional security and economic implications which could destabilize a region becoming an increasingly important source of energy for the United States. Although the United States, through its Geographic Component Commander (GCC), U.S. Africa Command, has attempted to bolster security cooperation efforts in the region, a more holistic approach must be taken to effectively reduce the threat of piracy in the Gulf of Guinea. The Gulf of Guinea's unique maritime environment coupled with the scope and nature of the piracy threat demands a new approach to conducting a counter-piracy campaign. Theater strategic planners should develop a comprehensive whole of government strategy focusing on building effective regional governance, infusing financial capital in order to provide an economic alternative to piracy, reducing or mitigating the risk of pirate attack to commercial shipping, bolstering maritime security capacity through advanced technology such as Unmanned Aerial Vehicles, and promoting effective response to pirate attacks through regional collaboration.

Part I - Introduction

The scourge of piracy that plagues the Gulf of Guinea (GoG) region has the potential to impede the economic development of both West and Central Africa, making a continent that has been ravaged by civil war, poverty, unemployment, and disease even more unstable. Some experts believe that because piracy is a “multidimensional” problem, it must be solved with a “multidimensional solution.”¹ The thesis of this paper is that counter piracy in the GoG should use a whole of government approach that addresses root causes of piratical behavior by improving regional governance, removing financial incentives that promote piratical behavior, reducing vulnerabilities of commercial shipping, increasing maritime security capacity, and enabling regional forces to respond effectively to pirate attacks. The United States, as the most formidable maritime nation in the region, should coordinate with international and regional organizations, as well as private industry and its foreign partners, in order to effectively eradicate piracy in the region.

This paper will, first, describe the maritime environment to include geography, the threat, root causes, and implications of piracy. Secondly, counter-piracy methods will be described that emphasize the need to work through international and regional organization already active in the region, leveraging their connections and expertise. Finally, this paper will present a strategic framework that will engage a full spectrum of resources using all elements of national power to include diplomatic, economic, military, and informational to quell the scourge of piracy in the GoG.

¹ Struett, Michael J., Jon D. Carlson and Mark T. Nance eds. *Maritime Piracy and the Construction of Global Governance*. New York, NY: Routledge, 2013. xvii.

Part II – Description of the Maritime Environment

Geography

The International Hydrographic Organization (IHO), describes the Gulf of Guinea as a body of water that is to the east of Cape Palmas, Liberia southeast to Cape Lopez, Gabon (see figure 1).² This body of water is surrounded by 1400 nautical miles of coastline which is comparable to the entire West Coast of the United States. West African states include Liberia, Cote D' Ivoire (Ivory Coast), Ghana, Togo, Benin, and Nigeria. Central African states include Cameroon, Equatorial Guinea, and Gabon. The region has significant geographical advantages such as no narrow passages constrained by straits and its location in the Atlantic Ocean makes it much easier to access the continents of North and South America and Europe. These geographical advantages make the region a key national interest to the United States.³

Resources

The GoG region has significant oil reserves. The region produces more than five million barrels of sweet crude petroleum per day.⁴ Nigeria is the largest oil producer in the region and has more than 40 billion barrels of reserves.⁵ Nigeria is the 7th largest exporter of oil in the world and is the 5th largest supplier of U.S. oil imports.⁶ For this reason, President Obama's Assistant Secretary of State for African Affairs stated that Nigeria was "probably the most

² International Hydrographic Organization (IHO) Special Publication No. 23. *Limits of Oceans and Seas*, 3rd Edition 1953. 19.

³ Mackenheimer, Sabine and Alexander Von Rosenback, eds. "Country Risk Assessments: West Africa." IHS Jane's Sentinel, no. 26. Alexandria, VA: IHS Global Limited, 2014. 570.

⁴ Ki-moon, Ban, Secretary General, United Nations. To President, United Nations Security Council. Letter. Subject: Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea (7 to 24 November 2011), 18 January 2012. 11.

⁵ Mackenheimer, Sabine and Alexander Von Rosenback, eds. "Country Risk Assessments: West Africa." IHS Jane's Sentinel, no. 26. Alexandria, VA: IHS Global Limited, 2014. 355.

⁶ Kalu, Kalu N. *State Power, Autarchy, and Political Conquest in Nigerian Federalism*. Lanham, MD: Lexington Books, 2008. 131-139.

strategic important country in Sub-Saharan Africa.”⁷ Both Asia and Latin America are increasing their petroleum imports from the GoG. In 2004, China signed an agreement with Nigeria to develop to oil wells in the Niger Delta, and in 2005, signed a trade deal with Nigeria to import 30,000 barrels of oil per day over a period of 5 years.⁸ More than 10% of Europe’s crude oil and 40% of its gas comes from the GoG region.⁹ These natural resources have become crucial to economic development within the GoG, particularly Nigeria, where daily oil production accounts for 80% of government revenues and 90% of total exchange earnings.¹⁰ Some experts predict that the GoG region will surpass the oil production capacity of the Persian Gulf by 2020, making the stability of this region and the safety of oil transport vital strategic concerns.¹¹

Part III - The Threat

Scope and Nature of Piracy

The United Nations Conventions on the Law of the Sea (UNCLOS) defines maritime piracy as “any illegal act of violence, detention, or depredation that is committed for private ends against another ship on the high seas.”¹² The high seas are waters greater than 12 nautical miles from a nation’s coastline, while waters located within 12 nautical miles of a nation’s coast are considered territorial waters. Under this strict definition, most acts of maritime piracy within territorial waters are considered armed robbery. Since most acts of violence, detention, or

⁷ Plock, Lauren. *Nigeria: Current Issues and U.S. Policy*. Congressional Research Service Report 7-5700. Washington, DC: Congressional Research Service, 15 November 2013. 19.

⁸ Kraska, 138-139.

⁹ Tigner, Brooks. “Calls for EU Counter-Piracy Mission in West Africa Go Unanswered.” *Jane’s Defense Weekly*, 30 Mar 2015. <https://janes-ihs-com.aufric.idm.oclc.org/custom/pages/janes/displaypage.aspx?doctype=News&ItemID=+++1739394&Pubabbrev=JDW>. 2.

¹⁰ Kalu, 131-132.

¹¹ Paterson, LCDR Patrick J. “Maritime Security in the Gulf of Guinea.” *Joint Forces Quarterly* 45 (Apr-Jun 2005). 28-32. 29. Actual production number estimates are 25% for the GoG and 23% for the Persian Gulf by 2020.

¹² Kraska. 129.

depredation within the Gulf of Guinea occurs inside territorial waters,¹³ and because the root causes and solutions are the same regardless of the distances from land that these acts occur, the term “piracy” will be used to characterize both types of incidents.

Piracy is a significant regional concern for the Gulf of Guinea. Geoffrey Till, Dean of Academic Studies at the United Kingdom Joint Services Command and Staff College, claims that “modern-day piracy threatens the security of some of the world’s most important sea lines of communication, restricts the free and orderly passage of maritime commerce that underpins the current world order, raises insurance rates, increases local tensions and puts people’s lives at risk.”¹⁴ Ghana’s Defense Chief of Staff appealed for additional international assistance to help counter the rise of piracy in the region and noted that the “Gulf of Guinea had become a piracy hot spot.”¹⁵ The most significant risk to mariners traversing the GoG is kidnapping.¹⁶ Despite some progress made in previous years to bolster maritime security in the region, piracy continues to “hinder trade, development, and food security.”¹⁷ A recent International Maritime Bureau (IMB) report denotes that during 2014 alone, 41 confirmed attacks of Piracy were committed in West Africa. 18 of those attacks were located in vicinity of Nigeria and its territorial waters and

¹³ Murphy, Martin N. *Small Boats, Weak States, Dirty Money: The Challenge of Piracy*. New York, NY: Columbia University Press, 2009. 17.

¹⁴ Till, Geoffrey. *Seapower: A Guide for the Twenty-First Century*. London, UK: Frank Cass, 2004. 316.

¹⁵ Katzenellenbogen, Jonathan. “Ghanaian Chief of Staff Says International Help Needed to Fight Piracy.” Open Source Center, 15 September 2015. https://www.opensource.gov/portal/server.pt/gateway/PTARGS_0_0_200_203_0_121123_43/contents/display/AFR2015091732553150#index=3&searchkey=20473194&rpp=10/. The article also points out that 18 confirmed acts of piracy were conducted during the 1st quarter of 2015, which was an increase of three acts compared to the same quarter last year.

¹⁶ Katzenellenbogen. One maritime intelligence provider reported in the article that in April and May 2015 alone, “at least 20 mariners were taken from five vessels off the shores of the Nigerian States of Rivers and Akwa Ibom.

¹⁷ United States Africa Command Official Website. “United States Africa Command 2015 Posture Statement.” <http://www.africom.mil/newsroom/document/25285/USAFRICOM-POSTURE-STATEMENT-2015/>. (Accessed 27 August 2015). 5.

were much more violent when compared to the rest of the region.¹⁸ During the first decade of 21st Century, Nigeria had the 3rd highest occurrence of acts of piracy in the world.¹⁹

The scope of piracy in the GoG is also expanding. Admiral Henrique de Gouveia e Melo, Assistant to Portugal's Chief of Naval Staff, said that he observes "a shift from near shore incidents in the gulf to further away, up to fifty nautical miles off the coast. But there have been attacks by Nigerian pirates as far away as the shore of Angola where they have pulled off successful attacks."²⁰ According to the United Nations Office on Drugs and Crime (UNODC), attacks have also occurred within territorial waters of Benin, Ivory Coast, Ghana, Guinea and Togo.²¹ Most of these attacks net pirates from \$10,000-\$15,000 each.²² In the Central African portion of the GoG, pirates tend to target oil platforms and ships in order to steal money, radio equipment, and goods from both crew and passengers. These pirates also steal oil using "ship-to-ship transfer operations."²³

West African pirates seem to be more sophisticated than their Somali counterparts in East Africa. Pirates in the GoG conduct meticulous planning and tend to focus on energy rich ships

¹⁸ International Maritime Bureau. *Piracy and Armed Robbery Against Ships*, 1 January-31 December 2014. London, UK. ICC International Maritime Bureau, January 2015. 5-8, 29. From 2010-2014, Nigeria had the highest number of pirate attacks with 105, followed by Togo (30), Ivory Coast (17), Guinea (15), and Ghana (9). Nigeria was ranked 4th among nations victimized by piracy. Piracy in GoG is often unreported because of concerns that maritime shipping with put particular nations in a "high risk" category and not use their ports. Bergan Risk Solutions of Norway reports almost double the number of piratical acts noted above.

¹⁹ Hodgkinson, Sandra L. "Current Trends In Global Piracy: Can Somalia's Successes Help Combat Piracy In the Gulf of Guinea and Elsewhere?" *Case Western Reserve Journal of International Law* 46 (2013): 147.

²⁰ Tigner, 2.

²¹ Ben-Ari, Nirit. "Piracy in West Africa: A Bumpy Road to Maritime Security" (Dec 2013). <http://www.un.org/africarenewal/magazine/december-2013/piracy-west-africa/>.

²² International Maritime Organization Official Website. "Maritime Piracy in the Gulf of Guinea." <http://www.imo.org/en/knowledge-centre/information-resources-on-current-topics/piracyandrobberyagainstships/pages/default.aspx>. (Accessed 10 October 2015). 51. It was also noted that most piracy in the region originates in the Nigerian Delta (page 47) and that most attacks of the cost of the African nation of Benin have been linked to Nigerian Pirates (page 50).

²³ Ki-moon, Ban, Secretary General, United Nations. To President, United Nations Security Council. Letter. Subject: Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea (7 to 24 November 2011), 18 January 2012. 11.

or platforms using their own intelligence sources.²⁴ Although most attacks are apolitical, earlier attacks originating in the Nigerian Delta committed from 2005-2009 were linked to Nigerian insurgents, such as the Movement for the Emancipation of the Niger Delta (MEND), who felt exploited by the unfair distribution of the nation's oil revenue by the government.²⁵ In 2009, the Nigerian Government sponsored an amnesty program that provided money to members in exchange for weapons and a commitment to end their insurgency. Since then, there have been no attacks to date directly related to the MEND insurgency.

Economic and Environmental Impacts of Piracy

Piracy negatively impacts both the regional economy and the environment in the GoG. It is estimated that piracy costs the region more than \$2 billion annually.²⁶ The financial impact of oil thefts from ships within coastal waters and pipelines on shore is approximately 50,000 barrels per day.²⁷ Pirates also “kill, kidnap, or traumatize” their victims and have caused commercial shipping companies to change their routes and schedules when transiting through the region which has resulted in significant economic challenges.²⁸ Lloyd's Market Association, the largest maritime insurance firm, designated Nigeria, Benin, and most of their territorial waters as “high-risk” areas. This “high-risk” designation has resulted in a decrease of commercial shipping activity and an estimated 28% loss of revenue for the country of Benin. The UNODC reported that this significant loss of revenue affects “the livelihoods of the country's citizens” because it

²⁴ Willet, Dr. Lee. “More than Just Piracy...Maritime Security Risks (and Responses) Off West Africa.” *Jane's Navy International*, 24 February 2014. <https://janes-ihs-com.aufric.idm.oclc.org/custompages/janes/displaypage.aspx?doctype=news&ItemId=+++1702590&pubabbrev=JNL/>

²⁵ Kraska, James. *Contemporary Maritime Piracy: International Law, Strategy, and Diplomacy at Sea*. Santa Barbara, CA: Praeger, 2011. 2. Mackenheimer notes that the terms of the Amnesty program consisted of “handling over all equipment, weapons, arms, and ammunition, and execution of the renunciation of the military forms specified.” (Mackenheimer, Sabine and Alexander Von Rosenback, eds. “Country Risk Assessments: West Africa.” IHS Jane's Sentinel, no. 26. Alexandria, VA: IHS Global Limited, 2014. 547.)

²⁶ Ki-moon, Ban. 11.

²⁷ Willet, Dr. Lee. 3.

²⁸ Murphy. 378.

increases the cost of imports for its citizens and decreases the “competitiveness of exports” for the affected nation.²⁹ These criminal acts have a significant economic impact on the oil rich nation of Nigeria because it derives most of its revenue from the petroleum trade. In 2000, the oil industry made up “40% of Nigeria’s Gross Domestic Product (GDP), 83% of federal revenues, and 98% of oil export earnings.³⁰ Oil companies ashore also have to spend more than \$3.5 billion annually to bolster security and protect workers and facilities in the region.³¹ Other economic impacts of piracy are difficult to assess such as increased costs for individual consumers, insurance premiums for shipping companies, purchases of security details to protect merchant ships transiting through the region, and the costs of procurement, training, manning, and deploying coastal navies to deter and respond to pirate threats.³² Piracy can also create negative environmental impacts in the region. During a typical pirate attack, the threat of harm can cause a pilot or captain to become distracted and potentially drive ships aground which could potentially rupture a cargo tank, spilling thousands of oil into the waters of the region.³³ This would also have a negative impact on fisheries and other wildlife in the region; essential for food security and revenue for many coastal nations.

Root Causes

The most effective way to combat piracy in the GoG is to identify and attack its root causes. Struett argues that the international community “puts more attention into resourcing the response required to fight piracy but does very little to address the causes that allow piracy to

²⁹ Ben-Ari, 2.

³⁰ Murphy, 114.

³¹ Shafa, COL Matthew Bamidele. “Maritime Security in the Gulf of Guinea Subregion: Threats, Challenges and Solutions.” Strategy Research Project. Carlisle Barracks, PA: U.S. Army War College, 2011. 9.

³² Struett, Michael J., Jon D. Carlson and Mark T. Nance eds. *Maritime Piracy and the Construction of Global Governance*. New York, NY: Routledge, 2013. 127-128.

³³ Murphy. 152-153.

grow and thrive.”³⁴ The United Nations (UN) reports that the root causes of piracy in the GoG are “high levels of youth unemployment,” “wide income disparities within the societies,” “uncontrolled circulation of illicit weapons,” and the “prevalence of corruption.”³⁵ Chatham House, The Royal Institute of International Affairs,³⁶ reports that Nigeria’s oil sector is fraught with corruption and fraud and that the “lines between legal and illegal suppliers of Nigerian oil can be blurry. The governments system for selling its own oil attracts many shadowy middlemen, creating a confusing, high risk market place.”³⁷ Transparency International ranks Nigeria as “one of the five most corrupt countries in the world.”³⁸ Elections at the federal, state, and local levels of government are fraught with corruption. Many powerful and influential people who benefited from the oil industry “make down payments for the purchase of influential ministerial positions” which the industry then fills with “oil friendly” representatives.³⁹ Nigeria owns much of its wealth because of the tremendous amount of oil resources located in the Delta, but because so little of the Niger Delta oil revenue reaches its inhabitants due to corruption, there continues to be unemployment, poverty, and the economic alternative of piracy. Dr. Kalu

³⁴ Struett, Michael J., Jon D. Carlson and Mark T. Nance eds. *Maritime Piracy and the Construction of Global Governance*. New York, NY: Routledge, 2013. 16.

³⁵ Ki-Moom, 20.

³⁶ Chatham House Official Website. “About Chatham House.” <https://www.chathamhouse.org/About> (accessed 9 January 2016). Chatham House is an “independent policy institute” that is based in London, England. It conducts “independent, and rigorous analysis of critical global, regional and country specific challenges and opportunities.” Chatham House maintains the highest standards of credibility and has been ranked as the No.2 think tank in the world during the past four years.

³⁷ Katsouris, Christina and Aaron Sayne. “Nigeria’s Criminal Crude: International Options to Combat the Export of Stolen Oil.” Chatham House, September 2013. <http://www.chathamhouse.org/publications/papers/view/194254>.

³⁸ Paterson, LCDR Patrick J. “Maritime Security in the Gulf of Guinea.” *Joint Forces Quarterly* 45 (Apr-Jun 2005). 29.

³⁹ Kalu, Kalu N. *State Power, Autarchy, and Political Conquest in Nigerian Federalism*. Lanham, MD: Lexington Books, 2008. 128. Dr. Kalu remarked that “Between 2006 and 2007, about 31 of Nigeria’s 36 governors, scores of federal officials and private individuals charges with corrupt practices, money laundering, theft and embezzlement of public funds, were dragged before the Code of Conduct tribunals of the Economic Financial Crimes Commission (EFCC) (pg. 130). The U.S. Department of Justice also claimed that a U.S. oil company, the WILBROS company, bribed the Nigerian government and some of its top leadership of the People’s Democratic Party (PDP) millions of dollars in order to secure a contract of \$387 million dollars for the Eastern Gas Gathering System project (pg. 130).

remarks that “many of the youth remain uneducated and unemployed, local communities and renegade militias are still up in arms” and the “environmental consequences of oil wealth have become more manifest and devastating. Poverty and economic depravity remain equally as vicious, as state authorities look the other way.”⁴⁰ A lack of international security initiatives in the Niger Delta and an increase in trade in the region itself has resulted in an increase in piratical behavior. *Jane’s Sentinel* notes that the “primary security threat in the Delta region is the continued risk of piracy in the Gulf of Guinea.”⁴¹ Metogo argues that “poverty is a threat to the GoG’s political and social stability. Poverty and unemployment are obstacles to social integration of the most vulnerable population.”⁴²

Part IV - Methods to Counter-Piracy for the Gulf of Guinea

Maritime security experts recommend various methods to counter-piracy using diplomatic, informational, military and economic ways and working with international and regional organizations. Professor Francois Very, a specialist in maritime security at Stellenbosch University, argues that because there are many criminal aspects to piracy to include corruption, armed robbery, and murder, the best approach to combat piracy is to employ a “multi-agency approach” that can bring a variety of subject matter experts together to combat the threat.⁴³

⁴⁰ Kalu, 175. Dr. Kalu also notes that because Nigeria has become so dependent on oil for its economy, “royalties, taxes, oil export earnings, interests and joint-venture investments, etc” are “the lifeblood of Nigeria’s economy.” (pg. 125). The World Bank reported that because of the rampant corruption, “80% of oil that accrues benefits only 1% of the population (pg. 125). Also, a 2007 Human Rights Watch Report noted reported that the Nigeria Rivers State Budget included transportation fees of \$65,000 per day for the governor’s office; \$10 million dollars for catering, entertaining, gifts and souvenirs, \$38 million dollars for two helicopters, while health services were allocated a meager \$22 million dollars (pg. 178-180).

⁴¹ Mackenheimer, Sabine and Alexander Von Rosenback, eds. “Country Risk Assessments: West Africa.” IHS Jane’s Sentinel, no. 26. Alexandria, VA: IHS Global Limited, 2014. 546.

⁴² Metogo, LTC Gabriel. “Security and Stability in the Gulf of Guinea.” Strategy Research Project. Carlisle Barracks, PA: U.S. Army War College, 2006. 8.

⁴³ Vrey, Francois. “Bad Order at Sea: From the Gulf of Aden to the Gulf of Guinea.” *African Security Review* 18.3: 17-30. <http://www.africancenter.org/2010/03/bad-order-at-sea-from-the-gulf-of-aden-to-the-gulf-of-guinea/>. (Accessed 15 October 2015). 19.

Dr. Bueger suggests that a robust counter-piracy campaign should focus on the following: information exchanges between nations in the region; joint counter-piracy training which includes the application of new technologies; development of strong prosecutorial legislation; and national budgets which ensure enough resources are allocated for countries to procure ships and technology to bolster maritime security.⁴⁴

Gilpin recommends a more macro-level strategy which includes: a political commitment by coastal nations to invest in maritime security; increased operational efficiency through capacity building; legal jurisdiction reform and collaboration with other nations in the region; domestic legislative frameworks that are more transparent and enforceable, while reforming judicial system in order to ensure great accountability of judges; and lastly, execution of a regional or national public awareness campaign to articulate to citizens how the effects of piracy negatively impacts investment and revenue in the region.⁴⁵

The most recent UN assessment mission sent to the GoG to investigate the rise of piracy in the region, also recommended that regional organizations such as the Economic Communities of West and Central Africa (ECOWAS and ECCAS), the Gulf of Guinea Commission (GCC), and individual member states, coordinate their efforts through the African Union⁴⁶ in order to show that the region shows a “united front in order to respond effectively to the growing threat of piracy along their coasts.”⁴⁷ The UN mission recommended that GoG states develop land-based patrols, coastal surveillance sites, and information gathering networks such as a “water to

⁴⁴ Ben-Ari, Nirit. “Piracy in West Africa: A Bumpy Road to Maritime Security” (Dec 2013). 3. <http://www.un.org/africarenewal/magazine/december-2013/piracy-west-africa/>.

⁴⁵ Gilpin, Raymond. “Enhancing Maritime Security in the Gulf of Guinea.” *Strategic Insights* 4, no. 1 (January 2007). 8.

⁴⁶ Ki-moon, Ban, Secretary General, United Nations. To President, United Nations Security Council. Letter. Subject: Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea (7 to 24 November 2011), 18 January 2012. 17.

⁴⁷ United Nations Official Website. “Gulf of Guinea Piracy ‘Clear Threat’ to Security, Economic Development of Region; Countries Need United Front in Response, Top UN Official Tells Security Council.” 27 February 2012. <http://www.un.org/press/en/2012/sc10558.doc.htm>.

waterside” watch program that would use reports gathered from port workers and fisherman to indicate and warn commercial ships and harbors of potential threats. The UN mission also recommended that ECOWAS and ECCAS member state law enforcement agencies should connect to regional data bases such as the International Criminal Police (INTERPOL) data base in order to more effectively combat piracy.⁴⁸

Unlike East Africa, where the United States and its international partners provided immense naval presence in order to mitigate the risk of piracy off of the coast of Somalia a few years ago, the U.S. and its allies will have to take a different approach to counter piracy in the GoG. A recent UN assessment in the region noted that many of the regional interlocutors wanted “African solutions to African problems,” and many of those interviewed by the assessment team stressed concern over having too great a foreign naval presence due to public perceptions of external interference in regional affairs. Many of the African officials who took part in the assessment recommended that the international community coordinate its support through the African Union (AU).⁴⁹ Nigeria, an economic powerhouse in the region, has been a very active and influential member of ECOWAS, Maritime Organization of Western and Central Africa (MOWCA), and the Gulf Cooperation Council (GCC), and “boasts a significant military presence in the region.”⁵⁰ United States Africa Command (AFRICOM) should work through

⁴⁸ Ki-moon, Ban, Secretary General, United Nations. To President, United Nations Security Council. Letter. Subject: Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea (7 to 24 November 2011), 18 January 2012. 17.

⁴⁹ Ki-moon, Ban, Secretary General, United Nations. To President, United Nations Security Council. Letter. Subject: Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea (7 to 24 November 2011), 18 January 2012. 17. “Interlocutors” included a cross section of representatives from national governmental institutions and regional organizations which included senior government officials, representatives from national armies, navies, and judiciary, and international partners to include members of ECOWAS and ECCAS.

⁵⁰ Delano, LCDR Kevin H. “The Gulf of Guinea and its Strategic Center Point: How Nigeria Will Bridge American and African Cooperation.” Research Report. Maxwell AFB, AL: Air Command and Staff College, 2009. 15.

international and regional organizations such as the UN and the AU in order to assist the GoG in combatting piracy.

International Governmental Organizations (IGOs) have been leading the charge in promoting maritime security efforts within the GoG region. Following its assessment of piracy within the region in 2012, the UN passed Security Council Resolution (UNSCR 2039) which promoted implantation of a regional anti-piracy strategy to be developed by GoG states in coordination with the African Union, development of maritime security coordination centers, encouraged support by the international community to help the region implement a maritime strategy, establish and maintain joint coordination and information centers, and increase capacity to conduct naval patrols.⁵¹ Mr. B. Lynn Prescoe, Under Secretary General for Political Affairs, emphasized that the UN should “take further steps designed to eradicate piracy in the Gulf of Guinea, which constitutes a clear threat to the security and economic development of the region.”⁵²

The AU is following through with the UNSCR 2039 recommendations and developing an African Integrated Maritime Strategy (AIMS) which will advocate that piracy be addressed using a comprehensive approach to the “fullest possible extent.” This approach will include burden sharing among regional nations, tracking financial transactions, information sharing, maritime and air interdiction, the arrest and prosecution of suspects, and ensure victims of piracy are cared for.⁵³ The AU is also planning to operationalize this strategy through development of a Maritime

⁵¹ United Nations. United Nations Security Council Resolution 2039 (2012). Security Council, 6727th meeting, 29 February 2012. 2.

⁵² United Nations Official Website. “Gulf of Guinea Piracy ‘Clear Threat’ to Security, Economic Development of Region; Countries Need United Front in Response, Top UN Official Tells Security Council.” 27 February 2012. <http://www.un.org/press/en/2012/sc10558.doc.htm>.

⁵³ African Union Official Website. “2050 Africa’s Integrated Maritime Strategy (2050 AIM Strategy).” <http://www.au.int/maritime/documents/2050-aim-strategy-0> (accessed 11 October 2015). 24-25.

Security Strategy and Implementation Plan.⁵⁴ Regional organizations play a significant role in addressing maritime security in the GoG. Shafa argues that the most efficient way to ensure a more integrated and collaborative approach to combat piracy to empower the Maritime Organization of West and Central Africa (MOWCA).⁵⁵ MOWCA, established in 1975, was specifically established to foster better cooperation in maritime security among West and Central Africa states.⁵⁶

Part V - A Framework for Counter-Piracy

In order to better synchronize and integrate methods used to combat piracy in the GoG, the U.S. military should develop well-structured framework which employs a whole of government approach and leverages international and regional organizations as well as partner nations. Ivancovich argues that using a framework for counter-piracy would provide theater strategic planners a tool that could be used to “organize, coordinate, track, and assess the whole-of-government approach to counter-piracy.”⁵⁷ Having a counter-piracy strategy that takes a holistic approach to address root causes of piracy provides AFRICOM the ability to synchronize and integrate counter-piracy efforts amongst all interagency stakeholders.

AFRICOM should adopt existing frameworks that lay out a strategic approach using ends, ways, and means to effectively address the piracy problem. In 2011, the Center for Naval

⁵⁴ African Union Official Website. “Annex C: Plan of Action for Operationalization.” <http://www.au.int/martime/documents/2050-aim-strategy> (accessed 11 October 2015). 5. According to Annex C, the Maritime Security Strategy and Implementation Plan is scheduled to be completed by 2018.

⁵⁵ Shafa, COL Matthew Bamidele. “Maritime Security in the Gulf of Guinea Subregion: Threats, Challenges and Solutions.” Strategy Research Project. Carlisle Barracks, PA: U.S. Army War College, 2011. 22.

⁵⁶ Kraska, James. *Contemporary Maritime Piracy: International Law, Strategy, and Diplomacy at Sea*. Santa Barbara, CA: Praeger, 2011. 99. Areas of maritime security include: “Vessel and port security, maritime constabulary functions and safety of navigation, and environmental protection.” In July 2008, MOWCA signed a Memorandum of Understanding (MOU) to establish a subregional coast guard network which encompasses the Gulf of Guinea. The MOU provides guidelines on “coastal surveillance, maintain presence in Economic Exclusion Zones (EEZs), and enforcement of treaties.

⁵⁷ Ivancovich, John, Kim Hall, and Daniel Whiteneck. “A Framework for Counter Piracy: The Military Role in Whole of Government Approach”. CRMD 0023826.A2/Final. U.S. Government Report. Washington, DC: Center for Naval Analysis (CNA), June 2011. 3.

Analysis (CNA) developed a counter-piracy framework tool that incorporated a whole-of-government approach to combat Somali pirates in the Gulf of Aden and the Indian Ocean.⁵⁸ This tool consisted of six ways, a variety of resources, and four end states or “effects”⁵⁹ (see figure 2). Although the original purpose of this framework was to be used as a tool to combat piracy in East Africa, much of this strategy can be used by AFRICOM to better organize, coordinate, and execute counter-piracy in the GoG region.

Based on the maritime environment in the region, an effective counter-piracy framework should incorporate efforts that lessen U.S. presence in the region, unlike East Africa, while coordinating through international and regional organizations. This comprehensive strategy should employ a variety of means in five specific ways to include: improving regional governance; infusing financial capital to remove the incentives for piratical behavior; reducing the vulnerabilities of merchant shipping; increasing maritime security capacity of regional navies; and enabling regional forces to respond quickly and decisively to pirate attacks (see figure 3).⁶⁰ These efforts should also leverage resources across the joint, interagency, intergovernmental, and multinational environment.

AFRICOM should work with both interagency and intergovernmental organizations in order to improve governance in the region. Poor governance in the region, especially in the Niger Delta, has led to disillusionment and despair within the population and is at the “heart of

⁵⁸ Ivancovich, John, Kim Hall, and Daniel Whiteneck. “A Framework for Counter Piracy: The Military Role in Whole of Government Approach”. CRMD 0023826.A2/Final. U.S. Government Report. Washington, DC: Center for Naval Analysis (CNA), June 2011. 1.

⁵⁹ Ivancovich, John, Kim Hall, and Daniel Whiteneck. “A Framework for Counter Piracy: The Military Role in Whole of Government Approach”. CRMD 0023826.A2/Final. U.S. Government Report. Washington, DC: Center for Naval Analysis (CNA), June 2011. 2. The effects outlined in the framework include: Prevention of piratical behavior; Protection of potential target vessels, such as merchant ships, from pirate attack; Responding to pirate attacks in order to stop piratical activity; and effectively adjudicate pirate activity to ensure successful prosecution (23).

⁶⁰ My proposed framework does not include Ivancovich’s third line of effort (see Figure 2), “Disrupt the enablers of and support for piracy,” because establishing effective governance and infusion of financial capital to remove incentives for piracy achieves the same effects.

the maritime security problem in the GoG.”⁶¹ Key aspects of good governance include effective law enforcement and governmental transparency.⁶² Because many nations only prosecute criminal activity inside their territorial waters, almost 90% of all pirates captured are not prosecuted which creates a “culture of impunity” among criminals.⁶³ Struett recommends that “states must implement domestic universal jurisdiction piracy legislation” that will ensure that pirates are prosecuted to the fullest extent, even if they have committed crimes outside of territorial waters.⁶⁴ Ms. Uknonga, a Gulf of Guinea Commission representative, noted a desire to establish a “neutral jurisdiction” to ensure better prosecution of piratical behavior.⁶⁵ Ratification of the UNCLOS treaty by regional nations is a good first step to enforcing piracy in the region because domestic laws are now incorporated into international laws. Currently, all West African countries have ratified UNCLOS and have committed to work with the AU to develop the continent’s maritime security strategy.⁶⁶ With respect to government reform and transparency, The U.S. sponsored African Growth and Opportunities Act (AGOA) provides African nations significant access to U.S. markets if they choose to reform their governments.⁶⁷ The European

⁶¹ Kama-Deen, CDR Ali. “The Anatomy of Gulf of Guinea Piracy.” *Naval War College Review* 68, no. 1 (Winter 2015): 106-107.

⁶² Forest, James J. F., and Matthew V. Sousa. *Oil and Terrorism in the New Gulf: Framing U.S. Energy and Security Policies for the Gulf of Guinea*. Plymouth, UK: Lexington Books, 2006. 66.

⁶³ Struett, Michael J., Jon D. Carlson and Mark T. Nance eds. *Maritime Piracy and the Construction of Global Governance*. New York, NY: Routledge, 2013. 71. The author points out that states with pirates must have law in place consistent with international norms which means “prosecuting piracy offenses under domestic laws even where the state has no direct nexus to the offense.” 76-77.

⁶⁴ Struett, Michael J., Jon D. Carlson and Mark T. Nance eds. *Maritime Piracy and the Construction of Global Governance*. New York, NY: Routledge, 2013. 87-88.

⁶⁵ United Nations Official Website. “Gulf of Guinea Piracy ‘Clear Threat’ to Security, Economic Development of Region; Countries Need United Front in Response, Top UN Official Tells Security Council.” 27 February 2012. <http://www.un.org/press/en/2012/sc10558.doc.htm>. Ms. Uknonga pointed out that there is “no standardized, adopted, and accepted definition of piracy in the countries within the GoG region” which results in a lack of prosecutorial authority over captured pirates.

⁶⁶ Ben-Ari, Nirit. “Piracy in West Africa: A Bumpy Road to Maritime Security” (Dec 2013). <http://www.un.org/africarenewal/magazine/december-2013/piracy-west-africa/>. 3.

⁶⁷ Metogo, LTC Gabriel. “Security and Stability in the Gulf of Guinea.” Strategy Research Project. Carlisle Barracks, PA: U.S. Army War College, 2006. 2. AGOA ensures liberal access to U.S. markets by countries not already under a free trade agreement. Access is given to nations that show progress or initiating the following:

Union has also promoted effective governance by investing \$4.5 million dollars in support of the Critical Maritime Route in the Gulf of Guinea (CRIMGO) project which focuses on improvements in maritime governance and law enforcement in the region.⁶⁸ The Group of Eight (G8)⁶⁹ sponsored the Extractive Industries Transparency Initiative (EITI) which encourages multi-national corporations to have greater transparency in their payments made to governments and from the GoG host nation over revenues.⁷⁰ The UNODC has focused on “training programs and international legal support to strengthen the capacity of judges and prosecutors involved in piracy.”⁷¹ Good governance in the region will prevent piratical behavior and ensure cases are properly adjudicated in a court of law.⁷²

AFRICOM should work through the interagency and Multi-National Corporations (MNCs) and foreign partners to coordinate efforts to invest capital into the region in order to offer an economic alternative to piracy. The U.S. Agency of International Development (USAID) recently partnered with Chevron in a four year, \$50 million program to “improve agricultural development as well as civil society and governance capacity in the region.”⁷³ Shell Petroleum Development Corporation (SPDC) invested significant capital into the region and

establishment market-based economics; increasing political pluralism and rule of law; elimination of barriers to U.S. trade and investment; protection of intellectual property; effort to combat corruption; policies to reduce poverty; increased availability to health care and educational opportunities; protection of human rights and worker rights, and elimination of certain practices of child labor.” 150.

⁶⁸ European Union Official Website. “New EU Initiative to Combat Piracy in the Gulf of Guinea” (10 January 2013). http://europa.eu/rapid/press-release_IP-13-14_en.htm.

⁶⁹ Members include France, Germany, Italy, United Kingdom, Japan, United States, Canada, and Russia.

⁷⁰ Forest, James J. F., and Matthew V. Sousa. *Oil and Terrorism in the New Gulf: Framing U.S. Energy and Security Policies for the Gulf of Guinea*. Plymouth, UK: Lexington Books, 2006. 66. Participating countries include: Angola, Cameroon, Chad, Democratic Republic of Congo, Equatorial Guinea, Gabon, Ghana, Nigeria, Republic of Congo, and Sao Tome and Principe.

⁷¹ Hodgkinson, Sandra L. “Current Trends In Global Piracy: Can Somalia’s Successes Help Combat Piracy In the Gulf of Guinea and Elsewhere?” *Case Western Reserve Journal of International Law* 46 (2013): 154.

⁷² Ivancovich also aligns “prevent” and “adjudication” effects under the “Support or establish effective governance” line of effort (See Figure 2).

⁷³ Plock, Lauren. *Nigeria: Current Issues and U.S. Policy*. Congressional Research Service Report 7-5700. Washington, DC: Congressional Research Service, 15 November 2013. 22.

claims it spends more than \$100 million annually on “social and health programs in the Niger Delta”;⁷⁴ one of the greatest sources of piracy in the region. In 2010, China and Nigeria signed an agreement to develop \$23 billion in new oil refineries in the region which would increase oil revenue for the Nigerian people. Vulcan Petroleum Resources, an MNC, has also contracted with Nigeria to build six new refineries.⁷⁵ These efforts and more like it provide people a viable economic alternative to piracy and may prevent piratical behavior from occurring.

AFRICOM should work with international organizations, such as the International Maritime Organization (IMO), to reduce the vulnerabilities of merchant shipping through information sharing and coordination with the Maritime Trade Information Sharing Center Gulf of Guinea (MTISCGOG). Although escorting petroleum laden vessels by foreign vessels contributed significantly to mitigating the risk to commercial vessels from pirate attack in East Africa,⁷⁶ most of the nations in the GoG prefer less of a foreign naval presence.⁷⁷ AFRICOM should also coordinate with MOWCA⁷⁸ in order to ensure regional navies are adequately trained

⁷⁴ Kalu, Kalu N. *State Power, Autarchy, and Political Conquest in Nigerian Federalism*. Lanham, MD: Lexington Books, 2008. 180.

⁷⁵ Plock, Lauren. *Nigeria: Current Issues and U.S. Policy*. Congressional Research Service Report 7-5700. Washington, DC: Congressional Research Service, 15 November 2013. 9.

⁷⁶ The Executive Director of the Joint Air Power Competence Centre (JAPCC). *Air and Space Power in Counter-Piracy Operations*. Kalkar, Germany: Joint Air Power Competence Centre (JAPCC), December 2012. 6. Russia, China, and India already have experience in deploying naval forces in support of anti-piracy “national escort system and monitoring” in East Africa.

⁷⁷ Ki-moon, Ban, Secretary General, United Nations. To President, United Nations Security Council. Letter. Subject: Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea (7 to 24 November 2011), 18 January 2012. 16. Many of the national representatives interviewed during the UN Assessment mission to the GoG region, stressed concern over having to great of an international presence due to public perceptions of “external interference.”

⁷⁸ Africa Maritime Safety and Security Agency (AMSSA) Official Website. “Maritime Organization for West and Central Africa (MOWCA).” <http://www.amssa.net/framework/mowca.aspx> (accessed 19 October 2015). MOWCA was established in 1975 to “ensure for the sub-region a cost-effective shipping service high on safety and low on pollution.” MOWCA currently serves the GoG region by supporting coastal states on an array of maritime issues, including piracy. MOWCA encourages private enterprise and state partnerships, enhancements of shipping networks, development and facilitation of execution of port operations and strengthening maritime education by partnering with existing maritime academies in the region. Member nations include: Angola, Gambia, Nigeria, Benin, Ghana, Sao Tome and Principe, Cameroon, Guinea, Senegal, Cape Verde, Guinea-Bissau, Sierra Leone,

on how to conduct counter-piracy escort duties to their own maritime security forces to escort ships with petroleum cargo in high risk areas such as those off the coast of Nigeria.⁷⁹ Another way that AFRICOM can bolster efforts to mitigate or eliminate vulnerabilities to piracy is to share critical information with the MTISCGOG. The MTISCGOG, headquartered in Ghana, is manned by regional naval personnel, as well as Interpol liaison officers.⁸⁰ The MTISCGOG warns vessels in the region about maritime incidents, advises reporting vessels about suspect vessels in the region to include position, receives and reports on maritime security incidents and suspicious activity, and shares information reported by vessels to appropriate authorities.⁸¹ These efforts can mitigate the risk of a pirate attack and protect a potential target vessel by providing commercial vessels early indication and warning of potential hazards in the region.

AFRICOM should build maritime security capability through training and transfer of innovative technologies so that African maritime security forces can effectively protect shipping and respond to pirate threats in the region. In a hearing before the UN Security Council, an ECOWAS representative recommended that assistance needs to be focused on “technical assistance” in order to effectively strengthen maritime security capabilities.⁸² This will be a

Republic of Congo, Equatorial Guinea, Togo, Democratic Republic of Congo, Liberia, Ivory Coast, Mauritania, Gabon, and Mozambique.

⁷⁹ Willet, Dr. Lee. “More than Just Piracy...Maritime Security Risks (and Responses) Off West Africa.” *Jane’s Navy International*, 24 February 2014. <https://janes-ihs-com.aufric.idm.oclc.org/custompages/janes/displaypage.aspx?doctype=news&ItemId=+++1702590&pubabbrev=JNL/> 4.

⁸⁰ Maritime Trade Information Sharing Center Gulf of Guinea Official Website. “About MTISC-GoG Operations Center.” <http://www.mtisc-gog.org/about-english/mtisc-operation-centre/> (Accessed 25 September 2015). The MTISCGOG is funded by private industry for the purposes of protection of merchant shipping in the region.

⁸¹ Maritime Trade Information Sharing Center Gulf of Guinea Official Website. “About Voluntary Reporting Area.” <http://www.mtisc-gog.org/about-english/voluntary-reporting-area/>. (Accessed 25 September 2015).

⁸² United Nations Official Website. “Gulf of Guinea Piracy ‘Clear Threat’ to Security, Economic Development of Region; Countries Need United Front in Response, Top UN Official Tells Security Council.” 27 February 2012. <http://www.un.org/press/en/2012/sc10558.doc.htm>. The UN Undersecretary also insisted that “regional states lacked technical and logistical capacities and urge international assistance be provided, with further support and coordination provided by the United Nations.

challenge because most nations in the region have extremely limited maritime security capability with the exception of Nigeria (see table). Since Nigeria has frigates and corvettes that can patrol well beyond its own territorial waters, it must play a key role in any multilateral security cooperation effort in the region. The CRIMGO program also trains regional maritime forces in safety and security of the GoG. As of July 2015, the CRIMGO program has trained regional maritime professionals in the maritime safety and security to include maritime regulations, and prosecution of illegal activities to include piracy.⁸³ France and Great Britain have also contributed millions of dollars in order for the regional to bolster its maritime domain awareness.⁸⁴ China is also assisting Nigeria in upgrading their naval shipyard in Port Harcourt and has also contracted the sale of four 46 meter patrol boats for Ghana.⁸⁵

AFRICOM should continue its African Partnership Station (APS) program which conducts “engagement activities with international partners and governmental and non-governmental organizations to enhance African nations’ self-sustainment capability to effectively maintain maritime security in mainland waterways, territorial waters, and respective

⁸³ Glotin, Eric. “Graduation Ceremony of the Second CRIMGO Courses Initiated by the European Union in Ghana. *European External Action Service*, 16 July 2015. http://eeas.europa.eu/delegates/ghana/press_corner/all_news/news/2015/20150716_01_en_crimgo_graduation.htm. This program “improves safety of main shipping routes by providing training for coastguards and establishing a network to share information between countries and agencies across Central and Western Africa. The first training session, conducted in Jan 2013 involved seven coastal states to include: Benin, Cameroon, Equatorial Guinea, Gabon, Nigeria, Sao Tome and Principe, and Togo.

⁸⁴ Willet, Dr. Lee. “More than Just Piracy...Maritime Security Risks (and Responses) Off West Africa.” *Jane’s Navy International*, 24 February 2014. <https://janes-ihs-com.aufic.idm.oclc.org/custompages/janes/displaypage.aspx?doctype=news&ItemId=+++1702590&pubabbrev=JNL/> 6. France has contributed more than one million dollars to support maritime security development in Benin, Ghana, and Togo, and Great Britain contributed more than three million dollars in order for the region to build a coastal RADAR network.

⁸⁵ Willet, Dr. Lee. “More than Just Piracy...Maritime Security Risks (and Responses) Off West Africa.” *Jane’s Navy International*, 24 February 2014. <https://janes-ihs-com.aufic.idm.oclc.org/custompages/janes/displaypage.aspx?doctype=news&ItemId=+++1702590&pubabbrev=JNL/> 8. China has significant national interests in resources to include oil and fisheries in the region and has become more involved in providing technical assistance to GoG nations.

Economic Exclusion Zones (EEZs).⁸⁶ AFRICOM should also continue to work with regional organizations such as ECOWAS and ECCAS in support of multi-lateral training exercises such as OBANGAME EXPRESS.⁸⁷ The U.S. and international community should also assist regional navies in the procurement and use of drone technology. While discussing the challenges faced in surveilling the Gulf of Aden and Indian Oceans in support of counter-piracy efforts in East Africa in 2010, Admiral Mark, Commander of U.S. Naval Forces Europe and Africa, remarked that “we could put a World War II fleet of ships out there and we still wouldn’t be able to cover the whole ocean.”⁸⁸ Drones have the advantage of “conducting dual and repetitive tasks where long endurance capacity is needed” and can also provide “rapid input into Intelligence, Surveillance, and Reporting” networks, such as live video feed of pirate vessels or merchant ships hijacked by pirates.⁸⁹ Due to limited basing options, it is recommended drones be operated from ships.⁹⁰ The most likely candidate for this technology would be Nigeria since it has larger warships that can venture well beyond its territorial waters (see table).

In order to effectively enable regional forces to take decisive action against pirates, AFRICOM should promote collaboration amongst regional nations through information sharing and formal agreements. Sharing information amongst regional nations will foster better

⁸⁶ United States Africa Command Official Website. “Africa Partnership Station.” <http://www.africom.mil/what-we-do/security-cooperation-programs/africa-partnership-station>. (Accessed 11 October 2015).

⁸⁷ United States Africa Command Official Website. “Obangame Express 2015 Concludes in the Gulf of Guinea.” 30 March 2015. <http://www.africom.mil/newsroom/article/25316/obangame-express-2015-concludes-in-the-gulf-of-guinea/>. Most recent OBANGAME Express 2015 exercise included 12 Western and Central African nations, six European nations, the United States and Brazil. The exercise was nine days long and emphasized boarding techniques, search and rescue operations, medical casualty response, radio communications, and information management techniques. All training objectives to include safeguarding waters from piracy were completed.

⁸⁸ The Executive Director of the Joint Air Power Competence Centre (JAPCC). *Air and Space Power in Counter-Piracy Operations*. Kalkar, Germany: Joint Air Power Competence Centre (JAPCC), December 2012. 10.

⁸⁹ The Executive Director of the Joint Air Power Competence Centre (JAPCC). *Air and Space Power in Counter-Piracy Operations*. Kalkar, Germany: Joint Air Power Competence Centre (JAPCC), December 2012. 16.

⁹⁰ The Executive Director of the Joint Air Power Competence Centre (JAPCC). *Air and Space Power in Counter-Piracy Operations*. Kalkar, Germany: Joint Air Power Competence Centre (JAPCC), December 2012. 50.

cooperation for maritime security efforts. Kraska argues that the use of regional maritime security centers, such as the new MITSCGOG in Ghana, is a good example of regional collaboration because it acts as a maritime information hub that can be used to enable counter-piracy operations as well as illicit trafficking interdiction.⁹¹ The U.S. should lead by example and ratify the UNCLOS treaty so that it would have more legitimacy in encouraging other nations in the GoG region to ratify and abide by its requirements in Article 100 that “States cooperate in the suppression of piracy by conducting operational naval patrols, sharing intelligence and law enforcement capabilities, and extradite and prosecute suspected pirates, and also maintain robust internal communications among various law enforcement and diplomatic agencies, and between coastal states.”⁹² The shipping industry can also help foster information sharing in the region by assisting in a “familiar neighborhood watch program in which members of port security, merchant vessels, and harbor pilots look out for their neighborhood’s security by notifying authorities, via the MITSCGOG, if they see anything suspicious so security forces and law enforcement can respond quickly.”⁹³ Regional states should also be encouraged to sign “hot pursuit” agreements which would allow a particular nation’s maritime security forces entry into another nation’s territorial waters for the purposes of pursuit and capture of pirates.⁹⁴

⁹¹ Kraska, James. *Contemporary Maritime Piracy: International Law, Strategy, and Diplomacy at Sea*. Santa Barbara, CA: Praeger, 2011. 66-67.

⁹² Kraska, James. *Contemporary Maritime Piracy: International Law, Strategy, and Diplomacy at Sea*. Santa Barbara, CA: Praeger, 2011. 64.

⁹³ Martoglio, Charles W., and John G. Morgan Jr. “The 1,000 Ship Navy Global Maritime Network.” *U.S. Naval Institute Proceedings* 131, no. 11 (November 2005): 15.

⁹⁴ Willet, Dr. Lee. “More than Just Piracy...Maritime Security Risks (and Responses) Off West Africa.” *Jane’s Navy International*, 24 February 2014. <https://janes-ihs-com.aufic.idm.oclc.org/custompages/janes/displaypage.aspx?doctype=news&ItemId=+++1702590&pubabbrev=JNL/> 6. Benin, Nigeria, and Togo signed an agreement in which each country’s “security forces will be allowed to pursue criminal suspects into each other’s waters.”

Conclusion

The U.S. has a long and proud history of combatting pirates on the high seas. In fact, it was the threat of piratical behavior off of the coast of North Africa in the later part of the 18th Century that influenced President George Washington to build the first six frigates of the U.S. Navy.⁹⁵ But the U.S. cannot “go it alone” if it wants to further its national interests and ensure long term stability in the GoG region. The regional maritime domain of the GoG which includes its distinct geography, energy rich environment, and scope and impact of its threats requires that the U.S. uses all elements of national power to include diplomatic, informational, military, and economic to combat piracy in the region. This effort must be modeled after a robust whole of government strategy that focuses on root causes or enablers of piracy. The means of this strategy much come from foreign partners, IGOs, MNCs, regional organizations such as MOWCA, ECCAS, and ECOWAS, commercial shipping businesses and the regional nations themselves. These resources should be synchronized and integrated in ways to improve regional governance, remove financial incentives that promote piratical behavior, reduce vulnerabilities of commercial shipping, increase maritime security capacity, and enable regional forces to respond effectively to pirate attacks. At the end of the day, these efforts should be assessed in how they prevent piracy from occurring, protect commercial vessels from pirate attack, respond effectively to piratical behavior and successfully prosecute criminals.

⁹⁵ Kraska, James. *Contemporary Maritime Piracy: International Law, Strategy, and Diplomacy at Sea*. Santa Barbara, CA: Praeger, 2011. 88.

Table and Figures

Table: Naval Order of Battle^{96 97}

Vessel	Nigeria	Liberia	Ivory Coast	Ghana	Togo	Benin	Cameroon	Equatorial Guinea	Gabon
Frigate	2	0	N/A	0	0	0	0	0	0
Corvette	1	0	N/A	0	0	0	0	1	0
Patrol Craft	34	10	N/A	12	4	5	61	9	15
Total	37	10	N/A	12	4	5	61	10	15

Note: "N/A" denotes that operational status is in doubt.

Figure 1: Map of Gulf of Guinea⁹⁸



⁹⁶ Mackenheimer, Sabine and Alexander Von Rosenback, eds. "Country Risk Assessments: West Africa." IHS Jane's Sentinel, no. 26. Alexandria, VA: IHS Global Limited, 2014. 34-35, 170-171, 265, 429, 595, 736.

⁹⁷ Mackenheimer, Sabine and Alexander Von Rosenback, eds. "Country Risk Assessments: Central Africa." IHS Jane's Sentinel, no. 34. Alexandria, VA: IHS Global Limited, 2014. 87-88, 338-339, 382-383.






⁹⁸ Herbert L. Anyiam, "The Legalities of Gulf of Guinea Maritime Crime with Suggested Solutions," Center for International Maritime Security, 17 July 2014, <http://www.cimsec.org/legalities-gulf-guinea-maritime-crime-suggested-solutions/11783>.

Figure 2: Framework for Counter-piracy (Center for Naval Analysis).⁹⁹

MEANS	WAYS	ENDS/ EFFECTS
- U.S. AND NATIONAL GOVERNMENTS - INTERNATIONAL COMMUNITY	ESTABLISH EFFECTIVE GOVERNANCE	1, 4
- U.S. AND NATIONAL GOVERNMENTS - INTERNATIONAL COMMUNITY - PRIVATE SECTOR	PROVIDE ECONOMIC ALTERNATIVE	1
- U.S. AND NATIONAL GOVERNMENTS - INTERNATIONAL COMMUNITY - PRIVATE SECTOR	DISRUPT ENABLERS OF AND SUPPORT FOR PIRACY	1, 4
PRIVATE SECTOR	ELIMINATE/MITIGATE AGAINST COMMERCIAL SHIPPING VULNERABILITIES AGAINST PIRACY	2
- U.S. AND NATIONAL GOVERNMENTS/ MILITARIES - INTERNATIONAL COMMUNITY	SUPPORT OR ENHANCE LOCAL AND REGIONAL SECURITY	2, 3
- U.S. AND NATIONAL MILITARIES	TAKE DIRECT ACTION AGAINST PIRATES	3
EFFECTS KEY: 1 – PREVENT 2 – PROTECT 3 – RESPOND 4 – ADJUDICATE		

⁹⁹ Ivancovich, John, Kim Hall, and Daniel Whiteneck. "A Framework for Counter Piracy: The Military Role in Whole of Government Approach". CRMD 0023826.A2/Final. U.S. Government Report. Washington, DC: Center for Naval Analysis (CNA), June 2011. 21-34. Figure was developed based on information obtained from report.

Figure 3: Framework for Counter-piracy: A Strategy for the Gulf of Guinea.

MEANS	WAYS	ENDS/ EFFECTS
<ul style="list-style-type: none"> - AFRICOM - UNODC - EU - CS 	<p style="text-align: center;">IMPROVE REGIONAL GOVERNANCE (AGOA, EITI, CRIMGO)</p> 	1, 4
<ul style="list-style-type: none"> - AFRICOM - MNCs - PARTNER NATIONS 	<p style="text-align: center;">REMOVE FINANCIAL INCENTIVES FOR PIRACTICAL BEHAVIOR (CAPITAL INVESTMENT)</p> 	1
<ul style="list-style-type: none"> - AFRICOM - MOWCA - INTERNATIONAL MARITIME ORGANIZATION - INTERPOL 	<p style="text-align: center;">REDUCE VULNERABILITIES OF MERCHANT SHIPPING AGAINST PIRACY (MITISCGOG, INFORMATION SHARING)</p> 	2
<ul style="list-style-type: none"> - AFRICOM - ECOWAS/ECCAS - REGIONAL GOVERNMENTS AND MILITARIES - PARTNER NATIONS 	<p style="text-align: center;">INCREASE MARITIME SECURITY CAPACITY (MULTI-LATERAL EXERCISES, APS, CRIMGO, TECHNOLOGY)</p> 	2, 3
<ul style="list-style-type: none"> - AFRICOM - REGIONAL GOVERNMENTS AND MILITARIES - SHIPPING COMPANIES 	<p style="text-align: center;">ENABLE REGIONAL FORCES TO ACT AGAINST PIRATES (MITISCGOG, FORMAL LEGAL AGREEMENTS, WATCH PROGRAM)</p> 	3
<p>EFFECTS KEY: 1 – PREVENT 2 – PROTECT 3 – RESPOND 4 – ADJUDICATE</p>		

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http://eeas.europa.eu/delegates/ghana/press_corner/all_news/news/2015/20150716_01_en_crimgo_graduation.htm.
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