
MEMORANDUM

TO: JAKE SULLIVAN, NATIONAL SECURITY ADVISOR OF THE UNITED STATES

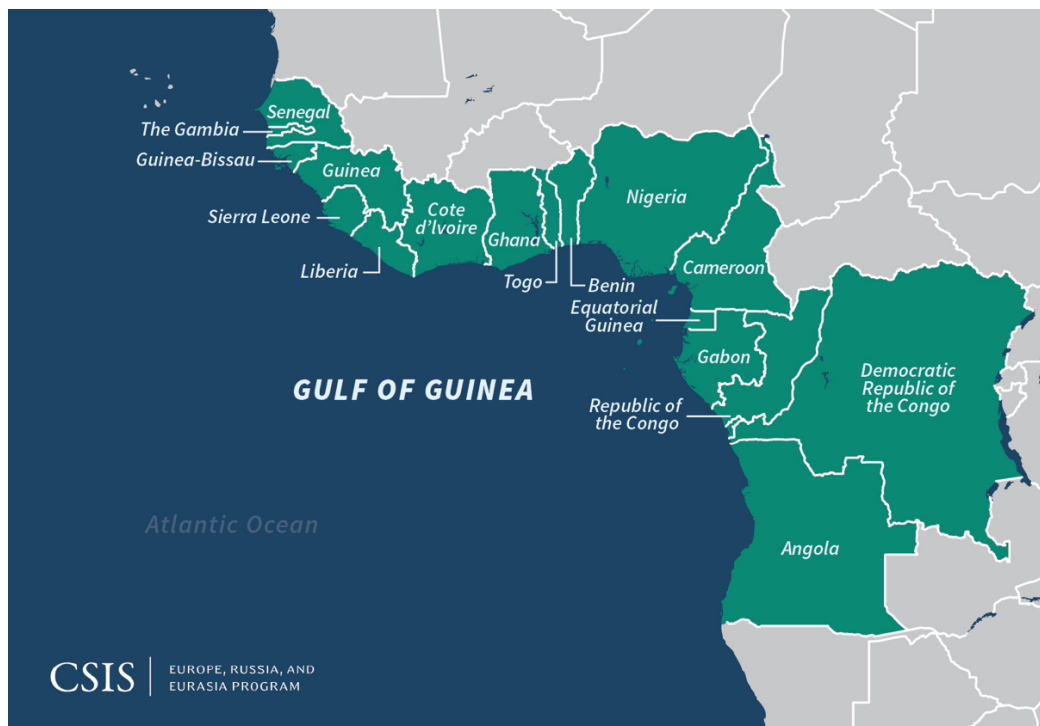
FROM: MIKE BRODO, NATIONAL INTELLIGENCE OFFICER FOR AFRICA

SUBJECT: PIRACY IN THE GULF OF GUINEA

DATE: SEPTEMBER 30, 2021

Current Situation

Although incidents of international piracy and armed maritime robbery¹ are at their lowest levels in 27 years, proportions of violent encounters have increased.² The Gulf of Guinea, a 2.3 million square kilometer maritime zone off the coast of West Africa, is evidence of this worrying trend.³

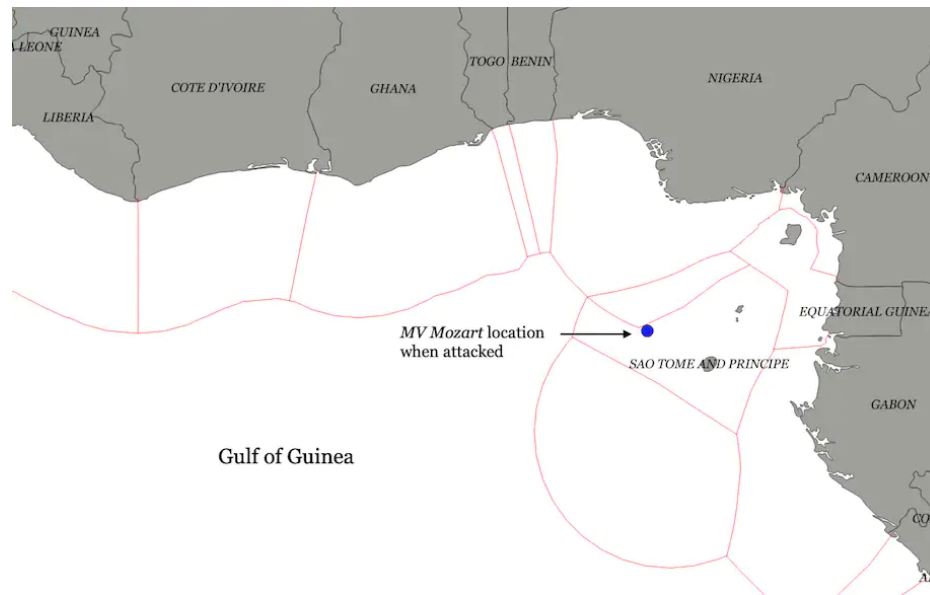


¹ Armed maritime robbery refers to incidents occurring within territorial waters, while piracy denotes incidents in international waters. In this report, piracy will be employed as an overarching term, and incident locations will be noted as necessary.

² defenceWeb, “Global Piracy Down, Gulf of Guinea Still a Concern,” defenceWeb (defenceWeb, July 13, 2021).

³ Pierre Morcos, “A Transatlantic Approach to Address Growing Maritime Insecurity in the Gulf of Guinea,” Center for Strategic and International Studies (Center for Strategic and International Studies, September 28, 2021).

In 2020, the Gulf of Guinea was host to 84 attempted or successful attacks, with 136 seafarers held at gunpoint.^{4 5} To date in 2021, the pace of attacks has slowed, with 21 piracy incidents occurring over the first six months.⁶ Despite the relative decline in incidents from previous years, incidents in the region are presenting with increased ruthlessness and violence; the Gulf of Guinea is currently the locale of 90% of the world's maritime kidnappings, and the site of the only crewmember fatality this year.^{7 8 9} On January 23, pirates attacked the MV Mozart, a Turkish container ship transiting from Lagos to Cape Town, 160 kilometers off the coast of São Tomé, slightly inside São Tomé and Príncipe's territorial waters.¹⁰



This attack exemplifies two recent trends in the characteristics of piracy in the Gulf of Guinea over the past few years: the locations are increasingly within countries' territorial waters and the tactics are overwhelmingly hostage-ransom.^{11 12}

⁴ Ifesinachi Okafor-Yarwood, Timothy Walker, and Denys Reva, "Gulf of Guinea Piracy: A Symptom, Not a Cause, of Insecurity," Institute for Security Studies, February 10, 2021.

⁵ Anna Larsson and Margi Van Gogh, "How to Address Piracy in the Gulf of Guinea and Protect Seafarers," World Economic Forum, May 21, 2021.

⁶ Charlie Bartlett, "US Navy Steps in to Help Tackle 'Serious' Gulf of Guinea Piracy," Marine Professional, September 3, 2021.

⁷ Ibid.

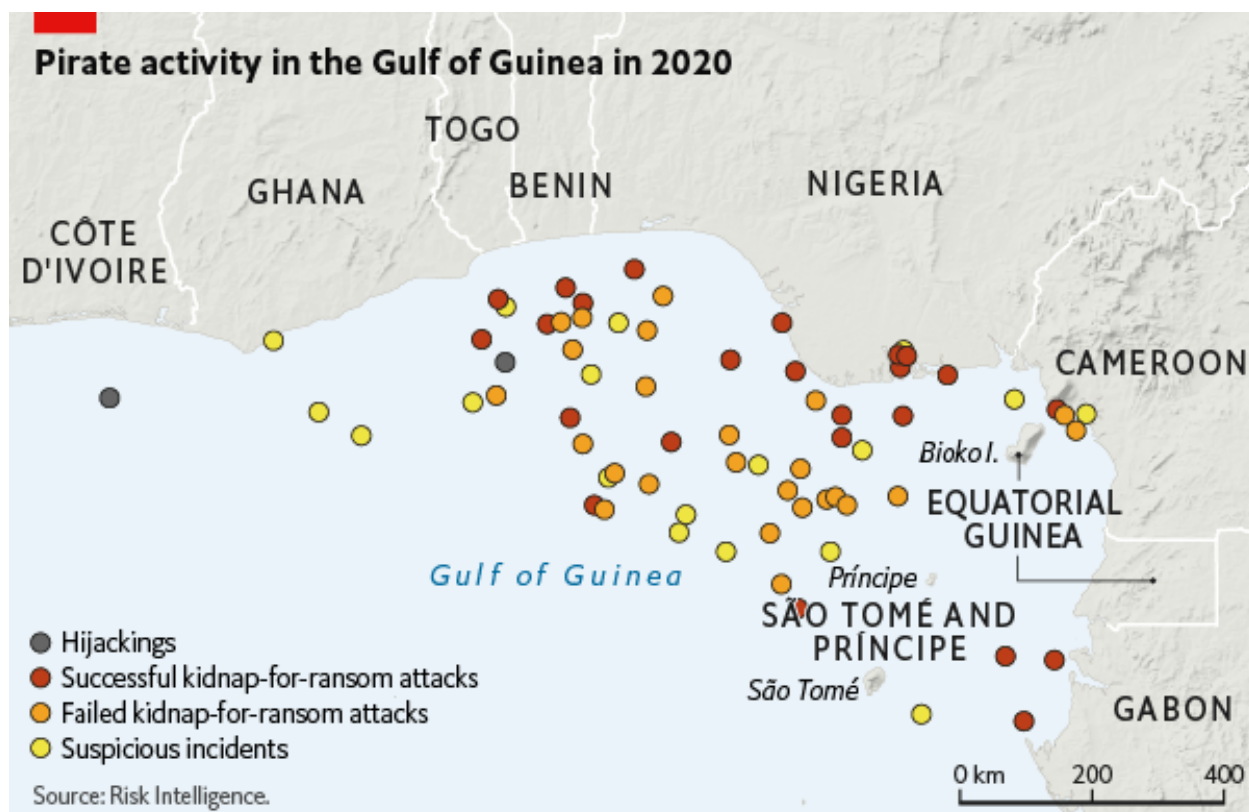
⁸ Ifesinachi Okafor-Yarwood, Timothy Walker, and Denys Reva, "Gulf of Guinea Piracy: A Symptom, Not a Cause, of Insecurity," Institute for Security Studies, February 10, 2021.

⁹ International Chamber of Commerce, "Piracy and Armed Robbery Incidents at Lowest Level in 27 Years, but Risks Remain to Seafarers, IMB Cautions," International Chamber of Commerce, July 12, 2021.

¹⁰ gCaptain, "Pirates Release MV Mozart Crew," gCaptain, February 12, 2021.

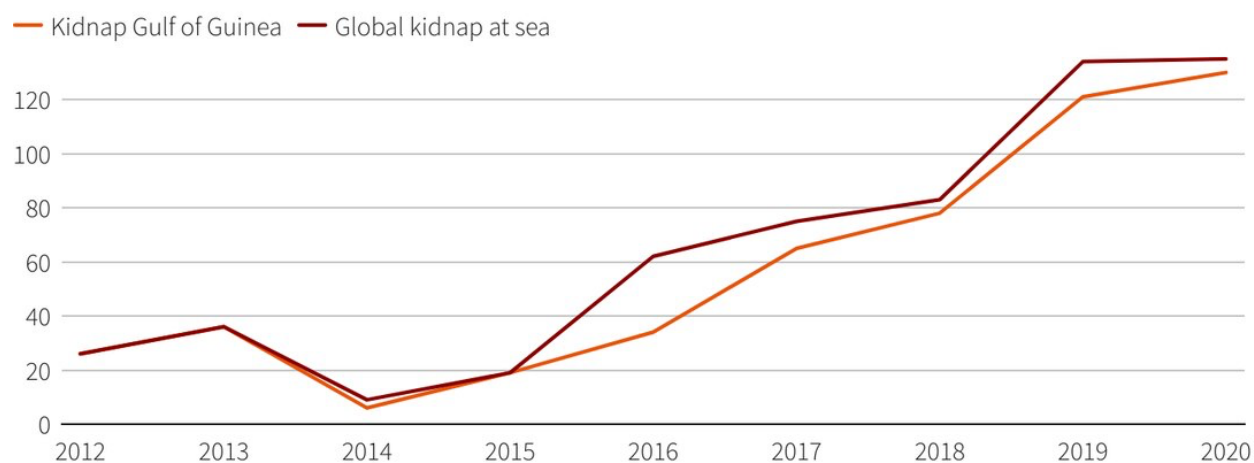
¹¹ Maisie Pigeon and Kelly Moss, "Why Piracy Is a Growing Threat in West Africa's Gulf of Guinea," World Politics Review, June 9, 2020.

¹² Ifesinachi Okafor-Yarwood, Timothy Walker, and Denys Reva, "Gulf of Guinea Piracy: A Symptom, Not a Cause, of Insecurity," Institute for Security Studies, February 10, 2021.



Gulf of Guinea kidnappings at sea increase significantly

Seafarer kidnappings for ransom in the Gulf of Guinea account for nearly all those taken at sea globally, alarming shipping companies and international observers



Note:

Source: International Maritime Bureau Annual Piracy Report

In order to accurately understanding and differentiate the current characteristics and dynamics of piracy in the region, a brief historical background is necessary.

Historical Background

Piracy in the Gulf of Guinea first gained attention in the early 2010s as maritime incidents in Somalia diminished in size and scope.¹³ Additionally, the marked increase in piracy in the Gulf of Guinea over the past decade is indicative of the region's growing prominence in international trade, largely stemming from the vast reserves of hydrocarbons, minerals, and fisheries that constitute significant portions of the regional economy.¹⁴ Prior to the 2014 collapse in oil prices, maritime criminals in the region focused their efforts on oil bunkering, siphoning oil from a tanker to another vessel to sell on the black market.¹⁵ Though these incidents possess significant environmental and economic impacts, the diminished oil prices since the 2014 collapse engendered a tactical shift from seizing oil for sale on the black market to seizing hostages for ransom payments, and thus the present reality of hostage taking and its impacts shall be presently emphasized.¹⁶

The shift to hostage taking is thus explaining by shifts in oil prices, whereas the shift toward incidents occurring in territorial waters is more multifaceted. At the core, the predominance of incidents in territorial waters stems from the reality that most of the African states along the coast of the Gulf of Guinea lack the capacity to maintain the security of their territorial waters, despite—contrary to Somalia—vehemently claiming sovereignty over and forbidding foreign naval entry into these waters.¹⁷ Before elaborating further on the underlying causes of piracy in the region and the range of responses to date, it is imperative to establish and frame the threats to United States national interests.

Threats to US National Interests and Regional Objectives

Though not a major international shipping route as is the case in the Horn of Africa, the Gulf of Guinea and its 20 commercial seaports are responsible for 25% of African maritime traffic, while the hydrocarbon deposits engender 60% of African oil production.¹⁸ However, as a direct result of maritime crime, this region loses \$750 million a year.¹⁹ When accounting for the deterred economic investment that stems from maritime insecurity, one American diplomat estimated that Nigeria loses \$1.5 billion a month in economic activity.²⁰

The 2019 AFRICOM Posture Statement emphasizes this strategic and economic role of the region, stating that the Gulf of Guinea is “a strategic priority due to its role in global oil markets, trade routes, and the residence of approximately 75,000 US citizens”, while the 2021 AFRICOM Posture

¹³ Maisie Pigeon and Kelly Moss, “Why Piracy Is a Growing Threat in West Africa's Gulf of Guinea,” *World Politics Review*, June 9, 2020.

¹⁴ Pierre Morcos, “A Transatlantic Approach to Address Growing Maritime Insecurity in the Gulf of Guinea,” *Center for Strategic and International Studies* (Center for Strategic and International Studies, September 28, 2021).

¹⁵ Maisie Pigeon and Kelly Moss, “Why Piracy Is a Growing Threat in West Africa's Gulf of Guinea,” *World Politics Review*, June 9, 2020.

¹⁶ *Ibid.*

¹⁷ Ifesinachi Okafor-Yarwood, Timothy Walker, and Denys Reva, “Gulf of Guinea Piracy: A Symptom, Not a Cause, of Insecurity,” *Institute for Security Studies*, February 10, 2021.

¹⁸ Pierre Morcos, “A Transatlantic Approach to Address Growing Maritime Insecurity in the Gulf of Guinea,” *Center for Strategic and International Studies* (Center for Strategic and International Studies, September 28, 2021).

¹⁹ James Stavridis, “Why the U.S. Navy Is Hunting Pirates Off of Africa,” *Bloomberg*, September 12, 2021.

²⁰ Tomas F. Husted, “Gulf of Guinea: Recent Trends in Piracy and Armed Robbery,” *Congressional Research Service*, February 26, 2019.

Statement highlights the risks, noting that “piratical attacks in the Gulf of Guinea have become more frequent and violent, causing risk to international commerce and threatening maritime security.”^{21 22}

From a strategic standpoint, the United States maintains an interest in the region’s oil production, while from an economic standpoint, the increased cost of trade stemming from piracy hinders both US private sector investment and trade in the region, and also stated USAID regional objectives.²³

In 2020, the significant level of piratical activity in the Gulf of Guinea resulted in increased insurance premiums in an expanded zone.²⁴ The consequential effect of such increased costs is vast. On one hand, increased costs detract from investment and trade interest in the region, thereby harming prospects for economic benefits to American businesses attempting to increase their presence in this frontier market.²⁵ A 2019 Congressional Research Service report highlights this consequence, stating, “U.S. trade and investment in Africa ... may be deterred by security threats at sea.”²⁶ Another possibility is that trade and investment endure, but that the costs of increased security and insurance premiums are passed on to consumers.²⁷

Both of the aforementioned scenarios negatively impact economic development prospects in the region. The lack of increased trade and investment restricts the region from the necessary resources and capital necessary for projects such as infrastructure development, while the increased costs of importing goods raises local costs of living and diverts financial resources away from local investment, inhibiting USAID’s strategy of “work(ing) through regional organizations and private sector associations to address critical constraints to competitiveness and demonstrate West Africa’s productive potential in order to trigger greater regional investment.”^{28 29} This diversion of resources, especially in coastal areas that already possess limited economic and employment opportunities (e.g., Niger Delta), creates an endemic cycle of poverty that constitutes the underlying basis for piracy—and thus its aforementioned disastrous consequences—in the first place.³⁰

Underlying Causes

As was the case in Somalia, poverty, inequality, and unemployment constitute the root causes of piracy in the Gulf of Guinea.³¹ The vast majority of pirates operating in the Gulf of Guinea originate in the Niger Delta, a coastal region in southeast Nigeria that—while possessing immense reserves of

²¹ Thomas D. Waldhauser, “2019 Posture Statement to Congress,” AFRICOM (AFRICOM, February 7, 2019), 32.

²² Stephen Townsend, “2021 Posture Statement to Congress,” AFRICOM (AFRICOM, April 20, 2021), 13.

²³ Libby George, “Nations Are Working Together to Fight Piracy in Waters off West Africa,” *Insurance Journal*, August 17, 2021.

²⁴ *Ibid.*

²⁵ Economist Intelligence Unit, “Gulf of Guinea Continues to Be Global Piracy Hotspot in 2020,” *Economist Intelligence Unit*, February 4, 2021.

²⁶ Tomas F. Husted, “Gulf of Guinea: Recent Trends in Piracy and Armed Robbery,” *Congressional Research Service*, February 26, 2019, 1.

²⁷ Economist Intelligence Unit, “Gulf of Guinea Continues to Be Global Piracy Hotspot in 2020,” *Economist Intelligence Unit*, February 4, 2021.

²⁸ Maisie Pigeon and Kelly Moss, “Why Piracy Is a Growing Threat in West Africa’s Gulf of Guinea,” *World Politics Review*, June 9, 2020.

²⁹ USAID, “Economic Growth and Trade: West Africa Regional,” U.S. Agency for International Development, September 29, 2021.

³⁰ Maisie Pigeon and Kelly Moss, “Why Piracy Is a Growing Threat in West Africa’s Gulf of Guinea,” *World Politics Review*, June 9, 2020.

³¹ Charlie Bartlett, “US Navy Steps in to Help Tackle ‘Serious’ Gulf of Guinea Piracy,” *Marine Professional*, September 3, 2021.

hydrocarbons—has been severely marginalized economically.³² In addition to the oil extraction enterprise in the Niger Delta region engendering unequal economic rents, it has also contributed to pollution and contamination of water sources, harming prospects for the two other major economic sectors in the area: fishing and farming.³³ These repercussions have stymied economic opportunities for the residents of the Niger Delta, making piracy an appealing avenue for income generation.³⁴ Unfortunately, these underlying causes of piracy in the region have not been sufficiently addressed by anti-piracy response to date.

International Responses to Date

In order to propose best policy practices for the United States vis-à-vis continued piracy in the Gulf of Guinea, an overview of responses undertaken to date must be overviewed.

The first steps taken by the international community to support regional cooperation, protect ships, and diminish piratical activity in the Gulf of Guinea came in the form of two United Nations Security Council (UNSC) resolutions in 2011 and 2012. The 2011 resolution implored West African states to devise and strengthen domestic laws to criminalize piracy, as well as cooperate multilaterally with each other and the shipping industry to create a mechanism for information sharing and incident reporting. The 2012 resolution maintained the same approach and requested that a regional counter-piracy strategy be developed and implemented.³⁵

In 2013, regional multilateral bodies, including the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS), and the Gulf of Guinea Commission, achieved the directive of the 2012 UNSC resolution through establishing the Yaoundé Code of Conduct, a regional counter-piracy strategy that streamlines information sharing. The success of this framework is debatable given the continued piratical attacks in the region, though a 2016 attack on an oil tanker off the coast of Cote d'Ivoire was ameliorated by regionally coordinated information sharing.³⁶

Since the introduction of the Yaoundé Code of Conduct, various non-West African stakeholders have launched their own initiatives in support of counter-piracy in the region, including the United States. The G7++ Group of Friends of the Gulf of Guinea was created in 2013, though its focus has expanded beyond counter-piracy to also include other maritime crimes, such as illegal fishing and drug trafficking.³⁷ More recently, in January 2021, the EU established a permanent presence in the region, potentially contributing to the shift in incident locations to territorial waters, since foreign navies generally must operate in international waters.³⁸

³² Libby George, "Nations Are Working Together to Fight Piracy in Waters off West Africa," *Insurance Journal*, August 17, 2021.

³³ DW, "Why Is Piracy Increasing on the Gulf of Guinea?," *Deutsche Welle*, February 21, 2021.

³⁴ *Ibid.*

³⁵ Maisie Pigeon and Kelly Moss, "Why Piracy Is a Growing Threat in West Africa's Gulf of Guinea," *World Politics Review*, June 9, 2020.

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ Economist Intelligence Unit, "Gulf of Guinea Continues to Be Global Piracy Hotspot in 2020," *Economist Intelligence Unit*, February 4, 2021.

United States' Responses to Date

The United States has responded to piracy in the Gulf of Guinea via numerous initiatives, primarily through the Department of Defense (DOD)—specifically US Africa Command (AFRICOM)—and the Department of State (DOS). Through the Africa Maritime Security Initiative, DOD and DOS support country-level and regional efforts to counter-piracy in the region via capacity building of African navies to patrol territorial waters and coordinate with each other. DOD also maintains various other capacity building and training programs, such as the Africa Partnership Station, the annual Obangame Express exercise, and the African Maritime Law Enforcement Partnership.³⁹

As of September 2021, AFRICOM also launched Operation Guinex, a multilateral training exercise that seeks to build a collective sea-based force and improve communication between US naval platforms and local partners.⁴⁰ In addition to this multilateral effort, the United States has backed Nigeria's \$195 million Deep Blue program; the objective of Deep Blue is to protect Nigerian waters and secure oil infrastructure, assisted by the procurement of significant military equipment, such as naval vessels, helicopters, and surveillance drones.^{41 42} In support of this program, the USS Hershel "Woody" Williams—a Lewis B. Puller-class expeditionary mobile base—recently trained with the Nigerian Navy in counter-piracy tactics.⁴³

Policy Suggestions for the United States Government

Though regional and international attention on the issue of piracy in the Gulf of Guinea has remained strong, as demonstrated by the aforementioned array of initiatives, ignorance of the involved overlapping complexities demand new and improved policy responses in order to stymie the disastrous consequences of continued piratical activity in the region.

Pursue an inter-agency, all-of-government approach. To date, a lack of inter-agency coordination by the United States Government with respect to piracy in the region has engendered ineffective programming that fails to consider the multi-directional and aggravating factors. It is imperative to create an inter-agency program dedicated to countering piracy in the Gulf of Guinea at all points of its cycle.⁴⁴ For example, while DOD is currently partnering with local navies on capacity building for counter-piracy tactics, there must be coordination on aspects of the cycle that precede and follow interdiction and arrest. To mitigate underlying impetuses for piracy, USAID should prioritize economic development programs in the coastal areas where piracy recruiting is highest. To effectively process legal proceedings following arrest, DOS and the Department of Justice (DOJ) should assist in building judicial capacity in African states, and especially coordinate anti-corruption programs that may hinder successful execution of this process.⁴⁵ By coordinating more effectively

³⁹ Tomas F. Husted, "Gulf of Guinea: Recent Trends in Piracy and Armed Robbery," Congressional Research Service, February 26, 2019.

⁴⁰ James Stavridis, "Why the U.S. Navy Is Hunting Pirates Off of Africa," Bloomberg, September 12, 2021.

⁴¹ Libby George, "Nations Are Working Together to Fight Piracy in Waters off West Africa," Insurance Journal, August 17, 2021.

⁴² The Maritime Executive, "Nigeria Launches Deep Blue Campaign to Stop Regional Piracy," The Maritime Executive, June 11, 2021.

⁴³ Charlie Bartlett, "US Navy Steps in to Help Tackle 'Serious' Gulf of Guinea Piracy," Marine Professional, September 3, 2021.

⁴⁴ James Stavridis, "Why the U.S. Navy Is Hunting Pirates Off of Africa," Bloomberg, September 12, 2021.

⁴⁵ Libby George, "Nations Are Working Together to Fight Piracy in Waters off West Africa," Insurance Journal, August 17, 2021.

across agencies of the United States Government, there is a lower risk of contradictory policy formulation and execution, and a higher chance of achieving comprehensive and effective solutions.

Coordinate multilateral maritime presence with non-regional navies to avoid parallel deployments.

While the United States should undertake deployments in consideration of its specific national interests, it would be beneficial to coordinate maritime deployments to the region with other foreign navies, specifically those belonging to the European Union. A continual mismanagement of time and resources results from the US and EU navies conducting training, capacity building, and deployment operations in the Gulf of Guinea simultaneously.⁴⁶ Unless significant national priorities demand otherwise, the United States should coordinate with the EU's Coordinated Maritime Presences and negotiate with African governments to increase port visits as a method of piratical deterrence.⁴⁷

Further strengthen West African navies and regional cooperation. Due to the economic impacts of the Covid-19 pandemic and land-based terror threats in the Sahel, most African governments are financially restricted and therefore unwilling to significantly increase investment in their navies.⁴⁸ Given that piratical incidents are increasingly occurring within territorial waters—especially those of the smaller West African countries that lack the capacity and resources of the Nigerian Navy—capacity building initiatives for West African navies must be increased and strengthened, including programs that streamline cooperation and communication between them.⁴⁹ The disagreements over maritime borders that preclude effective interdiction should not be discounted, but West African governments should establish agreements that permit the navies of neighboring countries to pursue pirates in their own waters given the collective interest in mitigating the continuation of piracy.⁵⁰ In contrast to strategies used in Somalia—a maritime zone that only included the territorial waters of a single country—all initiatives undertaken to counter-piracy in the Gulf of Guinea must be regionally focused.⁵¹

⁴⁶ Pierre Morcos, “A Transatlantic Approach to Address Growing Maritime Insecurity in the Gulf of Guinea,” Center for Strategic and International Studies (Center for Strategic and International Studies, September 28, 2021).

⁴⁷ James Stavridis, “Why the U.S. Navy Is Hunting Pirates Off of Africa,” Bloomberg, September 12, 2021.

⁴⁸ Economist Intelligence Unit, “Gulf of Guinea Continues to Be Global Piracy Hotspot in 2020,” Economist Intelligence Unit, February 4, 2021.

⁴⁹ Tomas F. Husted, “Gulf of Guinea: Recent Trends in Piracy and Armed Robbery,” Congressional Research Service, February 26, 2019.

⁵⁰ Brandon Prins, Anup Phayal, and Aaron Gold, “Fights Over Marine Boundaries Are Creating Safe Zones for Pirates,” The Washington Post (WP Company, August 5, 2021).

⁵¹ Ifesinachi Okafor-Yarwood, Timothy Walker, and Denys Reva, “Gulf of Guinea Piracy: A Symptom, Not a Cause, of Insecurity,” Institute for Security Studies, February 10, 2021.