

MARITIME SECURITY ISSUES IN THE GULF OF GUINEA*

Abstract

The Gulf of Guinea (GoG) has gained prominence in global maritime discourse to its rich fishery and mineral resources particularly its huge hydrocarbon resources. It is said to cover a vast and diverse region and it covers approximately 6,000 km of coastline stretching from Senegal to Angola.¹ It is an important shipping zone transporting oil and gas, as well as goods to and from central and southern Africa. On any one day, there are around 1,500 fishing vessels, tankers, and cargo ships navigating its waters.² Nevertheless, the preponderance of resources and significant economic activities in the GoG has brought its attendant maritime crimes such as piracy, illegal fishing, kidnap for ransom, drug trafficking, illegal oil-bunkering consists of the attacking of vessels transporting oil and transferring the oil to the thieves' own vessel, exploitation of maritime resources engendered by the presence of predators and pollution. These maritime security issues in this area, their causes, effects and their analysis will form the focus of this paper. In analyzing these issues, the paper concludes with an appeal to all the GoG States for unity and joint efforts in combating the problems confronting the economies of these States.

Keywords: Maritime Security, Maritime Zones, Maritime Crimes, Gulf of Guinea.

1. Introduction

The Gulf of Guinea (GoG) is the major gulf in the African region of the Atlantic Ocean located in the north-eastern part of the tropical Atlantic Ocean from Cape Lopez in Gabon, north and west to Cape Palmas in Liberia.³ It is a vast maritime region which stretches from the north-west coast of Africa downwards to Angola on the southern fringes. It is said to include eight countries bordering the Atlantic Ocean – Ghana, Togo, Benin, Nigeria, Cameroon, Equatorial Guinea, Gabon, Sao Tome and Principe; with Angola and Congo as newest comers.⁴ Counting from Liberia to Angola will give us thirteen (13) countries as follows: Liberia, Ivory Coast, Ghana, Togo, Benin, Nigeria, Cameroon, Equatorial Guinea, Gabon, Congo (Brazzaville), Democratic Republic of Congo, Angola and Sao Tome and Principe. Four official languages are spoken in the region namely French, English, Portuguese and Spanish of which three are official languages of the United Nations.

Historically, the origin of the name Guinea is thought to be an area in the region, although the specifics are disputed.⁵ The name Guinea is usually said to have been a corrupt form of the name Ghana, picked up by the Portuguese in the Maghreb. The name 'Guinea' was also applied to south coast of West Africa, north of the Gulf of Guinea, which became known as 'Upper Guinea', and the west coast of Southern Africa, to the east, which became known as 'Lower Guinea'. The name 'Guinea' is still attached to the names of three countries in Africa: Guinea, Guinea-Bissau, and Equatorial Guinea, as well as New Guinea in Melanesia.⁶ The GoG has gained prominence in global maritime discourse to its rich fishery and mineral resources particularly its huge hydrocarbon resources. It is said to cover a vast and diverse region and it covers approximately 6,000 km of coastline stretching from Senegal to Angola.⁷ It is an important shipping zone transporting oil and gas, as well as goods to and from central and southern Africa. On any one day, there are around 1,500 fishing vessels, tankers, and cargo ships navigating its waters.⁸ Nevertheless, the preponderance of resources and significant economic activities in the GoG has brought its attendant maritime crimes such as piracy, illegal fishing, kidnap for ransom, drug trafficking, illegal oil-bunkering consists of the attacking of vessels transporting oil and transferring the oil to the thieves' own vessel, exploitation of maritime resources engendered by the presence of predators and pollution. After which the oil is sold in local and international markets. Hence the GoG maritime domain is not immune from insecurity. The GoG as earlier reiterated is endowed with abundant mineral and natural resources. The region comprised of about 472 million people in 26 countries, has an estimated 24 billion barrels of crude oil reserves; contributes five million barrels daily to global crude chain, accounts for 40 percent and 29 percent of Europe's and America's petroleum products consumption.⁹ Accordingly the GoG being a vital sea lane of commerce for world maritime trade is prone to insecurity. Before discussing maritime security problem in this area, there is a need to discuss the delimitation of maritime zones.

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¹EU Maritime Security Factsheet: 'The Gulf of Guinea' available at <https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea_en> assessed on 30 May 2022.

² Ibid.

³ Wikipedia Free Encyclopedia available at <https://en.wikipedia.org/wiki/Gulf_of_Guinea> assessed on 30 May 2022.

⁴Kimeng Hilton Ndukong 'West Africa: Gulf of Guinea - Blend of Central, West Africa' available at <<https://allafrica.com/stories/201306201102.html>> assessed on 30 May 2022.

⁵ Ibid.

⁶ Ibid.

⁷EU Maritime Security Factsheet: 'The Gulf of Guinea' available at <https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea_en> assessed on 30 May 2022.

⁸ Ibid.

⁹Dr. Temitope Francis Abiodun and Commodore Mohammed Yakubu Dahiru 'Maritime Insecurity in the Gulf of Guinea and the Quest for Security Intelligence Deployment in Combating the Menace' IJAAR Vol. 6 P.79-80

2. Delimitation of the Maritime Zones

The maritime space has remained essential to the economic survival and prosperity of all states most especially the littoral States hence the need to understand the maritime zones. Accordingly, the United Nations Convention on the Law of the Sea 1982 (UNCLOS) establishes a legal order for the seas and oceans which facilitates international communication and promotes peaceful and efficient use of the seas and oceans and their resources.¹⁰ The Convention desires to settle, in a spirit of mutual understanding and cooperation, all issues relating to the law of the sea and aware of the historic significance of this Convention as an important contribution to the maintenance of peace, justice and progress for all peoples of the world.¹¹ Under the UNCLOS, each of the maritime zone has been spelt out. The maritime zone remains central to the economic survival and prosperity of most littoral states. The UNCLOS categorized the sea into 5 zones. These include: Territorial Sea¹², Contiguous zone¹³, Exclusive Economic Zone (EEZ)¹⁴, Continental shelf¹⁵ and the High Seas¹⁶. Internal waters¹⁷ may be seen as part of the sea but the UNCLOS does not classify this body of water as the sea. Because of its peculiarity, contiguity to the Coastal States, this body of water is better classified as internal waters under the full jurisdiction of the contiguous coastal State. The high seas shall be used and reserved for peaceful purposes.¹⁸ No state may validly subject any part of the sea to its sovereignty.¹⁹ Every State, whether coastal or land-locked, has the right to sail ships flying its flag²⁰. The high sea is the main part or the remainder of the sea where no special right is granted to a State over and above the rights of other States. This part of the Sea belongs to all States in equal rights.

3. Maritime Security

It should be noted that there is no single definition that enjoys universal acceptance of what maritime security means. The concept of maritime security changed dramatically as a new approach to maritime security was adopted by the US and this influenced the overall global outlook. This new approach is characterized by an expansion in threat perception and the scope of maritime security, a diminishing land-sea interface, and an extension of the response space for maritime security. It is within this new environment that some scholars define maritime security as ‘the protection of a State’s land and maritime territory, infrastructure, economy, environment and society from certain harmful acts occurring at sea’.²¹ However it could be defined as the freedom from or absence of those acts which could negatively impact on the natural integrity and resilience of any navigable waterway or undermine the safety of persons, infrastructure, cargo, vessels and other conveyances legitimately existing in, conducting lawful transactions on, or transiting through territorial and international waterway.²² It is concerned with the prevention of unlawful acts in the maritime domain which cuts across the oceans, seas, islands, coastal areas, and the airspace above these, including the littorals. It covers those measures employed by states and other maritime organizations and establishments to protect against seizure, sabotage, piracy, theft, terrorism activities and hostile interference with lawful operations in the maritime space. Maritime insecurity on the other hand, are threats or acts that negatively impact the natural integrity and resilience of any maritime domain or undermine the safety of persons, asset, cargo, vessels, and other conveyances legitimately existing in, conducting lawful transactions on, or transiting through the domain. Threats entail any incident, issue or entity that can cause disruption, harm or damage to an asset, system or entity pertaining to the maritime domain. This maritime insecurity comes in forms of maritime crimes or threats perpetuated on the high sea which in turn frustrates states and investors from use and benefits of the sea.

4. Maritime Crimes

Maritime crimes are criminal activity perpetrated at sea which is often directed at vessels or maritime structures. It also includes the transportation of illicit substances or trafficking in persons by organized transnational criminal networks. In its violent forms, it is a constant menace to the security of navigation and to the physical integrity and

¹⁰ Preamble to United Nations Convention on the law of the Sea 1982. Article 301 provides that States Parties in exercising their rights and performing their duties under the Convention, shall refrain from any threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the principles of international law embodied in the Charter of the United Nations, and the peaceful uses of the seas. See also Articles 88, 240,242 and 280.

¹¹ Ibid.

¹² Ibid, Article 2.

¹³ Ibid, Article 33(1)

¹⁴Ibid, Article 60.

¹⁵ Ibid, Article 76(1)(4-6)

¹⁶ Ibid, Article 87.

¹⁷ United Nations Convention on the Law of the Sea 1982 Article 8

¹⁸ Ibid, Article 88.

¹⁹ Ibid, Article 89.

²⁰ Ibid, Article 90.

²¹ Kamal-Deen Ali ‘Maritime security cooperation in the Gulf of Guinea: Prospects and Challenges’ (2014) Pg 104.

²²Kofi Annan International Peacekeeping Training Centre, ‘Overview of Gulf of Guinea’ available at <<https://lms.kaipctc.org/course/view.php?id=1266>> assessed on 30 May 2022.

life of seamen.²³ Maritime crime involves ‘Conduct which is perpetrated wholly or partly at sea and is prohibited under applicable national and international law’.²⁴ From the above definition, it can then be said that maritime crimes are prohibited acts that can compromise safety and security within the maritime space as stated in UNCLOS.²⁵ It also includes a range of unlawful or prohibited activities conducted or committed at sea. They include criminal activities directed at vessels or maritime structures such as piracy and sea robbery, trafficking and smuggling of people and goods, IUU fishing and pollution. Some of these crimes will be discussed in short while.

Piracy and Sea Robbery

Piracy and armed robbery at sea are both criminal acts committed in a maritime space. Piracy occurs on the high seas beyond the 12 nautical mile limit of a country's territorial waters and it is a universal crime, and any state can intervene and exercise jurisdiction to try to apprehend the suspects. Armed robbery at sea is committed within territorial waters, and the coastal state can exercise jurisdiction. The definition in Article 101 of the UNCLOS as well as the SPOMO Act,²⁶ tries to list details of what constitute piracy. Piracy was defined as consisting of any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship, any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft or any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

Piracy and armed robbery at sea are major maritime security threats to GoG member states especially in the maritime domains of Angola, Equatorial Guinea, Cameroon, Nigeria, Benin, Togo and Ghana. However, some reported cases of piracy are incidence within the creeks and territorial waters rather than high seas.²⁷ Geographically, the GoG is an important maritime route due to lots of economic benefits hence it is prone to piracy attack. Maritime insecurity in the GoG has been a huge concern and incidents of piracy and armed robbery at sea in the region became apparent in the early 2010s. According to the International Chamber of Commerce (ICC) International Maritime Bureau's Piracy Reporting Centre in its January 2021 report, 195 incidents of piracy and armed robbery at sea were reported globally in 2020, compared with 162 in 2019. Of the 195 incidents, 161 vessels were boarded, 11 fired upon and three hijacked. The three hijacks and nine out of the 11 fired upon took place in the GoG; more than any region in the world.²⁸ Crew was kidnapped in 25 per cent of the attacks. Furthermore, the GoG was said to have accounted for 95 per cent of the 135 crew members kidnapped from their vessels in 2020 globally.²⁹

Furthermore, the International Chambers of Commerce in April 2021 stated that, the GoG accounted for nearly half (43%) of all reported piracy incidents in the first three months of 2021, according to the latest figures from the ICC International Maritime Bureau (IMB). IMB's latest global piracy report records 38 incidents since the start of 2021 – compared with 47 incidents during the same period in 2020. In the first three months of 2021, the IMB Piracy Reporting Centre (PRC) reported 33 vessels boarded, two attempted attacks, two vessels fired upon, and one vessel hijacked. Despite a drop in the number of reported piracy incidents for Q1 2021, violence against crew is on the rise in comparison to previous years. Since the start of 2021, 40 crew members have been kidnapped compared to 22 crew in Q1 2020. A crew member was also killed in Q1 2021.³⁰ Notwithstanding the involvement or otherwise of the attacked vessels, piracy attacks in the GoG have negatively affected shipping costs and insurance premiums, which result in higher costs of shipping goods and services and consequently higher prices of goods in the countries bordering the GoG.

²³United Nations Office on Drugs and Crime ‘Maritime Crime and Piracy’ available at <<https://www.unodc.org/westandcentralafrica/en/newrosenwebsite/TOC/maritime-crime-and-unodc.html>> assessed on 31 May 2022.

²⁴Kwaku Danso ‘Overview of Maritime Security in the Gulf of Guinea’ available at <<https://lms.kaiptc.org/course/view.php?id=1266>> assessed on 31 May 2022.

²⁵ Art 27 provides that coastal State can arrest any person or to conduct any investigation in connection with any crime committed on board the ship during its passage, if the consequences of the crime extend to the coastal State and disturb the peace of the country or the good order of the territorial sea. This presupposes that such crimes committed by persons, compromises safety and security of the coastal state because of the consequences that would extend to states. Example of this is the provision of the UNCLOS on Piracy under Article 101.

²⁶ Suppression of Piracy and Other Maritime Offences 2019 was signed into law by President Muhammadu Buhari in June 2019 which is intended to end piracy and sea robbery in Nigeria and the Gulf of Guinea.

²⁷ Rear Admiral T Dick (Rtd) ‘Maritime Security in the Gulf of Guinea: Evolving Roles Models Missions and Capabilities’ (Lecture to Air War College Participants on 29 October 2012).

²⁸ Aluseyi Adejuyigbe ‘Piracy in the Gulf of Guinea: an unending menace’ available at <<https://www.ibanet.org/piracy-gulf-of-guinea>> assessed on 31 May 2022.

²⁹ Ibid.

³⁰Available at <<https://iccwbo.org/media-wall/news-speeches/gulf-of-guinea-remains-worlds-piracy-hotspot-in-2021-according-to-imbs-latest-figures>> assessed on 31 May 2022.

Crude Oil Theft/ Illegal Bunkering

Oil theft, also known as illegal bunkering, is the act of hacking into pipelines to steal crude oil which is later refined or sold abroad.³¹ It is an illicit trade that involves the theft of crude oil and its derivative products through a variety of mechanisms. Other authors like Raymond Kingpin also referred to oil theft as illegal bunkering.³² In Nigeria, oil theft it is considered to be the illegal appropriation of crude or refined oil products from the pipelines of multinational oil companies.³³ This includes the theft, diversion, and smuggling of petroleum products. Illegal bunkering thrives particularly in the Niger Delta Region of Nigeria and the upsurge of oil theft in the region in recent times is alarming. Presently, Nigeria is losing over 300,000 barrels of crude oil per day to oil theft, pipeline vandalism and related criminal vices in the country's oil sector.³⁴ This unprecedented rate of oil theft recorded, has harrowing effect on government revenue and accretion to reserves and perhaps the highest level of economic sabotage that the country has witnessed lately. The CEO of the Nigerian Upstream Petroleum Regulatory Commission (NUPRC), Mr. Gbenga Komolafe, confirmed that Nigeria lost about N434 billion (about \$1 billion) to oil theft between January and March in 2022.³⁵ Also the Chairman of Independent Petroleum Producers Group (IPPG), Abdulrazaq Isa, also stated that in 2021 alone, producers in certain parts of the Niger Delta suffered losses between 15 per cent to as high as 90 per cent,³⁶

Gleaning from above, if this crime/threat is left unchecked, there would be negative multiple effects on the economy of the country. Hence in performance of her constitutional role, the Nigerian Navy (NN) enforces measures to curb the criminal activities. Some of these measures include sustained patrols and policing of maritime domain, increased maritime domain awareness as well as emplacing security stations for monitoring of choke points.³⁷ This effort aided in reduction of illegal bunkering and oil theft in recent years from 400,000 to 60,000 barrel per day.³⁸ Also when the NN arrest these oil theft criminals, they cannot prosecute them hence they are handed over to the appropriate agencies. However, by virtue of experience, it is observed that these criminals are released and they go back to the creeks. Also, it is suggested that there should be speedy litigation against the criminals and stiffer punishment should be given to deter others from committing same crime.

Trafficking in Narcotics

The increase in drug abuse is a prevalent challenge across most countries. It entails wrong use of drugs and different substances which in turn has diverse social, cultural, biological, health and economic effects.³⁹ Narcotic drug means any of the substances, natural or synthetic in the First Schedule of the Convention on Narcotic Drugs 1961 and the Convention as amended by the 1972 Protocol amending the single Convention on Narcotic Drugs, including the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1989⁴⁰ Narcotics also known as 'opioids, comes from the Greek word for 'stupor' and originally referred to a variety of substances that dulled the senses and relieved pain.⁴¹ Though some people still refer to all drugs as 'narcotics,' today 'narcotic' refers to opium, opium derivatives, and their semi-synthetic substitutes. 'Opium poppy' means the plant of the species of *Papaya somniferous*.⁴² According to UNODC, drug trafficking is a global illicit trade involving the cultivation, manufacture, distribution and sale of substances which are subject to drug prohibition laws.⁴³ Trafficking in narcotics and hard drug is a traditional threat to maritime security in most climes and narcotics as well as drug trafficking are

³¹ Odalonu Happy Boris 'The Upsurge of Oil Theft and Illegal Bunkering in the Niger Delta Region of Nigeria: Is There a Way Out?' [2015] Vol 6 (3) S2 Mediterranean Journal of Social Sciences available at <<https://www.mcser.org/journal/index.php/mjss/article/viewFile/6541/6268>> assessed on 21 June 2022.

³² Raymond Gilpin 'Enhancing Maritime Security in the Gulf of Guinea' [2007] Volume VI, Issue 1 Strategic Insights available at <https://hsdl.org/?view&did=468953>> assessed on 18 May 2022.

³³ Wikipedia Free Dictionary available at <https://en.wikipedia.org/wiki/Oil_theft_in_Nigeria> assessed on 21 June 2022.

³⁴ Odalonu (n 36) 563.

³⁵ Emmanuel Addeh and Peter Uzoho 'Komolafe: Nigeria Lost N434bn to Crude Oil Theft in Q1' *This Day* (Abuja 2022) available at <https://www.thisdaylive.com/index.php/2022/05/31/komolafe-nigeria-lost-n434bn-to-crude-oil-theft-in-q1/> assessed on 30 June 2022.

³⁶ Kingsley Jeremiah 'Government dilly-dallies as oil theft flourishes' *The Guardian* (17 April 2022) available at <<https://guardian.ng/sunday-magazine/newsfeature/government-dilly-dallies-as-oil-theft-flourishes/>> assessed on 1 June 2022.

³⁷ Commodore OA Bankole 'Maritime Security Synergy Amongst Gulf of Guinea Navies: Efforts of the Nigerian Navy in Zone E' *The Sailor* (2019) 135.

³⁸ Ibid.

³⁹ Rear Admiral SO Agada 'Drug Abuse in Nigeria: Challenges and Way Forward' *The Sailor* (2019)20.

⁴⁰ Section 52 National Drug Law Enforcement Agency Act available at <<https://nigeria.tradeportal.org/media/NDLEA%20Act.pdf>> assessed on 21 June 2022.

⁴¹ Department of Justice/ Drug Enforcement Administration Drug Fact Sheet available at <<https://www.dea.gov/sites/default/files/2020-06/Narcotics-2020.pdf>> assessed on 30 June 2022.

⁴² Ibid.

⁴³ United Nations Office on Drug and Crime available at <https://www.unodc.org/unodc/drug-trafficking/index.html> assessed on 30 June 2022.

key transnational organized crimes exacerbating maritime insecurity in West Africa and the Gulf of Guinea region.⁴⁴ West African section of GoG is not only trafficking route, but has increasingly become a market for and producer of substances like methamphetamines. Cannabis use in West and Central Africa is at 12.4 percent while the global average is 3.8 percent.⁴⁵

The UNODC further said that, hard drugs such as amphetamine, cannabis, cocaine, ephedrine, heroin, and psychotropic substances are on high circulation in region.⁴⁶ Furthermore, criminal groups comprising Colombian, Mexican and nationals of GoG states take advantage of lax regulation, corruption and porous maritime borders. Additionally, the arrest by Ghana Navy in 2013 of MT ATTIYAH with about 400kg of cocaine as well as the arrest of a former Chief of the Navy in Guinea-Bissau by the US in international waters near Cape Verde, for his involvement in drug trafficking are indicators of the threat in the GoG.⁴⁷ Also the United Nations Office for West Africa and the Sahel⁴⁸ stated that the continuing scourge of drug trafficking in West Africa and the Sahel and the increasingly sophisticated operations launched by drug cartels is an issue of great concerns. Moreover, increasing trends in the local consumption of cocaine indicate that the sub region is also becoming a consumption area. In places where unemployment is massive and the political situation is volatile, drug consumption among youths could serve as a trigger for violence.⁴⁹

Notwithstanding these successes by coastal states in curbing drug trafficking, this has continued to impact negatively on the image of the GoG countries and the trade and use of drugs and narcotics are at levels which destroy governance structures and threaten regional stability. Hence due the increase in trafficking of drugs and other maritime crime, the Nigerian Navy (NN) in March 2020 deployed its security prowess to the GoG region to nip in the bud, activities of the various maritime terrorists, pirates and sea robbers towards ensuring that all threats to the state's (Nigeria with other countries) economic and security wellbeing in the maritime domain.⁵⁰ The operation was codenamed —TREASURE GUARD III, had attached the deployment of four (4) capital ships including NNS THUNDER, NNS NGURU, NNS DORINA, NNS ANDONI; two tugboat (TUG DOLPHIN RIMA) and (TUG Commander UGWU); two maritime patrol helicopters and other two (2) detachment of the navy's elite force known as the Special Boats Services (SBS). Additionally, representatives of the National Drug Law Enforcement Agency (NDLEA), Nigerian Customs Service (NCS), Nigeria Immigration Service (NIS), and Ministry of Justice present to ensure interagency collaboration. To further curb illegal trafficking of narcotics, states can rely on technology like maritime domain awareness capability. This will be elaborated in chapter four.

Illegal Unreported and Unregulated Fishing (IUUF)

Illegal Unreported and Unregulated Fishing (IUUF) is a global issue which has reduced the world fish stock to more than 15 percent causing the global loss of up to 26 million tons of fish annually.⁵¹ Illegal Fishing refers to fishing activities conducted by foreign vessels without permission in waters under the jurisdiction of another state, or which contravene its fisheries law and regulations in some other manner.⁵² Unreported Fishing refers to fishing activities which have not been reported, or have been misreported, by the vessels to the relevant national authority.⁵³ For example, some vessels harvest more tonnage than they are entitled to catch under official fishing quotas. Unregulated Fishing refers to fishing activities in areas where there are no applicable management measures to regulate the catch; this is the case in the South Atlantic.⁵⁴ The term also applies to fishing for highly migratory species and certain species of shark, which is not regulated by a Regional Fisheries Management Organization (RFMO). Forms of IUUF are fishing by unlicensed foreign vessels, fishing in prohibited areas, fishing with illegal nets as opposed to the net applicable for each catch, Illegal fishing by small-scale fishers and Illegal transshipment at sea (Industrial vessels).

⁴⁴ Violet Lakwa Daniel, 'Narcotics and Drug Trafficking' available at <<https://lms.kaiptc.org/course/view.php?id=1266>> assessed on 6 June 2022.

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Dr. Temitope Francis Abiodun and Commodore Mohammed Yakubu Dahiru (n 13) Pg 88.

⁴⁸ The United Nations Office for West Africa and the Sahel (UNOWAS) is a political mission managed by the Department of Political and Peace building Affairs (DPPA) UNOWAS has the responsibility for preventive diplomacy, good offices and political mediation and facilitation efforts in West Africa and the Sahel. UNOWAS works closely with the African Union, ECOWAS, the Mano River Union, the Lake Chad Basin Commission, the Gulf of Guinea Commission, the G5 Sahel, as well as other regional partners to support regional solutions to cross-cutting threats to peace and security, such as terrorism and violent extremism, transnational organized crime, piracy and maritime insecurity.

⁴⁹ United Nations Office for West Africa and the Sahel 'Drug Trafficking and Organized Crime'

<https://unowas.unmissions.org/drug-trafficking-and-organised-crime> assessed on 1 June 2022.

⁵⁰ Dr. Temitope Francis Abiodun and Commodore Mohammed Yakubu Dahiru (n 13) Pg 89.

⁵¹ FAO, The State of World Fisheries and Aquaculture 6 (2016), available at < <http://www.fao.org/3/a-i5798e.pdf> > assessed on 1 June 2022.

⁵²World Ocean Review 'Illegal Review' available at <https://worldoceanreview.com/en/wor-2/fisheries/illegal-fishing/> assessed on 10 June 2022.

⁵³ Ibid.

⁵⁴ Ibid.

Besides economic damage, such practices can threaten local biodiversity and food security in many countries. The GoG itself have huge fishery reserves which are often harvested by fishing vessels that are not authorized and regulated by the member countries. IUU fishing in the GoG is perpetrated because of the lack the capacity to monitor and secure their maritime domain. For instance, Nigeria with a dominant Navy does not have enough operational platforms to patrol the vast expanse of her about 84,000 Nm² of the (EEZ) while countries like Sao Tome and Principe have a coast guard which rarely ventures beyond her territorial waters.⁵⁵ According to United Nations' Food and Agricultural Organization (FAO), losses due to IUU fishing cost the GoG countries about \$370 million annually. The FAO also asserted the dependency on fish for protein by Ghana as 63 percent, Equatorial Guinea 62 percent, and Sao Tome and Principe 62 percent. IUU fishing not only threatens human security in member-states of GoG which manifests through reduced availability of seafood in local markets but also denies the states revenue that would have occurred from fishing licenses/permit.

Furthermore, it is a threat to the economy of states whose vessels engage in this illegality as other vessels from such states that pay the appropriate levies and dues could be driven out of business due to unfair competition. Consequently, IUU fishing has severe maritime security implications for countries in the GoG and beyond. Hence one of the ways to curb IUU fishing is to review the regional or sub-regional fisheries regulatory framework or national fisheries legislative framework to ascertain whether they effectively curb IUU fishing.⁵⁶ Also an effective enforcement mechanism could be put in place. Furthermore, registration or records of fishing vessels and authorization to fish is another way to curb IUU fishing. For instance, in Thailand, there is opportunity to create a system of registration for fishing vessels but this requirement is not used as it is seen as an overlapping mandate with or duplication of powers of the authority responsible for shipping. These should not be allowed because where national laws are inadequate; criminals capitalize on such loophole which would be against the country. States can also use the aid of technology. Additionally, to curb IUU fishing, use of surveillance through maritime domain awareness capability could be employed. In China for instance, since 1st of January 2011, vessels are required to install satellite-based vessel monitoring systems (VMS), which should remain in continuous operation at all times at sea and in all areas so that fishery authorities are able to track the activities by data automatically sent from the systems.⁵⁷ Also states can improve in data collection and reporting. A hierarchical reporting system was implemented for the collection of fishery data in China.⁵⁸ This can also be practised by states to curb IUU fishing. Other ways of curbing maritime crime will be discussed subsequently in chapter four of this research paper.

5. The Effects of Maritime Crime in Gulf of Guinea

The strategic value attached to the sea and resources therein usually heightens the exposure of littoral states/nations to maritime security breaches because the ocean is a source of food, mineral resources and recreation. They support commerce among nations and act as both a barrier and conduit for threats to security of people everywhere. However, maritime breaches and crimes committed have adverse effect on the nations. Many of these illicit acts at sea are directed at the economic lifeline of both littoral and land-linked member's states thus further aggravating wide scale poverty. Consequently, there are several effects these maritime crimes have on nations in the GoG. Some of them are:

Food Insecurity and Livelihood Collapse

Fish makes a significant contribution to the protein needs and food security of millions of people in the GoG. It accounts for up to 80 per cent of the animal protein, and sometimes the only source of animal protein consumed in coastal communities across the region, including those in the Niger Delta area of Nigeria.⁵⁹ In some countries, their dietary protein comes from fish. However, IUU fishing deprives these countries from their livelihood. As earlier stated, IUU fishing is a global issue which has reduced the world fish stock to more than 15 percent causing the global loss of up to 26 million tons of fish annually.⁶⁰ Additionally, due to stock depletion, it can also contribute to collapse of livelihood system.

Environmental Pollution

Environmental pollution in the GoG coastal zone is another crime that has caused eutrophication and oxygen depletion in the lagoon systems, particularly around the urban centers, resulting in decreased fish (reproduction) levels

⁵⁵ Ibid.

⁵⁶Blaise Kuemlangan 'National Legislative Options to Combat IUU Fishing' available at <<https://www.fao.org/3/Y3274E/y3274e0b.htm>> assessed on 30 June 2022.

⁵⁷ Huihui Shen and Shuolin Huang 'China's policies and practice on combatting IUU in distant water fisheries' [2021] Volume 6, Issue 1, Aquaculture and Fisheries available at <<https://www.sciencedirect.com/science/article/pii/S2468550X20300216>> assessed on 30 June 2022

⁵⁸ Ibid.

⁵⁹Okafor-Yarwood, 'The effects of oil pollution on the marine environment in the Gulf of Guinea—the bonga oil field example', [2018] vol. 9, no. 3-4, *Transnational Legal Theory*, available at <<https://doi.org/10.1080/20414005.2018.1562287>> assessed on 6 June 2022

⁶⁰ Ibid

and waterborne diseases.⁶¹ The issue of environmental degradation in all the GoG States and their consequent effect on the environment of the sea in the GoG area cannot be overemphasized. The compliance with international regime on environment is not uniformly adhered to. As such it is difficult to give a definite assessment of the level of environmental pollution in the GoG. The cumulative trend of pollution in each of these States will be the general state of pollution in the GoG. On the whole, a holistic approach in attaining a cleaner environment should be adopted in the GoG.

Drug Trafficking in GoG

The GoG is increasingly becoming a production and consumption center in drugs substance abuse. It puts a heavy strain on already public health systems of some countries in the GoG. The continuing scourge of drug trafficking in GoG and the increasingly sophisticated operations launched by drug cartels is an issue of great concerns. Terrorist networks and rebel groups derives significant economic benefit from criminal activities, including drug and arms trafficking. Furthermore, it has been observed that there is an increasing trend in the local consumption of cocaine in the GoG and in countries where unemployment is massive and the political situation is volatile, drug consumption among youths could serve as a trigger for violence.⁶² Also drug and substance abuse are detrimental to the overall well-being which undermine overall societal and productivity of citizens. It can also be linked to violent criminal behavior in youths. Drug traffickers get patronage from terrorists and smugglers and this could cause risk of security destabilization. Other effects from drug trafficking includes political instability through corruption of government officials, criminals hijacking the state and its resources, it drives investors away thereby affecting economic development and turns the already poor health sector into worse situations due to increase use of drugs.

Proliferation of Arms

Another effect of maritime crime in the GoG is proliferation of arms which supports and enhances violent crimes. Proliferation of arm is defined as sudden increase in the number of arms and weapons beyond those needs for legitimate national security.⁶³ Small Arms and Light Weapons (SALW) refers in arms control protocols to two main classes of man-portable weapons.⁶⁴ Small arms broadly speaking are individual-service (i.e. for carry and operation by individuals (infantry men) kinetic projectile firearms. Examples are revolver and pistol while light weapons broadly speaking, are infantry-portable weapons that are either crew-served kinetic firearms, incendiary devices, or shoot explosive munitions. These include anti-materiel rifles, anti-tank rifles, general-purpose machine guns, medium machine guns, unmounted heavy machine guns, portable flamethrowers, grenades, rifle grenades, grenade launchers, automatic grenade launchers, recoilless rifles, rocket-propelled grenades, man-portable anti-tank missiles, and mortars under 100 millimeters (3.9 in) caliber.⁶⁵ The proliferation of small arms and ammunitions is driving the increasing rate of violence in Nigeria and in the entire GoG region. The number of small arms in circulation in Nigeria, in the hands of civilian non-state actors is estimated at 6,145,000, while the armed forces and law enforcement collectively account for 586,600 firearms.⁶⁶

Other Effects

Other effects are population displacement and livelihood devastation, risk of a political instability, overall deterioration of human security, loss of lives due to maritime crimes, infliction of bodily and psychological harms, compromise state officials through bribes and proceeds of these maritime crimes can undermine democratic processes. Maritime crimes and attacks at sea in the GoG have passed through various transformations and are becoming increasingly multifaceted and violent, similar and possibly exceeding what was previously experienced. In order to counter this threat and improve criminal justice responses to maritime crime, legal frameworks need to follow the quick evolution of criminal offences committed at sea by creating regulations, improving the quality of existing legal instruments, as well as by updating key definitions in line with the UNCLOS. Consequently, due to the prevalence of crime in the GoG it would seem opportune for countries in the region to consider expanding their relevant authorities' jurisdiction under the international treaties aimed at curbing transnational organized crime and drug trafficking. In this chapter, an attempt has been made to examine the concept GoG maritime insecurity in GoG, maritime space as well as crimes prevalent on the GoG. The next chapter will now discuss the framework for maritime security at global, regional and national level. Some institutional framework will also be considered.

⁶¹P A Scheren, A C Ibe, F J Janssen and A M Lemmens Environmental pollution in the Gulf of Guinea--a regional approach' <<https://pubmed.ncbi.nlm.nih.gov/12222886/> - affiliation-1> assessed on 6 June 2022.

⁶²United Nations Office for West Africa and the Sahel Drug 'Trafficking and Organized Crime' available at <<https://unowas.unmissions.org/drug-trafficking-and-organised-crime>> assessed on 6 June 2022.

⁶³ Aver Tyavwase Theophilus, Nnorom, Kingsley C and Ilim Moses Msughte 'The Proliferation of Arms and Its Effect on the Development of Democracy In Nigeria' [2014] *AJRHASS* available at <<http://iasir.net/AJRHASSpapers/AJRHASS14-196.pdf>> assessed on 10 June 2022.

⁶⁴ Wikipedia Free Encyclopedia available at https://en.wikipedia.org/wiki/Small_Arms_and_Light_Weapons assessed on 10 June 2022.

⁶⁵ Ibid.

⁶⁶ Ibid.

6. The Framework of Global Maritime Security

There can be little doubt that globalization is the most crucial aspect of the current international system. It is the effects, both direct and indirect, of globalization that have governed the economic, social, political and environmental development, whether seen as a positive or negative, of the planet which we live on today. A rise largely as a consequence of the radically different nature of the global economy, rather than being something that has itself acted as a spearhead for change, the field of maritime security is drastically different now compared to how it was 100, or even as recent as 20, years ago. In more recent times, maritime security is something that has been linked to the globalization of transport security, namely as relative to shipping.⁶⁷ In discussing sustaining maritime security in GoG, this paper will examine the legal/institutional framework emplaced for maritime security at the global/international, regional and national levels. Recall that, we had earlier said that there are several security threats in the maritime world hence the need to have a maritime security frame work to curb some of these threats because these threats are quite daunting and adversely impact on the ability of Nations to optimally utilize the huge endowments of the global commons for the development of their states and overall benefit of mankind. What then is a framework?

A framework is a system of rules, ideas, or beliefs that is used to plan or decide something: a legal framework for resolving disputes.⁶⁸ Additionally, a framework can be said to be a particular set of rules, ideas, or beliefs which you use in order to deal with problems or to decide what to do.⁶⁹ From the above definitions, maritime framework connotes a fundamental principle of collective rules that deals with or serves as a guideline for combatting maritime threats. The international law of the sea is one of the most important significant areas of contemporary international law encompassing not only the principal treaties such as the 1982 United Nations Convention on the Law of the Sea but an ever-growing array of additional treaties, state practices and framework for governance and management of the world's ocean.⁷⁰ At the global level, the framework for maritime activities is the United Nations Convention on the Law of the Sea (UNCLOS), 1982. UNCLOS also called the Law of the Sea Convention or the Law of the Sea Treaty is an international agreement that establishes a legal framework for all marine and maritime activities.⁷¹ Background to the Convention reveals that UNCLOS replaces the older 'freedom of the seas' concept, dating from the 17th century. According to this concept, national rights were limited to a specified belt of water extending from a nation's coastlines, usually 3 nautical miles (5.6 km; 3.5 mi) (three-mile limit), according to the 'cannon shot' rule developed by the Dutch jurist Cornelius van Bynkershoek. All waters beyond national boundaries were considered international waters, free to all nations, but belonging to none of them (the *mare liberum* principle promulgated by Hugo Grotius).⁷² By the early 20th century, some nations expressed their desire to extend national claims: to include mineral resources, to protect fish stocks, and to provide the means to enforce pollution controls. Between 1946 and 1950, Chile, Peru, and Ecuador extended their rights to a distance of 200 nautical miles (370 km; 230 mi) to cover their Humboldt Current fishing grounds. Other nations extended their territorial seas to 12 nautical miles (22 km; 14 mi). By 1967, only 25 nations still used the old three nautical mile limit, while 66 nations had set a 12-nautical-mile (22 km) territorial limit and eight had set a 200-nautical-mile (370 km) limit.⁷³ The Convention resulted from the third United Nations Conference on the Law of the Sea (UNCLOS III), which took place between 1973 and 1982. UNCLOS replaced the four treaties of the 1958 Convention on the High Seas. It lays down a comprehensive regime of law and order in the world's oceans and seas establishing rules governing all uses of the oceans and their resources. It embodies in one instrument traditional rules for the uses of the oceans and at the same time introduces new legal concepts and regimes and addresses new concerns. The Convention also provides the framework for further development of specific areas of the law of the sea.⁷⁴

7. The Framework of Regional Maritime Security

To govern maritime piracy and other maritime crimes/ threat through state cooperation, three agreements were set up in different regions of the world. The members to these regional agreements agree to arrest, investigate, and prosecute

⁶⁷ Michael G. Risley 'Maritime Security in the Gulf of Guinea: Issues and Solutions for the 21st Century' available at <https://run.unl.pt/bitstream/10362/14649/1/> Pg 28 assessed on 21 June 2022.

⁶⁸ Cambridge Dictionary, available at <https://dictionary.cambridge.org/dictionary/english/framework> assessed on 21 June 2022.

⁶⁹ Collins Dictionary available at <https://www.collinsdictionary.com/dictionary/english/framework> assessed on 23 June 2022.

⁷⁰ Donald R Rothwell and Tims Stephens 'The International Law of the Sea' (Oxford and Portland, Oregon (2010) page 1.

⁷¹ Wikipedia Free Encyclopedia available at https://en.wikipedia.org/wiki/United_Nations_Convention_on_the_Law_of_the_Sea assessed on 23 June 2022.

⁷² Ibid.

⁷³ Ibid.

⁷⁴ International Maritime Organization available at <https://www.imo.org/en/OurWork/Legal/Pages/UnitedNationsConventionOnTheLawOfTheSea.aspx> assessed on 23 June 2022.

pirates on the high seas, and to suppress armed robbery in their respective territorial waters.⁷⁵ In Asia, the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (RCAAP) was established in 2006, in East Africa, the Djibouti Code of Conduct (DCoC) was agreed on in 2009 and finally, the Yaoundé Code of Conduct (YCoC) to combat illicit maritime activities in West and Central Africa was signed in 2013 by 25 regional states.⁷⁶ As earlier reiterated, the GoG is of geo-political and geo-economic importance. It is important for shipping, with an array of developed ports, and viable sea lanes of communication. It has considerable oil and gas reserves - nearly 70% of Africa's oil production is concentrated in the region and also endowed with large reserves of minerals - diamonds, gold, bountiful fisheries, and tourism.⁷⁷ Before discussing the YCoC which is the regional framework for maritime security in GoG, each of the State members involved in promoting maritime security in the region will be discussed. They are Economic Community of West African States (ECOWAS), Maritime Organization of West and Central Africa (MOWCA) Economic Community of Central African States (ECCAS) and Gulf of Guinea Commission (GGC).

Economic Community of West African States (ECOWAS)

Before the creation of ECOWAS, the collective territory known as West Africa was made up of an aggregation of states that had emerged from different colonial experiences and administrations which largely defined the boundaries of the 15 states domiciled in the area. However, it was not until 1972 that a proposal for a union of West African States emerged. That year, the Nigerian head of state Gen. Yakubu Gowon and his Togolese counterpart Gnassingbe Eyadema toured the region in support of the integration idea.⁷⁸ Thanks to the drafts that emanated from their efforts, these formed the basis for the emergence of the treaty of Lagos in 1975 which birthed ECOWAS. The treaty of Lagos was originally touted as an economic initiative, but emerging political events led to its revision and therewith the expansion of scope and powers in 1993.⁷⁹ ECOWAS was established to promote/foster economic and political integration among West African States. It only recently established protocols on defence and security with the ECOWAS Integrated Maritime Strategy endorsed in March 2014. Established on May 28 1975 via the treaty of Lagos, ECOWAS is a 15-member regional group with a mandate of promoting economic integration in all fields of activity of the constituting countries. However, the treaty was revised in 1992 to deepen the security objective and was further adopted in 1999, establishing peace and security mechanisms for ECOWAS.⁸⁰

The Maritime Organization for the West And Central Africa (MOWCA)

The Maritime Organization for the West and Central Africa (MOWCA) was established in May 1975 (Charter of Abidjan) as the Ministerial Conference of West and Central African States on Maritime Transport (MINCONMAR). The name was changed to MOWCA as part of reforms adopted by the General Assembly of Ministers of Transport, at an extraordinary session of the Organization held in Abidjan the Republic of Cote d'Ivoire from 4-6 August 1999. The main objective of MOWCA is to serve the regional and international community for handling all maritime matters that are regional in character.⁸¹ The Maritime Organization of West and Central Africa (MOWCA) Memorandum of Understanding for the Establishment of Sub- Regional Integrated Coast Guard Network in West and Central Africa, MOWCA/XII GA.08/8.2008 referred to as the MOWCA Coastguard MOU is a regional legal framework available in the GoGuinea. The MOU was aimed at using a unified administration to create a maritime law enforcement program and to create a regional maritime information sharing centre to help member states share and exchange security information. Article 15 of the MOU established rules for operation of the coast guard asset and Article 21 requires states seeking the presence of ships in their zone to request "useful justification" by the zonal coordinators that would approve the request and plan the mission. To date, the MOU is yet to gain full commitment in respect to the coast guard functions; however, it succeeded in ensuring that member states establish national Maritime Rescue Coordination Centres (MRCC).⁸²

Economic Community of Central African States (ECCAS)

ECCAS is another regional institution serving the GoG region. It was established on 18 October 1983 by the UDEAC members and the members of the Economic Community of the Great Lakes States (CEPGL) (Burundi, Rwanda and the then Zaire) as well as Sao Tomé and Príncipe. Angola remained an observer until 1999, when it became a full member. ECCAS has its own maritime security protocol, which focuses on Central African States in fostering

⁷⁵Anja Menzel 'Regional Maritime Security Governance and the Challenges of State Cooperation on Piracy' available at <<https://cimsec.org/regional-maritime-security-governance-and-the-challenges-of-state-cooperation-on-piracy/>> assessed on 21 June 2022.

⁷⁶ Ibid.

⁷⁷ Ibid.

⁷⁸ Economic Community of West African States available at <https://ecowas.int/?page_id=42> assessed on 21 June 2022.

⁷⁹ Economic Community of West African States available at <https://ecowas.int/?page_id=40> assessed on 21 June 2022.

⁸⁰ Omovigho Cynthia Brume-Eruagbere 'Maritime law enforcement in Nigeria: the challenges of combatting piracy and armed robbery at sea combatting piracy and armed robbery at sea' Pg 22 available at <https://commons.wmu.se/cgi/viewcontent.cgi?article=1554&context=all_dissertations> assessed on 21 June 2022.

⁸¹African Maritime Safety and Security Agency. Available at <<http://amssa.net/technical-cooperation/MOWCA.aspx>> assessed on 21 June 2022.

⁸² Omovigho Cynthia Brume-Eruagbere (n 85).

maritime security cooperation in the GOG maritime environment in Central Africa. Its protocols are yet to be adequately operationalized, due to weak capacity.⁸³ ECCAS aims to develop capacities to maintain peace, security, and stability as essential prerequisites for economic and social development; to develop physical, economic, and monetary integration; to develop a culture of human integration and to establish an autonomous financing mechanism for ECCAS. Initiatives by countries in ECCAS have proceeded faster than those of their counterparts in the ECOWAS region, if there is a bright prospect of inter-regional collaboration between the two in the near future. In comparative terms, ECCAS has a relatively more advanced and robust maritime security agenda and programme than its West African counterpart. Began more comprehensively in 2009, the ECCAS maritime initiative is institutionalized through the Regional Coordination Centre for the Maritime Security of Central Africa (CRESMAC) in Pointe-Noire, the Congo.⁸⁴ For operational purposes, the ECCAS maritime security strategy divides the vast Central African segment of the GoG into three zones (A, B and D) stretching all the way from Angola to the maritime borders of Nigeria and Cameroon.⁸⁵

Gulf of Guinea Commission (GGC)

GGC provides an invaluable mechanism in dealing with maritime boundary disputes (Bakassi issue), it is however lacking in ensuring the requisite cooperative mechanism to deal with other maritime security issues with respect to transnational and national maritime crimes.⁸⁶ The initial objective of the GGC was to create conditions of mutual confidence, peace, and security conducive to the harmonious development of member states; and to promote close consultation in the exploitation of the natural resources of the Gulf of Guinea. This is with a view to ensuring the economic development of member states and the well-being of their peoples. Since 2013, the organization has been more focused on building regional maritime security architecture.⁸⁷ The GGC was established in 2001 with an objective to stand as ‘a permanent institutional framework for co-operation amongst the countries bordering the Gulf of Guinea in order to defend their common interest and promote peace and social economic development based on dialogue, consensus, ties of friendship, solidarity and fraternity’ The GGC is the only regional organization in the Gulf of Guinea that is entirely maritime and, for this reason, it has gained international attention as an organization that has the ability to enlist national regional and external assistance to develop a robust maritime security cooperation and enforcement framework regardless of the size of the organization.⁸⁸

Yaoundé Code of Conduct (YCOC)

In June 2013, the leaders of the Economic Community of West African States (ECOWAS), the Economic Community of Central African States (ECCAS) and the Gulf of Guinea Commission (GGC) gathered in Yaoundé, Cameroon, to lay the basis for a common regional strategy to prevent and prosecute illicit activities in the waters of the Gulf of Guinea. The Yaoundé Summit led to the creation of three mechanisms: the Yaoundé Code of Conduct, the Heads of States Declaration and the Memorandum of Understanding between regional organizations.⁸⁹ The Yaoundé Code of Conduct establishes the Maritime Security Architecture framework in West Africa and the Gulf of Guinea. With four different levels of authority, its architecture reflects the areas of responsibility and the location of the relevant entities and structures contributing to maritime security, all situated at the regional level in Western and Central Africa. The idea behind the Yaoundé Architecture for Maritime Safety and Security (YAMSS) is to Share information, coordinate action, strengthen laws and close down areas of vulnerability.⁹⁰ At the strategic level, three Regional Economic Communities (RECs) are the primary stakeholders: ECOWAS, ECCAS and the GGC. The AU is not excluded from this process, as it is mentioned as a strategic contributor to the Yaoundé Code of Conduct. The political decision-making body for the Yaoundé Code of Conduct is composed of the General Secretary of ECCAS, the President of the ECOWAS Commission and the Executive Secretary of the CGG.⁹¹ At the strategic level lies the Interregional Coordination Center (ICC), situated in Yaoundé. The ICC is a multifunctional body created to oversee the implementation of the Yaoundé Code of Conduct by the three RECs and coordinate interregional efforts against the threats and illegal activities in the maritime domain in Central and Western Africa. The ICC's main activities are focused on cooperation, coordination, pooling of resources, and interoperability by implementing the regional strategy on maritime safety and security in the Gulf of Guinea.⁹² Notably, the Maritime Safety and Security Architecture under

⁸³ African Union available at <<https://au.int/en/recs/eccas>> assessed on 21 June 2022.

⁸⁴ Dr. Charles UKEJE and Prof. Wullson MVOMO ELA “African Approaches to Maritime Security - The Gulf of Guinea” available at <<https://library.fes.de/pdf-files/bueros/nigeria/10398.pdf>> assessed on 21 June 2022.

⁸⁵ Ibid.

⁸⁶ Ibid.

⁸⁷ European Council on Foreign Relations available at <<https://ecfr.eu/special/african-cooperation/gulf-of-guinea-commission/>> assessed on 22 June 2022.

⁸⁸ Ibid pg. 26.

⁸⁹ Gulf of Guinea Interregional Network ‘Yaoundé Architecture’ available at <<https://www.gogin.eu/en/about/yaounde-architecture/>> assessed on 22 June 2022.

⁹⁰ Arthur L ‘Yaoundé Code of Conduct, The Backbone For Maritime Security’ available at <<https://www.linkedin.com/pulse/yaound%C3%A9-code-conduct-backbone-maritime-security-lucas-da-silva>> assessed on 22 June 2022.

⁹¹ Ibid.

⁹² Ibid.

the Yaoundé Code of Conduct are increasingly producing real results at sea, through two Regional Centres (RCs) for Western and Central Africa: The Regional Centre for Maritime Security of West Africa (CRESMAO) and the Regional Center for Maritime Safety of Central Africa (CRESMAC). At the regional levels of CRESMAC and CRESMAO, international coordination for maritime security in the GoG is implemented based on five zones (designated by the letters A, D, E, F and G, which cover the ECCAS and ECOWAS maritime areas and are each coordinated by a Multinational Maritime Coordination Center (MMCC). The two RCs interact and share information with the MMCCs to ensure operational cooperation across their respective responsibility areas. The Yaoundé Code of Conduct architecture is intricate and requires significant effort and commitment from GoG countries to make it a reality. However, there is still room for improvement: turning the Yaoundé Code of Conduct into a legally binding instrument needs regional commitment, and activating Zones A (ECCAS) and Zone G (ECOWAS).

8. Conclusion

The question of maritime security in the Gulf of Guinea is one capable of destroying the life of the States surrounding this vital maritime area if not properly monitored and managed. The problems confronting the Gulf of Guinea are a launch pad and eye opener for the affected States to foster their cooperation and efforts to address the issues raised in the paper for the benefit of individual States and their citizens in the GoG. The proper regulation of issues such as illegal unreported and unregulated fishing, trafficking in narcotics, oil theft/illegal bunkering, piracy and sea robbery and proliferation of small and light arms with the willingness to enforce the numerous national, regional and international instruments in existence, the sky is the limit for the GoG States. The future is very bright for the economies of these States only if they are ready to deal with all the issues which are principally humanly foisted on the Gulf of Guinea.

Appendix

Gulf of Guinea



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