PIRATES OF THE NIGER DELTA II

AN UPDATE ON PIRACY TRENDS AND LEGAL FINISH IN THE GULF OF GUINEA
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INTRODUCTION

A key finding in the June 2021 Pirates of the Niger Delta: Between brown and blue waters (PND1) report by the United Nations Office on Drugs and Crime (UNODC) was that kidnap-for-ransom piracy attacks on ships in the Gulf of Guinea (GoG) were by pirates based in Nigeria’s Niger Delta region. Other than a few cases of hostages being held in the Bakassi Peninsula (on the Cameroonian side of the Nigeria–Cameroon border), there is currently no evidence of kidnapped crew held hostage anywhere other than in Niger Delta pirate camps. This makes the Niger Delta the epicentre in the nature and dynamics of GoG piracy. Since the publication of the PND1 report above, there has been a significant change in piracy trends.

Part I of this brief follow-up report explores the distinct downward trend in deep offshore (DO) kidnap-for-ransom piracy in the GoG, and presents several developments observed during this dip period. It begins by presenting recent trends, highlighting that until December 2022, there had hitherto been no single case of crew kidnapping reported for that entire year (2022). However, a slight upturn reprisal was observed during the first six months of 2023. The downtrend trend is analysed in later sections that “dissolve” the “boundaries” in annual statistics in order to gain deeper insights and better perceive patterns across “piracy seasons” in the GoG that do not follow the calendar year.
This is followed by chronicling specific trends observed, such as the offshore reach of pirates, and attack locations. For example, the attack against Arch Gabriel (3 April 2022) was at 270 nautical miles (NM) offshore and the attack against Success 9 (10 April 2023) was at 310 NM offshore – distances never previously observed in the GoG. In addition, during the downturn period, attack locations shifted: While some were south of Nigeria around Gabon, Equatorial Guinea and Sao Tome (Mozart, Tampen, Montet Tide and Tonsberg), others shifted west, around Ghana and Benin (Atlantic Princess, Iris S, Davide B and Bourbon Evolution 802). Despite such shifts in offshore reach and location, the Niger Delta remained the epicentre within the GoG, with hostages released in different locations within its creeks.1 In addition to hostage-release data, other sources further corroborate the Niger Delta region as the continued epicentre for GoG kidnap-for-ransom piracy. This includes reports of pirate speedboat[s] setting course for the Niger Delta after a kidnap-for-ransom attack, sometimes with hostages on-board.2 Part I of this report concludes with a short summary of some of the piracy incidents during the period covered in this report (i.e. January 2021 to June 2023).

Part II is on key developments in counterpiracy efforts: while there has been a downtrend in piracy incidents over a period, several actors – including coastal states and regional as well as international actors – continue their counterpiracy engagements. Instructively, rather than the drop in GoG DO kidnap-for-ransom piracy leading to international, regional and national actors reducing their attention on maritime security, numerous counterpiracy actors have continued to engage, addressing various dimensions of maritime security that are of enduring importance. Such dimensions include initial steps to improve livelihoods in communities where some of the persons who engage in kidnap-for-ransom piracy come from, and strengthening the existing regional maritime security architecture to respond to a broader range of maritime insecurity issues. This range includes efforts to consolidate ongoing processes to create the legal frameworks necessary to pre-emptively and pro-actively respond to piracy, should it re-emerge. Indeed, specific attention is for example given to the status on legal frameworks (termed “legal finish”) for the prosecution of pirates in GoG countries.

1 The 15 crew abducted from Davide B on 11 March 2021 were released on 10 April 2021. Following this release, the managing director of De Poli Tankers, owner of vessel said: “They had been detained in Nigeria with a probability bordering on certainty.” [See Kidnapped crew of oil tanker Davide B released]. On 9 February 2021, the Gabon-flagged fishing vessel Lianpenguy 809 was hijacked approximately 80 NM offshore from Gabon, and tracked by her Vessel Monitoring System to a final point 15 NM south of Rivers State. Ten crew were disembarked from the fishing vessel then held hostage for 24 days (see The cautionary tale of Lianpenguy 809). Other examples include the case of the Indian officer abducted from the offshore service vessel (OSV) Tampen on 5 September 2021 in Owendo anchorage, Gabon. He was released in Akwa Ibom State (Niger Delta) on 28 October 2021. Similarly, the three crew abducted from the OSV Montet Tide on 25 October 2021 were released on 10 December 2021 in Abonnema, in the creeks of Rivers State. Finally, the six crew abducted on board the Monjasa Reformer were released 7 May 2023 in Akwa Ibom and the five crew abducted onboard the cargo OYA 1 in Douala anchorage were released 18 Aug 23.

2 Reports from two international navies on counterpiracy missions in the GoG. On 19 May 2021, a helicopter from Italian frigate Luigi Rizzo pursued a pirate speedboat with five abducted crew for 26 days. The cautionary tale of Lianpenguy 809. Other examples include the case of the Indian officer abducted from the offshore service vessel RSV Tampen on 5 September 2021 in Owendo anchorage, Gabon. He was released in Akwa Ibom state (Niger Delta) on 28 October 2021. Similarly, the three crew abducted from the OSV Montet Tide on 25 October 2021 were released on 10 December 2021 in Abonnema, in the creeks of Rivers State. Finally, the six crew abducted on board the Monjasa Reformer were released 7 May 2023 in Akwa Ibom and the five crew abducted onboard the cargo OYA 1 in Douala anchorage were released 18 Aug 23.
1. PIRACY IN THE GULF OF GUINEA

1.1 STATUS: TRENDS IN PIRACY INCIDENTS

April 2021 onwards marked an observable reduction in DO piracy attacks in the GoG. This trend continued throughout 2021, with a further drop in 2022. In fact, 2022 marked a historical low in piracy incidents recorded within the GoG. During the first 11 months of 2022, not a single piracy attack resulted in pirates kidnapping crew from ships that they succeeded in boarding. Yet, on 13 December 2022, offshore Malabo, two crew were kidnapped from fast crew boat (FCB) Fernande. That case marked the first and only abduction reported during all of 2022. However, there was an upturn in kidnapping at sea in the first half of 2023, with three cases involving a total of 14 crew members being kidnapped by pirates (see Graph 1 below).
The significance of this general downtrend becomes even more apparent when compared with the number of DO piracy cases in previous years. The period 2019–2020 marked two consecutive years of high numbers of recorded piracy and kidnapping cases in the GoG. Therefore, this remarkable recent drop in GoG DO kidnap-for-ransom piracy must be appreciated through the prism of the broader historical context. More so given that throughout 2020, the GoG region had significantly more DO kidnap-for-ransom piracy than any other region in the world.

As shown by the number of piracy attacks recorded, and by the number of crew kidnapped by pirates, piracy in the GoG remained high during previous years. Regarding the number of kidnapped crew, the GoG accounted for 95 per cent of cases worldwide, as piracy incidents in other parts of the world were primarily cases of armed robbery on ships. The distress to kidnapped crew further heightened the attention of various maritime stakeholders to GoG kidnap-for-ransom piracy.

While IMB recorded eleven piracy incidents in the GoG in 2022 and H1 of 2023, other maritime incident data-collection systems recorded up to sixteen, based on varying criteria. Worth noticing for an appreciation of the broader context, are the following five incidents that were, however, not reported by IMB, and whose classification as ‘piracy incidents’ is debated:

1. 29 January 2022: the roll-on, roll-off (RoRo) ship Dona Candida was attacked 15 NM north northwest (NNW) of Bata, in Equatorial Guinea waters.
2. 7 February 2022: a local fishing boat was attacked by pirates along the coast of Bayelsa state, Nigeria. Nigerian police reported that a fisherman was reported killed.

Graph 1
EVOLUTION OF ABDUCTION OFFSHORE 2015 – H1 2023
Source: MDAT-GoG

The number of piracy incidents recorded for 2022 varies from institution to institution, depending on the criteria for which incidents to include. Some institutions arrive at more than the six that IMB recorded. Others arrive at less. Were it only the attacks on B Ocean (twice), Arch Gabriel, Dona Candida and Maran Poseidon, the number is five, excluding incidents close to shore. In first semester of 2023, IMB recorded the cases of Grebe Bulker and Oya 1 despite these events occurred within anchorage areas.

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3 Six, according to IMB
4 With 195 incidents of piracy and armed robbery against ships worldwide reported by the ICC (International Chamber of Commerce) International Maritime Bureau’s (IMB) Reporting Centre. Breaking down these numbers by region, a significant increase in cases of piracy in the GoG becomes apparent. There were 95 cases in 2018 and 103 in 2019 according to International Coordination Centre (ICC Yaoundé) yearly report.
5 International Chamber of Commerce, “Gulf of Guinea records highest ever number of crew kidnapped in 2020, according to IMB’s annual piracy report”, 13 January 2021.
6 In the GoG, the number of reported ‘maritime security incidents’ increased from 64 reported cases in 2019 (see ICC-IMB 2019 piracy report) to 84 reported cases in 2020 (see ICC-IMB 2020 piracy report). For 2020, the Centre for Maritime Law and Security Africa (CEMLAWS Africa, a non-governmental organization based in Ghana) reported 130 “attacks” within the GoG (see Maritime Governance Report). Other institutions reported similar figures. France-based Maritime Information Cooperation & Awareness (MICA Centre) reported 114 maritime incidents “linked with piracy and banditry” within the GoG for 2020 (MICA Centre yearly report pp. 22–24) while ICC Yaoundé reported 123 cases of “marine incidents” in the GoG in 2020. Of these, 92 cases were in Economic Community of West African States (ECOWAS) maritime space and 31 in the Economic Community of Central African States (ECCAS) maritime space (see ICC-IMB 2019 report).
7 The number of piracy incidents recorded for 2022 varies from institution to institution, depending on the criteria for which incidents to include. Some institutions arrive at more than the six that IMB recorded. Others arrive at less. Were it only the attacks on B Ocean (twice), Arch Gabriel, Dona Candida and Maran Poseidon, the number is five, excluding incidents close to shore. In first semester of 2023, IMB recorded the cases of Grebe Bulker and Oya 1 despite these events occurred within anchorage areas.
8 Report No. 220023/MRP/EMA/CMC 03.02.2022 (reported by Multinational Maritime Coordination Centre (MMCC) Zone D, Douala)
3. 28 October 2022: the OSV Cape Hatteras was attacked at approximately 10 NM off the entry to Escravos River, Nigeria. ICC Yaoundé reported two crew were wounded during the attack.10
4. 31 January 2023: fishing vessel Chang Long 12 attacked off Idenau, Cameroon. Incident reported on Jan 2023 CRESMAO monthly report.
5. 4 February 2023: the RoRo Kvinneherad attacked 8 NM off Cape Debunsha, Cameroon. Incident confirmed by local sources.

MODUS OPERANDI

Not only did the number of attacks change significantly in the period between January 2021 and June 2023, the modus operandi of pirate groups active in the GoG region also shifted from kidnapping crew from vessels to a modus operandi of hijack, in particular from May 2021. Notably: (i) in eight cases – Lianpengyu 809, Atlantic Princess, B Ocean, Armenistis, B Ocean (again), Fernande, Monjasa Reformer and Success 9 pirates hijacked vessels (ii) in four cases a tanker, in two cases a fishing boat, in one case a RoRo and in one case, a fast crew boat. Looking more carefully at these hijacking incidents, noteworthy differences become apparent. For example, pirates operating in the waters off Gabon and Sao Tome and Principe – i.e. far away from the Niger Delta – used the fishing vessel Lianpengyu 809 and the fast crew boat Fernande as a temporary “base” from where they attempted or carried out attacks in the area around Equatorial Guinea, and Sao Tome and Principe, respectively on 8 and 9 February 2021, and on 13 December 2022. In the case of Atlantic Princess, the attack was in Ghana waters. The analysis of reports from several sources suggests that these pirates might have used the fishing vessel to return to Nigerian waters. Furthermore, for the B Ocean – where the same vessel was notably attacked twice: first on 24–25 January 2022, and then again on 23–24 November 2022 – then for the Monjasa Reformer and the Success 9 in 2023, the purpose of the attack in all cases was highly likely to steal the fuel loaded in the tanker. In both of these B Ocean cases, the pirates took control of the oil tanker for more than 24 hours (as detailed in Focus 4 below). Again, during the first part of 2023, the two tankers, Monjasa Reformer and Success 9 were attacked and hijacked deep offshore. In both cases, it seems highly likely that the initial motive was the transfer of oil cargo. There are at least two aspects to note regarding this modus operandi where the primary aim is to steal oil cargo. First, this modus operandi characterized piracy in the GoG from around 2010 up until 2015/2016.11 Secondly, whilst this modus operandi differs from piracy attacks that result in the kidnapping of crew, the two types of piracy are not mutually exclusive. For example, a failed attempt at oil cargo theft may turn into a kidnap-for-ransom situation.

Graph 2

EVOLUTION OF GOG PIRACY EVENTS SINCE 2018
(INCLUDING SUSPICIOUS APPROACHES)

10 Edition 44/22 and weekly report 223 bis.
11 United Nations Office on Drugs and Crime (UNODC), “Pirates of the Niger Delta: Between brown and blue waters” (PND 1), June 2021, p. 21: “During the period 2010–2015, some pirate groups mixed kidnapping and hijacking, targeting tankers loaded with refined product. However, the hijacking of tankers decreased over time and essentially disappeared by 2016.”
FOCUS 1

METHODOLOGY AND PIRACY DATA

To establish the number of GoG piracy incidents for the period covered in this report, information from several sources was analysed, corroborated and collated. In terms of available data on piracy incidents, neither Stable Seas nor CEMLAWS published annual reports for 2021 or 2022. For 2021 and 2022 only IMB, MICA Centre and ICC Yaoundé published GoG piracy statistics. This affects the possibility of crosschecking multiple data sources to confirm specific incidents. Regardless, with three distinct sources (IMB; MICA; ICC), triangulation of piracy incident data was possible. A related challenge is that the reporting institutions (IMB, CEMLAWS, MICA, ICC Yaoundé) classify maritime security incidents differently, and have different matrices for what incidents to include in their statistics. Consequently, when comparing statistics on piracy incidents in the GoG, numbers differ. For example, CEMLAWS includes all “incidents at sea” that have occurred within the GoG, except for events in the creeks of the Niger Delta. Riverine incidents are sometimes reported in local media, and occasionally confirmed by local police reports. Nevertheless, it remains challenging to comprehensively record such incidents, as local riverine passenger boats and local fishing boats are not registered under the International Maritime Organization (IMO) and flag administrations, and do not have an administrative chain of reporting to maritime structures apart from local unions.12

CEMLAWS data does however include incidents that occur at anchorage or in port areas. Incidents of robbery of ships at anchorage are not systematically included in IMB statistics, and thus are absent from their annual reports. Moreover, while other reporting structures will only include an incident in their statistics after confirmation from several sources, IMB only includes incidents directly reported through their own structure. It has also been observed that IMB report some incident on weekly basis (IMB/Piracy Reporting Centre report) but does not always include all of these incidents within their monthly or annual reports.

12 IMO decried these gaps concerning the weak reporting several times in the past and again after the delivery of the 2022 yearly IMB piracy report. See Adaku Onyenucheya, “IMB decries late, underreporting of piracy attacks as GoG records 19 incidents in 2022”, The Guardian, 18 January 2023.
FOCUS 1

MARITIME PIRACY – UNCLOS DEFINITION

Maritime piracy is defined under Article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). Article 101 defines maritime piracy as consisting of any of the following acts:

(a) Any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
   (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
   (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State; (b) 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;
(c) Any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

When analyzing the different annual reports from various institutions and authorities, it appears that the “area of uncertainty” is mainly based on the “geographical scope” as – pursuant to UNCLOS Article 101 – maritime piracy as defined only occurs “on the high seas”.

Graph 3
REPORTING : DIFFERENCE BY SOURCE – NUMBER OF INCIDENTS BY YEAR
The terms piracy, brigandage, armed robbery, boarding, suspicious approach and attempted boarding are defined differently by different institutions, further contributing to a blurry picture of piracy data. This report established a baseline by including only cases of “piracy” that correspond to the United Nations (UN) definition in Article 101 of UNCLOS, namely “illegal act of violence committed by private ends, on high seas, against another ship”. The report occasionally refers to attacks in territorial waters. But, such cases are all clearly indicated. This report uses data from 2021 and 2022 IMB annual reports and for the first half [H1] of 2023, corroborated with additional sources. Upon crosschecking with several official reports (e.g. MMCCs Zones D, E and F; the Centre régional de sécurité maritime de l’Afrique de l’Ouest [CRESMAO]; ICC Yaoundé), it appears that, during the period under study in this report (1 January 2021 to 30 June 2023), eight piracy events (listed below) were not recorded by IMB. This creates a gap of nearly 30 per cent in IMB statistics. The eight incidents that were not included in IMB annual and half-year reports are:

1. Julius Berger barge (Nigeria, 15 March 2021)\(^\text{13}\)
2. Container ship Rosa (international waters, 20 April 2021), reported by Italian frigate Luigi Rizzo after pursuing the pirate speedboat.
4. Cargo ship Cap Saint Georges or Merveille\(^\text{15}\) (Nigeria, 11 November 2021), reported by MMCC Zone E on 12 November 2021.
5. OSV Tampen (Gabon, 13 December 2021), reported by MMCC Zone D on 13 December 2022 [Report 210209 MRP/EMA/CMC – Cameroon].
6. Unknown Chinese fishing vessel (Equatorial Guinea, 30 December 2021), reported by local oil operator TRIDENT and by Danish TF 475 Esbern Snare.\(^\text{16}\)
8. Local fishing boat (Nigeria, 7 February 2022), reported by local media.\(^\text{17}\)

1.2 DETAILING THE DOWNTREND

1.2.1 SEASONALITY OF GOG PIRACY

DO piracy in the GoG is a seasonal crime. Early signs of a downtrend in piracy were tentatively observed in April 2021. However, the seasonal pattern of piracy in the GoG meant that these early signs of a sustained drop in piracy could not be confirmed during the following months, as those months are usually characterized by a seasonally shaped drop in DO kidnap-for-ransom mainly due to very challenging conditions at sea. Thus, it was only from around October 2021 – when weather conditions meant that GoG piracy could possibly tilt upwards again – that the substantial decrease in levels of piracy activity could be confirmed.

\(^{14}\) The case of the Montet Tide on 25 October 2021 - (Incident reported by ICC Yaoundé - report 43/2021).
\(^{15}\) References/relevant authorities identify this vessel by two different names.
\(^{16}\) This attack resulted in the kidnapping of six crew.
\(^{17}\) http://saharareporters.com/2022/02/01/one-killed-others-injured-sea-pirates-attack-fishing-community-bayelsa Unofficial data by regional watchdogs reported that in 2021, 29 piracy acts (3 were between 1 and 3 NM from shore but “perpetrators” are clearly classified as “sea pirates”) occurred within GoG with 17 cases of boarding, 5 of attempted boarding, 7 of suspicious approaches and 11 of kidnapping of a total of 77 crew or affiliates. IMB reported 18 piracy incidents in 2021, with 13 boarding, 4 attempted boarding, 1 suspicious approach and 7 kidnapping cases of a total of 57 crew.
Several sources and structures dedicated to monitoring maritime security in the GoG – including cases of piracy – have reported figures that corroborate this historically significant drop in the number of piracy attacks observed in the GoG.\(^{18}\) The MICA Centre’s 2021 annual report\(^{19}\) indicated that for the GoG region, 19 piracy incidents were reported when the MICA Centre’s 2022 annual report\(^{20}\) indicated that, for the same area, only eight piracy incidents were reported – a significantly lower number than the 51 in their 2020 report.

1.2.2 RE-EXAMINING ANNUAL STATISTICS THROUGH DIFFERENT LENSES

To truly appreciate changes in the number of piracy attacks between April 2021 and June 2023, the sections that follow break down incident data into periods different from the regular calendar-year (i.e., January–December) reporting periods. There are sound reasons for this. First, the above-mentioned seasonal pattern of GoG piracy:\(^{21}\) piracy peaks span calendar-years, with the “high season” starting around October and typically lasting until March. Secondly, we have a clearer picture of developments within an annual reporting period if we break down the annual piracy statistics into more granular analysis of, for example, quarterly, half-year, dry and rainy season, as well as a compounded biannual periods.

1. Quarter 1 2021: During the first three months of 2021, the high trend of piracy incidents reported in the GoG continued at the same levels as in 2020. In this quarter, 10 piracy events, including one suspicious approach (Maersk Cardiff, 13 January 2021) were reported by IMB\(^{22}\). Adding incidents reported by other sources, the number rises to 16 for quarter 1 (Q1) 2021.\(^{23}\) This high trend notably started changing from around April 2021: Q2 2021 recorded only 4 piracy cases, contrasted with Q2 2020 which recorded 11 cases. The Q3 2021 recorded only one case with the kidnap of one crew member onboard one supply vessel anchored in Owendo anchorage, Gabon.

2. Quarter 4 2021: Unlike previous years where several piracy events were reported in the GoG during the last quarter of the year, IMB data show only three piracy cases recorded in the GoG during Q4 2021.\(^{24}\) This represents a significant drop from the previous year where the number of piracy incidents during that same period was 17.\(^{25}\)

3. July 2021–June 2022: Analysing this 12-month period straddling two half-years (half 2 [H2] then half 1 [H1]) across two calendar-years rather than the January to December calendar year offers a different lens through which to view the change in number of piracy attacks. For these 12 months considered, only 6 cases of piracy were recorded by IMB. They include five boarding incidents and one attempted boarding. Of these five boarding cases, two resulted in pirates kidnapping crew, totalling to seven crew abducted for the two piracy attacks combined. Worth re-stating is that IMB did not include six other incidents that are however confirmed by various other sources, namely the cases of Montet Tide, Cap Saint Georges, Tampen, Dona Candida and two unknown names fishing vessels. If these incidents were to be included, it would make for five additional boarding cases, and three more kidnapping cases, involving a total of 14 crew.

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18 ICC–IMB released a report stating that for 2021, cases of piracy in the GoG had decreased from 81 incidents in 2020 to 34 incidents in 2021 [see International Chamber of Commerce, “Caution urged despite lowest reported maritime piracy incidents since 1994”, 13 January 2022].
21 See PND 1: In the GoG, “Piracy attacks still largely follow a seasonal pattern with favourable weather conditions resulting in more attacks in the period from November to April. Looking at maritime piracy acts offshore per month for the past five years provides a picture not only of favourable weather for pirates, but also of months where international military presence offshore may have had a determent effect on attacks.”
23 8 boarding cases, 2 boarding attempts, 6 suspicious approaches.
24 If cases reported by other sources are included, the number of piracy incidents rises to 7.
25 Comparing with periods prior to 2020, IMB reported 9 piracy attacks for Q4 2019. For Q4 2018, 12 piracy attacks were reported.
4. 2021 and 2022 biannual picture: In 2021, IMB recorded 23 piracy cases (the Maersk Cardiff incident on the 13 January 2021 is considered only as a suspicious approach), with 16 boarding cases,\(^2\) five cases of attempted boarding and two suspicious approaches. These figures clearly confirm the significant drop in piracy incidents when compared to 2020. This trend is further underscored by the annual picture if we consider only 2022 – a year marked by historically low records of piracy attacks. In 2022, IMB recorded only six piracy incidents in the GoG.\(^2\) These were:

2. Arch Gabriel: 3 April 2022, boarded, no kidnapping
3. Armenistas: 15 November 2022, hijacked
4. B Ocean: 23–24 November 2022, hijacked
5. Maran Poseidon: 12 December 2022, attempted boarding

1. H1 2023 picture: For the first six months of 2023, IMB recorded five piracy cases. Three of these incidents occurred within anchorage areas (Owendo and Douala – Grebe Bulker, Hai Lu Feng 12 & 13, Oya 1). The remaining two incidents occurred deep offshore (140 NM) and very deep offshore (310 NM).

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\(^2\) Mozart, Rowayton, Sea Phantom, Lianpengyu 809, Maria E, Danilo B, BE 802, Atlantic Princess, Iris S, Tampan, MSC Lucia and Tonsberg. Apart from Julius Berger, the other 9 incidents were recorded in the ICC-IMB 2021 annual report (incidents 3–7, 12–13, 17 and 19, pp. 44–47).

\(^2\) The Dona Candida, fishing boat (Bayelsa coast) and Cape Hetteras were either excluded or only ‘partially’ recorded by IMB Alert.

\(^2\) See ICC International Maritime Bureau, Piracy and Armed Robbery Against Ships: Report for the Period 1 January–30 June 2021. The UNCLDS definition of piracy refers to incidents on the high seas, i.e., beyond 12 NM from shore.
They were:
1. *Sea Frontier*: 26 January 2021, 210 NM from shore, south-west Bayelsa
2. *Davide B*: 11 March 2021, more than 210 NM of Benin’s coast, in international waters.
3. *Bourbon Evolution 802*: 14 March 2021, approximately 220 NM west Bayelsa coast, in international waters.\(^{30}\)

These locations are perhaps not surprising, if we for example consider the use of security escort vessels in parts of the GoG. For instance, Nigerian security escort vessels operate and protect commercial vessels within Nigeria’s exclusive economic zone (EEZ) only. The knowledge and connections of pirates, as well as the simple use of automatic identification system (AIS) information from open sources like MarineTraffic enable assessing the status of commercial vessels, including whether the vessel has security escort vessels.

Furthermore, piracy attacks on commercial vessels outside the EEZ of any GoG state – sometimes at more than 200 NM from shore, punctually more than 300 NM – can afford the pirates several hours before a military or security intervention reaches the attack location. This may allow time for pirates to attempt breaking into the vessel’s citadel (protected room) access, should crew have sought safety there. This has not been observed often but did happen in the case of *Mozart* (23 January 2021) when pirates forced open the citadel of that vessel in which crew had sought refuge from the pirates.

This trend of piracy attacks moving further offshore confirms the previously observed extended reach of GoG pirates.\(^{31}\) Importantly, in the case of *Arch Gabriel* on 3 April 2022, the cargo vessel was attacked in international waters at almost 270 NM south of Lomé, Togo. This location marked a new “record” in GoG pirate reach and operation range in 2022.\(^{32,33}\) This ‘record’ was broken in April 2023, as *Success 9* was boarded approximately 310 NM south of Abidjan.

According to the annual and bi-annual ICC–IMB reports for 2021, 2022 and H1 2023, only two incidents occurred within Nigerian waters: The *Maersk Cardiff* reporting a suspicious approach at about 120 NM south West Brass island (13 January 2021) and the *MSC Lucia* boarded by pirates at about 150 NM south West Brass island (25 October 2021). Yet when considering all documented reports from ICC Yaoundé as well as other open sources, nine other incidents were reported (*Manta Asli*, *Sokoto*, *MSC Elsa*, *MSC Panaya*, *Julius Berger barge*, *Cap Saint Georges* or *Merveille*, two unknown local fishing vessels, and *Cape Hatteras*). During these two and half years, all other piracy cases were outside Nigerian waters.

Indeed, a shift was observed to waters off Gabon, Equatorial Guinea and Sao Tome and Principe. This shift is reinforced if we consider three other confirmed incidents, though not reported by IMB (*Montet Tide*, *Tampen* and an unknown Chinese fishing vessel). These three cases were in the waters around Gabon, Equatorial Guinea and Sao Tome and Principe. Thus, while cases of piracy within Nigerian waters dropped significantly (from 28 in 2020 to 1 in 2021), the ratio of piracy attacks initially increased elsewhere in the GoG. This trend was observed during Q1 2021, with five cases of piracy in the waters off Sao Tome and Principe in the period from 23 January 2021 to 23 April 2021. Thereafter, weather conditions changed, marking the beginning of the “low season” in GoG piracy.

This geographical shift was also observed during the GoG piracy “high season” (H2 2021). During that period, attacks increasingly shifted to waters off Equatorial Guinea, with two IMB-recorded cases of piracy, as well as two additional cases of piracy that were however not recorded by IMB (*Montet Tide* and unnamed Chinese fishing vessel) in that same location between 25 October 2021 and 30 December 2021. As such, H2 2021 marked a geographical shift in the location of piracy attacks in the GoG: in this period, six out of eight cases of piracy occurred within Equatorial Guinea and Gabon waters.\(^{34}\)

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27 PND1, p. 25.
29 Ibid.
30 Ibid.
31 See PND1.
32 This is if measured in terms of distance from shore. If measured in terms of distance from ‘pirates bases’ – from the Niger Delta – there was an attack in Pointe Noire in 2018. That case was an exception.
33 Indeed, the average range of the four piracy attacks recorded for H2 2021 (*Tampen*, *MSC Lucia*, *Tonsberg* and *Tropical*) was 52 NM from shore, (respectively 1, 150, 37 and 20 NM) marking a change compared H1 2021.
34 Four cases not recorded by IMB but confirmed: *Montet Tide*, *Cap Saint Georges*, *Tampen* and an unnamed fishing boat.
For all of 2021, out of the 18 piracy incidents (including suspicious approaches), 10 piracy cases were in waters off Equatorial Guinea, Gabon, and Sao Tome and Principe. This is a significant rise (55 per cent of annual piracy incidents) from the two previous years with five cases in 2019 (12 per cent of annual piracy incidents) and six cases in 2020 (10 per cent of annual piracy incidents). For H1 2023, four of the five cases recorded by IMB occurred in the East of 008 deg 30 meridian (Line Bakassi – Bioko island). The two others incidents H1 2023, not recorded by IMB also occurred in the same area, along Cameroon coast (Chang Long 12 & Kvinnherad).

In 2021–2022, several piracy attacks occurred in international waters (on vessels Davide B, Bourbon Evolution 802, Cp Tianjan, Arch Gabriel, Sea Frontier, Rosa and B Ocean). Nevertheless, the average distance from shore for GoG piracy attacks reduced during that period, compared to the previous period (2015–2020). Now, as mentioned above, the long range of the piracy attack on Arch Gabriel marked a new record for the GoG, at 270 NM south of Lomé, Togo. For H1 2023, one of the deep offshore events during that period occurred even further offshore, namely the attack against Success 9 at 310 NM from shore.
Between 25 October and 30 December 2021, five piracy attacks were confirmed within Equatorial Guinea and Gabon waters on Montet Tide, Tonsberg, Tampen, Tropical and one unnamed Chinese fishing boat. These incidents combined account for 62 per cent of all piracy cases recorded within the GoG in H2 of 2021. The attack on OSV Tampen occurred at the Owendo anchorage area, off Libreville, Gabon, around the Komo estuary. This trend was reconfirmed towards the end of 2022, with the attacks against Maran Poseidon and Fernande on 12 and 13 December 2022, respectively, both occurring east of Malabo Island. During H1 2023, the incidents Monjasa Reformer, Grebe Bulker occurred within Congo and Gabon waters.

According to local maritime operators, navigating at night that deep inside the Gabonese estuary requires intimate knowledge of the estuary environment. The distance from the onshore bases of Nigerian pirates (see PND 1) is almost 250 NM, which is so distant that initially, various sources thought that, perhaps, “local piracy” was emerging. This assumption is buttressed by the resemblance between the coast environment of the Niger Delta with mangroves and creeks in other areas such as Akanda National Park, Punta Ilende Park, Muni Reserve, Wonga Wonga Park and Corisco Island.

However, the three crews kidnapped by pirates from Montet Tide and released on 10 December 2021, as well as the five crews kidnapped by pirates from Tonsberg and released on 13 January 2022, in both cases, were released and collected by teams within the Niger Delta creeks in Nigeria. It was the same for the release of the three crew members kidnapped from Monjasa Reformer on 7 May 2023; they too were released within Akwa Ibom creeks and similarly for the crew abducted from Grebe Bulker on 21 May 2023 who were in almost the same area. This hostage release in the Niger Delta seems to contradict the assumption of local pirate groups emerging in Gabon’s coastal mangroves. Yet, it is possible that Niger Delta-based pirates may have received local support (e.g., refuelling, temporary hideout, intelligence) from collaborators along the Gabonese coast. This, however, has not been confirmed.

### 1.3.2 BOARDING TRENDS

Focusing only on IMB-confirmed piracy cases (i.e., excluding suspicious approaches), the rate of boarding remained relatively high in 2021-2022 – H1 2023, with 23 cases of successful boarding out of 29 attempts (79 per cent). Some failed boarding attempts were linked to the presence of armed security personnel onboard the vessel under attack, and/or various anti-boarding measures.
An example of armed security foiling boarding attempts was the failed piracy attack against *Tropical* (15 December 2021) in the waters of Equatorial Guinea, NNW of Bata. Armed military personnel from Equatorial Guinea were on-board *Tropical* and responded to the piracy attack by firing on the pirates. While this fended off the attack, a military personnel were sadly wounded.39 A similar scenario occurred on 29 January 2022 when *Donna Candida* was attacked very near the same location.40 In 2023, the attempt boarding on *Chang Long 12* and *Kvinnherad* also failed because of armed Cameroon military presence on-board both vessel. The 30 June 2023, the boarding attempt on the two fishing vessels *Hailufeng 12 & 13* failed also when transiting within Wouri river, Cameroon as armed Cameroon military personnel were also on-board. During the cross shooting on this last case, two pirates have been confirmed killed on scene and statements from released *OYA 1* crew further revealed that two pirates were also found dead in the pirates’ speed boats.

Besides armed security, another measure that influenced whether a boarding attempt failed were cases where the vessel under attack implemented the BMP 5 (Best Management Practice Version 5), especially where the vessel increased speed. Examples include *Sea King* and *Madrid Spirit* (both on 8 February 2021), *Contship New* (23 April 2021), *CP Tianjan* (6 June 2021) and *Maran Poseidon* (12 December 2022). *Sea King* was approached by pirates while in Gabonese waters, the tanker – following recommended BMP 5 measures– increased speed and took evasive measures, such as changing course to increase the waves along the hull where the pirates wanted to position the ladder by which to board. In the case of liquefied Natural Gas (LNG) tanker *Madrid Spirit*, which was attacked in the waters off Sao Tome, the LNG vessel increased speed to around 20 knots and took evasive measures that resulted in the pirates abandoning boarding attempts after 45 minutes. Towards the end of 2022, the tanker *Maran Poseidon* took similar anti-piracy measures, thus preventing a boarding attempt by pirates in the waters east of Malabo.

### 1.3.3 Boarding and Kidnapping Trends: 18 Boarding Cases and Eight Kidnappings Cases

For 2021 – 2022 – H1 2023 combined, a total of 23 cases were reported of vessels being boarded by pirates while transiting the GoG – thirteen in 2021, five in 2022 and five in H1 2023. In five of the 23 cases, pirates did not manage to kidnap crew because the crew reached the citadel in time and the pirates were unable to break in. As already mentioned, in a previous case (*Mozart*, January 2021), pirates succeeded in breaking into the citadel, kidnapping 15 Turkish crew and resulting in the death of one crewmember during the attack.41 Further analysing 2021, IMB reported two suspicious approaches and sixteen piracy attacks, of which 12 were boarding cases and four were attempted boarding. In more than half of these boarding cases (seven out of twelve), the pirates kidnapped crewmembers. From these seven cases, a total of 57 crew were kidnapped. For the remaining five boarding cases, the crew reached the citadel before the pirates could take any hostages. These five cases were *Rowayton Eagle* (30 January 2021), *Sea Phamton* (6 February 2021), *Maria E* (9 February 2021), *Bourbon Evolution 802* (14 March 2021) and *MSC Lucia* (25 October 2021). In all five cases, the crew identified the pirate group when their speedboat was approaching the vessel. The crew then raised the internal and external alarms and retreated into the citadel. In four cases, security forces thereafter arrived, ensured that no pirates were on-board and then released the crew from their citadel.42 Thus, in all of these cases, whereas pirates boarded, they could not abduct crew. If we go beyond IMB data to also include incidents documented in local reports for the period, four more vessels suffered boarding and kidnapping.
They are:
1. The barge *Julius Berger* (15 March 2021) with six people abducted;
2. *Montet Tide* (25 October 2021) with three crew abducted;
3. *Cap Saint Georges/Merveille* (11 November 2021) with five crew abducted;
4. An unknown fishing vessel (30 December 2021), with six crew abducted.

For 2022, the downtrend in DO crew kidnap-for-ransom piracy in the GoG was nearly but not completely zero. On 13 December 2022, FCB *Fernande* was attacked offshore Malabo Island. The vessel’s structure (19 metres long, aluminium hull) could not accommodate a citadel. Two of the three crew – both Cameroonian nationals – were kidnapped. It is probable that this abduction was linked to the failed attack against *Maran Poseidon* on the day before (12 December 2022), and possibly to the absence of big commercial vessels in the area where the pirates were operating. The two crew were held in a pirate camp in Nigeria’s Niger Delta region until their release on 13 January 2023, after approximately one month in captivity. For H1 2023, of the four vessels boarded (*Monjasa Reformer*, *Success 9*, *Grebe Bulker*, *Oya 1*) nil succeeded. Nil succeeded to establish a full and secure citadel.

According to complementary reports, the pirates were not detected during the boarding of *Grebe Bulker* and *Oya 1* cases.
1.3.4 HIJACKING

Eight hijacking cases were recorded for the period 2021–2022–H1 2023. Compared with the total number of piracy attacks and boarding, this is high, more than a third. The eight cases were:

1. The fishing vessel Lianpengyu 809 hijacked on 8 February 2021 within Gabonese waters, then commandeered to the Rivers state coast, Nigeria, where the pirates abducted 10 crew members (six Chinese, three Indonesian and one Gabonese).

2. The fishing vessel Atlantic Princess was attacked on 19 May 2021 in Ghana waters. The pirates remained on-board until 20 May when the Italian frigate Luigi Rizzo sent a military helicopter to patrol the area around the fishing vessel. The pirates left Atlantic Princess with five abducted crew (three Chinese, one South Korean and one Russian).

3. On two occasions (24 January 2022 and 23 November 2022) the tanker B Ocean was hijacked by pirates who transferred its refined product to another vessel.

4. The RoRo vessel Armenistis was reported hijacked on 15 November 2022 offshore Sierra Leone. The next day, the vessel grounded onshore, about 50 NM from the attack location.43

5. The Fernande case on 13 December 2022, when pirates remained on-board the fast crew boat for several hours probably to use the vessel as a “base” for a new attack against a larger commercial vessel. The pirates left Fernande several hours after boarding, south of Malabo, abducting two of three crew.

6. The Monjas Reformner on 25 March 2023, deep offshore Congo. The vessel was released five days later south of the Nigerian coast. Six crew were abducted during this event.

7. The Success 9 on 10 April 2023 at about 310 NM south of Abidjan. Vessel relocated by maritime authorities on 15 April 2023 at about 20 NM south of Abidjan.

1.3.5 RANSOM

Considering that each kidnapping case approximately earns pirates (including their sponsors) an average ransom of around $150,000,44 it could be reasonably inferred that the low number of kidnapping cases in 2021–2022–H1 2023 could have significantly reduced the estimated amount of ransom paid to Niger Delta-based pirates from $4–5 million in 2020 to approximately $1.5 million in 2021–2022–H1 2023. Confidential exchanges concerning the three kidnapping cases in H1 2023 tentatively estimates the average amount of ransom to be a little higher than observed in 2021–2022. Furthermore, PND145 observed that ransoms for regional seafarers have in the past been lower than ransoms for non-regional seafarers.46 Therefore, ransom amounts for this period may have been even lower, taking into account that the proportion of non-west African crew abducted was lower than in previous years.47

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43 The veracity of crew statements is however in question.
44 Calculated from the number of piracy cases resulting in kidnapped crew during 2020 (see PND 1) + the estimated amount of total ransom paid to pirate groups during that year = each kidnapping case (without taking account the number of crew) earns the pirate group (including its sponsors) an average approximate ransom of $150,000.
45 PND1
46 Ibid., p.35 “...a pirate group member explains: ‘some groups specialize on kidnapping the whites, they take to the sea and kidnap what they call ‘better whites.’” A November 2021 UNODC report, Pirates of the Gulf of Guinea: A cost analysis for coastal states, estimated the amount paid for ransom in 2020 at around $4–5 million.
47 As explained elsewhere, this observation begs several new questions, including questions about what lower level pirates make a living from, when not from kidnap-for-ransom piracy, considering accounts of how they (as different from their sponsors) engage in this criminal endeavor for “survival” (see PND1). This question is explored in other reports and research projects, including an EU report and an ongoing research project, funded by the Danish Ministry of Foreign Affairs, on (Counter) piracy Infrastructures in the GoG (COPiGoG).
Given the drop in kidnap-for-ransom piracy, very little ransom money was paid to pirates for more than two years and half. The only crew-abduction case in 2022 was the attack on Fernande, during which two crew were abducted, both Cameroonian nationals. Local credible sources revealed that the ransom paid for this last case was significant for West African crew but still below ransom for non-West African crew. The three abduction cases during H1 2023 (Monjasa Reformer, Grebe Bulker & Oya 1) would seem to indicate that one, or possibly two, pirate groups have been active during this period, likely with hideout East of Akwa Ibom state, Nigeria. To understand potential revenue gained from ransom amounts paid to pirate groups it is worth considering not only the ransom paid to pirate groups, but also the various expenses related to a piracy attack, as explained in PND1.

The types of vessels attacked were similar to previous years, but more fishing vessels were targeted in 2021–2022- H1 2023. During that period, pirates targeted eight tankers, seven container ships, six cargo vessels, four fishing vessels, three crew boats and two supply vessels.
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PIRATES OF THE NIGER DELTA II

Graph 7
TYPES OF VESSELS CONCERNED BY PIRACY EVENTS – 2020 AND PERIOD 2021-H1 2023
Source: IMB

1.4 SPECIFIC INCIDENTS

Whereas the sections above are on overall incident data and broader trends – including the significant 2021–Mid 2023 drop in GoG piracy – this section delves more deeply into the incidents reported between Jan 2022 and end June 2023.48

1.4.1 ATTACKS DURING 2022

The incidents reported on 2022 are noteworthy for several reasons, among them how they each differ considerably in purpose, modus operandi and location. On 24 January 2022, the tanker B Ocean was attacked and hijacked at approximately 55 NM south of Abidjan, Côte d’Ivoire.49 The pirates remained on-board probably waiting for the arrival of another tanker dedicated to receive part of the refined products on-board B Ocean. The transfer failed, the pirates abandoned the B Ocean empty hands. The petro-piracy 'concept' is described further in the present report.

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48 IMB reported only two, while both MMCC Zone D and ICC Yaoundé additionally documented the case of Dona Candida.
49 One other tanker was involved in the piracy attack to receive the cargo transfer deep offshore in an STS operation.
On 3 April 2022 evening, the cargo Ark Gabriel was attacked when located 270 NM south Lomé, within international waters. The pirates have been detected before boarding letting time to the vessel crew to send an external alert then to merge within vessel citadel. The pirates tried to gain access to vessel citadel without success. Noting the impossibility of kidnapping crew, the pirates left the cargo. Alerted by regional security architecture, the Italian Frigate Rizzo joined the incident location the day before mid-day to secure the cargo.

On 15 November 2022 evening, when transiting along Sierra Leone coast, at about 50 NM off Malia Island, the RoRo Armenistis reported a boarding by seven unknown armed men. The pirates hijacked the vessel reported grounded along Sierra Leone coast later. No complementary report could help determine the exact nature and objective of the event that could also be linked to illegal trafficking. No confirmed cases of piracy has ever before been reported in this area. On 23 November 2022, again, the tanker B Ocean has been attacked when located at about 230 NM south of Abidjan. Contrary to previous case in January 2022, the pirates succeeded to transfer 977 tons of refined products on-board another vessel.

At least, the 13 December 2022 morning, one fast crew boat Fernande, when transiting between Port Gentil and Douala has been attacked by a pirate group on-board a speedboat. This attack was following a previous failed attack, the night before, 35 NM south Bioko Island. The pirates remained several hours on-board the Fernande searching for a new value target. As the search was unsuccessful, the pirates left the Fernande taking two crew with them as kidnapped. The two Cameroonian were released after four weeks. As for similar cases in the past, it seems that pirates abducted the two crew ‘to pay’ the operation investment’.

The incidents reported on 2023 are few in number but varied in form. If two cases were linked with petro-piracy, two others noticeable cases have revived the concept of kidnapping in anchorage areas. The case of the Monjasa Reformer and Success 9 have been related previously in this report. The Success 9 case is however particularly interesting as the pirates located the tanker when operating at about 310 NM from the shore, within international waters. To meet the tanker Success 9 at this location, the pirates have probably been guided from shore. It must be also noted that the pirates, as soon as on-board the tanker, operated very efficiency disconnecting all the tankers equipment’s dedicated to locate the vessel but also to allow communication. The pirates moved also to engine room to put out of order the disposal dedicated to start the main engine. During all incident, the pirates demonstrated a high level of ‘professionalism’ with evident knowledge about vessel organisation and equipment’s. Finally and surprisingly, the Success 9 released crewmembers signalled that ‘four pirates was white, speaking Spanish’. 5400 tons of diesel were reported stolen during this event.

At night, on 2 May 2023, when anchored at Owendo anchorage, Gabon, the cargo Grebe Bulker has reported that three crew members was reported missing. After search on-board, it was confirmed that three officers were abducted. It was also noticed that the vessel safety box was opened and empty. The three crew released 18 days after within Akwa Ibom state in Nigeria. On 30 June 2023 night, a pirate group, probably involved on the attack on fishing vessels Hailufeng 12 & 13 one hour and half before, within Wouri river, south Douala, and despite four pirate group members lost during the cross shooting, boarded the cargo OYA 1 anchored within Wouri river, front of Douala port. Five crew members abducted on-board the cargo. Never previously have pirates moved so deep within the Wouri River to perform a piracy attack. This incident, following the Grebe Bulker event in Owendo anchorage, has inevitably refreshed similar kidnapping cases occurring in anchorage areas in the past.
FOCUS 3

RESURGENCE OF CREW ABDUCTION IN ANCHORAGE AREAS?

On 30 June 2023, when anchored in Douala port, Cameroon, the cargo OYA 1 was boarded by pirates (or criminals, depending on how broadly the term piracy is understood). Five crew members were abducted. Earlier, more specifically on 2 May 2023, another cargo, namely Grebe Bulker, had also been boarded by criminals whilst anchored at Owendo, Libreville, Gabon. This incident resulted in three crew members being kidnapped. This sequence evokes a series of similar events that marked the Gulf of Guinea between 2019 and 2021.

2019 incidents include:
1. Contship Oak, boarded in Douala anchorage, on 30 March 2019
2. Marmalaita & Victory C, boarded in Douala anchorage, on 15 August 2019
3. Bonita, boarded in Cotonou anchorage, on 2 Nov 2019
4. Elka Aristole, boarded in Lomé anchorage, on 4 Nov 2019
5. Guoji 867 & Guoji 867, boarded in Owendo anchorage, on 21 Dec 2019
6. Happy Lady, boarded in Limbe anchorage, on 30 Dec 2019
In all of the above listed incidents, vessels were boarded by pirates and, in each case, several crew were abducted.

2020 incidents include:
7. Tommi Ritscher, boarded in Cotonou anchorage, on 18 April 2020
8. Rio Mitong, boarded in Malabo anchorage, on 9 May 2020

2021 incident

Overall, these twelve cases resulted in the abduction of 56 crew (42 in 2019/13 in 2020/1 in 2021). Following this boarding/kidnap from vessels in anchorage areas, the concerned coastal states (see map below) established different security measures including maritime security patrol by night, armed military personnel embarked or agreement to use private maritime security personnel.
On 24 January 2022, MDAT-GoG sent an alert (Advisory notice 001/JAN/2022) that local sources along Ghana’s western coast indicated that “a group of people have reportedly put to sea a local fishing boat with a high-powered outboard motor in the early hours of 24 January 2022.” They said that the “group members were not known locals and were suspected not to be Ghanaians. The group was suspected to be a criminal group, possibly a pirate group”. On 25 January 2022, the ship-owner of the Marshall Island-flagged tanker B Ocean, 4,000 gross tonnage, reported that he lost contact with his vessel. The last position reported was the previous night at 2323 hours (hrs) local time, at approximately 60 NM south of Abidjan, Ivory Coast. The B Ocean – loaded with 4,000 tonnes of automotive gas oil (AGO) – was to perform an offshore STS (ship-to-ship) cargo transfer operation.
On 25 January 2022 at 2035 hrs UTC, IMB sent an alert that "a tanker was attacked and hijacked by pirates. The pirates left the tanker with stolen cargo. The crew reported safe." The signalled time of the attack was 24 January 2022 at 2317 hrs local time. The signalled location of attack was approximately 50 NM south of Abidjan. The company incident report said that when B Ocean was waiting for the arrival of the cargo Liberty Grace for bunkering, planned for 24 January 2022 at 2300 hrs local time, B Ocean was approached by a speedboat of approximately nine metres, with 9–11 pirates on-board. When B Ocean was boarded, neither the internal alarm nor the Ship Security Alert System were triggered. All crew were gathered on the bridge by the armed pirates. According to a B Ocean report, the tanker had armed military personnel on board, but they had reportedly been neutralized by the armed pirates.

The pirates rapidly disconnected all vessel communication means. Using a satellite phone, a pirate communicated with an unknown vessel, possibly to coordinate action and plan a future transfer of the stolen AGO from B Ocean. On 25 January 2022, at about 0050 hrs local time, the pirates – using their own global positioning system (GPS) – ordered B Ocean to set sail for deep offshore toward south-south-east. At 0845 hrs local time, they ordered one of the crew to paint over the vessel’s name on the hull, and the call sign (V7VL2) on the bridge roof. Around 1245 hrs, B Ocean stopped at approximately 115 NM from Takoradi Port (04° 22 north – 004° 10 west). Between 1300 hrs and 1850 hrs, an estimated 973 tonnes of AGO was then transferred to another tanker in an STS operation. The pirates left B Ocean about 1915 hrs local time, after which the captain reported the attack. The following day, the Ghanaian Navy arrested a tanker – Bluefoss – which was highly suspected to have received the 973 tonnes of AGO from B Ocean.

The attack and hijack of the B Ocean is unusual for several reasons. First, this modus operandi had been abandoned by pirates for several years, notably after the Maximus case on 11 February 2016, offshore Côte d’Ivoire. The Maximus was intercepted later by the Nigerian Navy and the pirates arrested. Also arrested was the second tanker designated for transfer, MT (motor tanker) Dejikun. This Maximus case was followed by the failed hijack of G Dona 1 off Lomé on 12 May 2019. The piracy suspects – who were Ghanaian, Togolese and Nigerian nationals – were arrested and sentenced for piracy by the Lomé Court of Justice in July 2021. Secondly, the pirates appeared well-informed on the B Ocean’s operations, loading and location. Thirdly, the coordination and execution of the operation was exceptionally effective and unusually methodical, with successful boarding, transit and rendezvous with the second tanker for transfer. The pirates clearly had intimate knowledge of vessel organisation, vessel transfer system, navigation and control on abducted crew. This operation needed an initial large financial investment upfront, indicating that there were sponsors or a kingpin behind the piracy.51

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50 IMB/PRC/Alert 006-2002.
51 Mike Schuler, "Pirates attack bunker tanker off Ivory Coast – Report", gCaptain, 26 January 2022.
AN UPDATE ON PIRACY TRENDS AND LEGAL FINISH IN THE GULF OF GUINEA

PIRATES OF THE NIGER DELTA II

STEP 1: INITIAL CONTACT

TARGET TANKER
CALL YOUR TEAM FOR ONE OPERATION OFFSHORE

CHIEF PIRATE

KINGPIN

LOCALISATION GULF OF GUINEA

IN SPY, CONFIRM ONE LOADED TANKER OFFSHORE TO TARGET

SPY

IN SHIPOWNER, HAVE YOU ONE EMPTY TANKER READY FOR OIL BUSINESS OFFSHORE?

SHIPOWNER

IN CUSTOMER, AGREE FOR HALF PRICE OIL MONKEY BUSINESS?

CUSTOMER

STEP 2: START FEATURE

TARGET TANKER

CONFIRM LOCATION OWNER

KINGPIN

IN SPY, CONSIDER OWNER ODD BUT...?

SPY

IN SHIPOWNER, OWNER NEED TO GIVE YOU...

SHIPOWNER

IN CUSTOMER, AGREED OIL MONKEY BUSINESS?

CUSTOMER

TANKER A

TANKER B

WAITS OFF IVORY COAST FOR STS OPERATIONS FULL FUEL

PIRATE BOAT

THE TANKER IS LOCATED...

EMPTY FUEL

COTE D'IVOIRE

SIERRA LEONE

GUINEA

BENIN

TOGO

GHANA

CAMEROON

NIGERIA

LIBERIA
Graph 8
PETRO-PIRACY: DIFFERENT PHASES DESCRIPTION
1.4.3 MSC LUCIA AND MONTET TIDE

A DOUBLE ATTACK CONCEPT?

MSC LUCIA AND MONTET TIDE – 25 OCTOBER 2021

On 25 October 2021 at 0850 hrs local time, the container ship MSC Lucia was attacked at approximately 150 NM south-west of Brass, within Nigeria’s EEZ. It had been more than four months since an attack in the GoG, which had been on CP Tianjan on 6 June 2021 in international waters. Eight pirates had approached MSC Lucia in a speedboat, and then boarded the container ship. Other than the electrician who hid in the engine room, all other MSC Lucia crew made it into the citadel. The Russian frigate Vice-Admiral Kulakov came to the rescue of MSC Lucia. At 1700 hrs local time, a Russian military helicopter hovered over MSC Lucia, following which the pirates rapidly fled without any kidnapped crew. At 1715 hrs, it was reported that all MSC Lucia crew were out of the citadel and safe.

On the same day, 25 October 2021 at 2030 hrs local time, at approximately 200 NM east of the MSC Lucia incident, a supply vessel, the Montet Tide, was observed as having an inconsistent course and speed at about 50 NM south of Malabo Island, Equatorial Guinea. The vessel drifted all night without information on its status. Then on the morning of 26 October 2021, it was disclosed by the United States of America (US) Naval Forces in Africa (AFRICOM) that the vessel had been attacked by pirates, and three crew – all Cameroonian nationals – had been abducted. The abducted crew were released 45 days later on 10 December 2021, within Rivers state creeks, close to Abonnema, 15 kilometres west of Port Harcourt, Nigeria.

Observation: Two attacks on the same day cannot be attributed to the same speedboat when considering the timing and location. With the 200 NM distance between the locations of the two attacks, it is not feasible that the same pirate group could have made a second boarding attack in under three hours. These two attacks occurred after a long period (almost 150 days) of no observed piracy attacks. An interviewee noted that there is a possibility that one pirate group decided to split their operations in two different areas, as this would allow one pirate group to act uninterrupted by counterpiracy actors – as was the case for Montet Tide – while military responses focused on the other incident – as happened for MSC Lucia. And while this cannot be definitively confirmed, it links with the previously observed adaptability of pirates in the GoG. Niger Delta-based pirates were earlier noted to have adapted their operation in response to anti-piracy measures.52

1.5 SUMMARY

After decades of GoG-piracy, evolving from insurgency-related piracy to petro-piracy, and then later to DO kidnap-for-ransom piracy (see PND 1), the downward trend initially observed in April 2021 has not only continued but further fallen to historically low levels throughout 2022, with only a slight uptick in H1 of 2023, when compared to H1 of 2022, which did not see a single case of pirates kidnapping crew in the GoG region. Indeed, prior to the incident on 13 December 2022, and the abduction of two Cameroon crew on-board the FCB Fernande, there had not been a single case of crew kidnapping in 2022 from vessels transiting through the GoG. Yet, a slight uptick in abduction incidents – three cases – was observed in H1 of 2023. Despite these historic lows, it is however important to note that several other crimes (smuggling, I.U.U, oil theft, human trafficking) continue in GoG waters. These crimes have a negative impact on regional stability and maritime security. They may also entail dynamics that could potentially impact the risk of a resurgence of piracy spur a resurgence of piracy, as witnessed at earlier points in the history of GoG piracy, where temporary drops in one type of piracy were followed by the emergence of a new phase of GoG piracy. Several factors may indeed have influenced this historical drop in GoG piracy. Some of these factors relate to onshore dynamics of considerable significance, as documented in detail in other studies.

Other factors are the various developments in counterpiracy efforts at national, regional and international levels, as outlined in Part II of this report.
2. ONGOING COUNTERPIRACY EFFORTS

Since April 2021, GoG piracy has dropped to historically low levels. As to what influenced this drop in maritime piracy and kidnap-for-ransom piracy, Part II of this report outlines some of the factors, as highlighted and explained by various actors. This part of the report also outlines several ongoing and sustained counterpiracy efforts. As noted during the G7++ Group of Friends of the Gulf of Guinea (G7++ FoGG) meeting in Abidjan in December 2022, “while the rain has stopped, it’s time to mend your roof.” This is of course not to say that piracy will necessarily reappear. But examining earlier periods during which GoG piracy has dropped and then re-emerged, it is prudent to consider the risk of Resumption. Consequently, it is imperative to not only continue but also to intensify and entrench ongoing efforts that address piracy and broader maritime security through various programmes and initiatives.

While several factors may have contributed in different ways to the reduced level of GoG piracy, none of these factors alone can be isolated as an only essential driver behind the reduction in piracy. Rather, it is an intertwined combination of various measures. Some of the factors relate to changes in offshore and onshore counterpiracy efforts. Others – that this report focuses less on – spring from onshore dynamics in the Niger Delta region, where pirate groups are known to have their base, from which they prepare and launch their operations, and where they also hold their hostages captive. While several onshore developments have indeed been important in the sequence and synchronicity leading to this dramatic drop in piracy, this report focuses on some of the main offshore and onshore efforts specifically designed to counter GoG piracy, through navy and related security-agency efforts, legal reform, better coordination and information-sharing, and so on. The sections that follow provide a brief overview of main developments in counterpiracy structures, clustered in three subsections corresponding to three levels: countries in the GoG region, regional level and international level.
2.1 COASTAL COUNTRIES IN THE GOG: NATIONAL DEVELOPMENTS

2.1.1 NAVY: INCREASE IN MILITARY MARITIME PLATFORMS AND MARITIME OPERATIONS IN GOG COUNTRIES

Over the past five years, coastal countries in West Africa have expanded and increased their maritime-security assets, particularly for their national navies. Several coastal states have received new offshore patrol vessels (OPVs). They include Senegal (OPV “Walo” class), Côte d’Ivoire (two 45-metre Israeli OPVs and former French P400, patrol vessel Contre Amiral Fadika), Togo ordered one 70-metre-long OPV from a supplier in late 2020, and Ghana received several OPVs (GNSs [Ghana Navy Ships] Volta, Densu, Pra and Ankobra), mainly for securing offshore oil assets.

Nigeria continued to receive new military vessels including the landing vessel Kada and the hydrographic vessel Lana in 2022. Earlier in 2021, the Nigerian navy had ordered two 74-metre OPVs from a foreign supplier. Also, as part of a continuous effort, Nigeria produced several gunboats to enhance coastal monitoring and for operations in the Niger Delta creeks. As part of the Deep Blue Project, in 2020, the Nigerian Maritime Administration and Safety Agency (NIMASA) acquired two 30-metres OPVs – DB Lagos and DB Abuja – each with fast interceptor boats. These vessels are complemented by several air assets (two special mission aircraft for surveillance, three special mission helicopters for search and rescue [SAR] and four aerial drones). As part of the Deep Blue Project is also a command, control, communication, computer and intelligence (C4i) centre based in Lagos. In addition, Nigerian counterpiracy actors reinforced their efforts through new technical capacities. For the Nigerian Navy, this included “Falcon eye” – a technical surveillance facility incorporating various sensors located along the Nigerian coastline. For NIMASA, this included Deep Blue at a cost of around $200 million.
OFFSHORE PATROL VESSELS (OPVS):

For decades, OPVs have been specifically designed for navies and coastguards worldwide. They are a multi-mission platform, adaptable to diverse tasks such as maritime border and EEZ surveillance, counter-drugs, counterpiracy, maritime safety, including search-and-rescue (SAR) operations and oil-spill detection, as well as fishery surveillance.

Below, a few facts and figures on OPVs currently operating within the Gulf of Guinea:

1. average length: 30–50 metres;
2. endurance for deployment: up to 15 days;
3. operational range: 3,000–5,000 NM;

In recent years, several countries financed and ordered new OPVs of up to 70 metres in length.

2.1.2 PRIVATE SECURITY: EXPANSION OF THE SECURITY ESCORT MODEL

As described in PND1, Nigeria initiated the security escort vessel (SEV) model in 2005. This approach has since expanded to other GoG states. Thus, from mid-2021, and following attacks on the Atlantic Princess and Iris S, Ghana began allowing armed military personnel on-board fishing vessels and deployed military patrol vessels at the Takoradi anchorage. Taking a comparable approach and after several attacks on Malabo and Luba anchorage areas and around the LNG Marathon gas jetty, Equatorial Guinea also allowed private maritime security companies to operate within its waters from early 2021. Similarly, Bénin Republic started allowing private armed maritime security personnel to operate within its national waters towards the end of 2020. Likewise in Togo, private armed military security personnel have been allowed since 2021. Other adaptations have also been observed in different coastal countries in the GoG. Companies providing private security services must comply with national requirements. For example, in Nigeria, all private maritime security companies (PMSCs) operating in Nigeria’s territorial waters must have a licence from the Nigeria Security and Civil Defence Corps (NSCDC), a memorandum of understanding

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49 Anonymous interview, maritime industry, September 2022;
71 Whilst the models differ from country to country, it is important to note that not all models are entirely “private” but may have varying degrees of links to state actors. As explained in PND1: “As one example of this PMSC model, OCEAN MARINE SECURITY Ltd (OMS Ltd) had a partnership with the Nigerian Navy, which allowed OMS Ltd to operate Nigerian Navy vessels as security patrol vessels” [emphasis in italics added]
(MoU) with the Nigerian navy, a post-inspection agreement for accessing the maritime platform used and a renewable monthly contract with the navy to operate offshore. The full agreement must be completed and renewed each year. Third-party maritime operators [such as the oil industry and others] wishing to engage PMSCs must first ensure the PMSC has all required licences, then contracts the PMSC according to a defined operational framework (Security plan) accepted by the different parties. The average cost of an “armed security vessel” is approximately $8,000–10,000 per day, covering the vessel, crew, fuel and armed military personnel.

2.1.3 INCREASED BILATERAL AND MULTILATERAL COUNTERPIRACY COOPERATION BETWEEN GOG STATES

In addition and alongside the SEV model above, coastal states have entered into bilateral and multilateral agreements and MoUs72 for operational cooperation offshore between GoG states. These have borne fruit. For example, in May 2020, a regional cooperation agreement between Bénin Republic, Côte d’Ivoire, Nigeria and Togo led to successfully tracking the fishing vessel Hailufeng 11 from the first clues of inconsistent navigation and reporting within Côte d’Ivoire waters. It enabled authorities to prepare a maritime operation to intercept the vessel as it sailed to Nigeria. Using information provided by its neighbouring countries, the Nigerian Navy dispatched the Nigerian Navy Ship (NNS) Nguru from Lagos. Nguru intercepted Hailufeng 11 at 140 NM south of Lagos, arrested 10 pirates and freed the 18 crew.73 Because GoG pirates operate from Nigeria’s Niger Delta, bordering - and sometimes with pirate groups moving into - the Bakassi Peninsula, Nigeria and Cameroon have organized several joint counterpiracy operations along coasts and within creeks. Beyond counterpiracy, these joint operations – Delta Safe, Octopus Grip, and Accord 1 and 2 within the JOA [joint operations area] – were also geared “to protecting oil and gas infrastructures and deter militancy, sea robbery, crude oil theft and other forms of criminality that could impact negatively on economic activities in the Niger Delta.”74

2.1.4 STATUS ON LEGAL FINISH IN GOG STATES: ANTI-PIRACY LAWS AND PIRACY TRIALS

Recently, efforts to enact specific laws for criminalization of maritime piracy have resulted in new developments in several GoG states. For example, in June 2019, Nigeria’s President Muhammadu Buhari signed into law the Suppression of Piracy and Other Maritime Offences Act, commonly referred to as the SPOMO Act. Following the passage of this law, Nigeria began its first piracy trial in July 2020, which resulted in the prosecution on 23 July 2021 – under the SPOMO Act – of 10 pirates arrested on-board the fishing vessel Hailufeng 11.75 Togo too has been breaking ground in terms of leading in these legislative changes. The country has enacted national laws that enable prosecuting acts of piracy.76 In a similar vein, in July 2021, a court in Togo sentenced nine persons (seven Nigerians and two Togolese) to prison sentences of between 12 and 15 years for piracy, following the boarding of a tanker Dona 1 on the night of 11 to 12 May 2019 in Lomé.77 The aim of this section is neither to test nor to ascertain the degree to which any of the developments outlined within GoG states – be this legal (Section 2.1.4), navy [2.1.1] or private security (2.1.2) – account for the drop in GoG piracy. Rather, the aim is to showcase some of the various developments that must be appreciated when contemplating developments behind this significant drop in piracy. Also, in addition to developments at national level, it is necessary to take into account counterpiracy developments at both regional and international levels by actors engaged in GoG.

72 Rebecca Ejifoma, “Niger, Ghana navies strengthen ties over security threats, train 19”, This Day, 2 August 2021;
Sustained anti-piracy operations by GoG states and the increasing multilateral partnerships to combat piracy in the region called for a more comprehensive legal framework not only at the level of the member states but also at the level of regional economic communities (RECs) such as ECOWAS and ECCAS. In West Africa, an ECOWAS Supplementary Act on the Transfer of Piracy Suspects and their Associated Property and/or Evidence was adopted in July 2022.78 The adoption of the ECOWAS Supplementary Act triggered processes by member states to facilitate domesticking the Act in their national legislation. Subsequently, pre-existing anti-piracy laws were revised, and new laws promulgated.79

Some states in the region have finalized their legislative reform while for others, reform is still ongoing. For example, The Benin Republic revised its penal code in September 2022 to include a definition of piracy in conformity with UNCLLOS. Legal reform has also started in Côte d’Ivoire, where a bill for the suppression of offences committed at sea and the procedure for law-enforcement at sea has been drafted and validated. In Ghana, similar reforms are underway with a proposed revision of the Maritime and Related Offences Bill, 2022, which seeks to provide for the offence of piracy in line with UNCLLOS, while also incorporating provisions of the 1998 treaty - Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation. This Bill is at the time of writing, still awaiting adoption. Nigeria, Cabo Verde and Senegal have completely overhauled laws defining piracy pursuant to UNCLLOS. As indicated above, this overhaul has enabled successful prosecution of suspected pirates in Nigeria and Togo.

In Central Africa, Cameroon recently drafted an anti-piracy law, which has been adopted by parliament to suppress piracy, terrorism and other unlawful acts at sea.80 However, this new legislation falls short of article 105 of UNCLLOS, as there is no provision for universal jurisdiction for the prosecution of people suspected of acts of piracy. Gabon, and Sao Tome and Principe, are still in the process of making new laws or revising existing ones to fully comply with UNCLLOS provisions.

While advocacy and policy engagement by international actors – including UNODC – has led to a concerted effort to develop the legal framework for prosecution of people suspected of piracy, a key challenge is ensuring that these new legal frameworks are designed in line with article 105 of UNCLLOS and other relevant international protocols on handling of suspects, and that penalties will not pose legal obstacles to cooperation between foreign navies, regional actors and national law-enforcement agencies.

78 UNODC, “Heads of State and Government of ECOWAS Member States adopt Supplementary Act for the Transfer of Piracy Suspects and their Associated Property and/or Evidence for prosecution”.

79 For example, the death penalty needed to be removed from the anti-piracy laws in the region in conformity with international best practice.

As illustrated in chart 3 above, UNCLOS-compliant counterpiracy laws are in place in five GoG states, underway in eight countries, and missing in six countries. Consequently, there is still significant need for engagement with national and regional actors, to – among other things – fully develop the facilitative legal frameworks for legal finish in the Gulf of Guinea.

The increasing adoption of such legal finish aspects demonstrates the commitment of regional actors to fight piracy. This is further evident in the two prosecutions in Nigeria and Togo. UNODC continues to support national programmes to establish context-specific and UNCLOS-compliant national laws.81


FOCUS 7

THE G DONA 1 CASE

On 12 May 2019, the Lomé Maritime Operations Centre (MOC) received a call from the owner of G Dona 1, a Togolese-flagged tanker, anchored at Lomé anchorage in Togolese waters. The call conveyed that G Dona 1 was under attack. The area was already prone to piracy. On 3 March 2019, Histria Ivory had been attacked and three crew members kidnapped.

MOC Lomé was on the alert due to the unscheduled departure of G Dona 1 and the lack of response to VHF calls. MOC Lomé contacted the Togolese Navy for intervention. After numerous VHF calls, G Dona 1 responded saying that the vessel was moving back to the anchorage area. Yet G Dona 1 continued sailing offshore. Meantime, a vessel at Lomé anchorage reported having rescued a man who had fallen overboard, and who identified himself as the captain of G Dona 1.

A Togolese patrol vessel reached G Dona 1 and demanded that it turn back to Lomé, but the persons on-board refused and threatened to hurt crew if the Togolese navy continued pursuit. After several hours, another Togolese patrol boat, reinforced by a special boarding team, reached G Dona 1. The Togolese military boarded G Dona 1, subdued the criminals, and gained control of the ship. Eight persons (six Nigerians and two Togolese) were arrested and transferred to Togolese Gendarmerie. Later, a Nigerian and a Ghanaian were also arrested for complicity, as it appeared that the criminals hired locally a speedboat for the attack.

In July 2021, more than two years after the incident and after a long legal process, nine criminals were sentenced to prison terms ranging from 12 to 20 years. One person – who had provided the speedboat – was acquitted. The Lomé Court found them all guilty of “maritime piracy, wilful violence and creation of a group of criminals.”82 To better understand hitherto uncovered dimensions of this case, a member of the research team which co-authored this report had the privilege of conducting an interview with all nine imprisoned persons.
During the November 2022 interview, several points emerged:
1. All nine interviewees refused to be called "pirates": they claimed throughout the interview that they were "businessmen".
2. They stated that the purpose of their action was to conduct oil business, and that they acted on information provided by an informant who told them: "he has a friend with a tanker stationed in Togo waters with fuel". The interviewees said that this tanker was the G Dona 1.
3. The interviewees said that they hired a "fishing boat from Katanga, along lake Volta in Ghana", which they used to reach G Dona 1 but then "the situation turned bad because of the amount proposed, the purpose was not piracy, robbery, kidnapping or hijacking. It was just business between us and the crew." They emphasised that the Togolese navy did not find any weapons on them.

They did not explain why G Dona 1 left the anchorage area or why the captain of G Dona 1 was rescued by another vessel. When asked why they did not stop the course of G Dona 1 once the Togolese navy approached, they explained that "the master of G Dona 1 did not stop the vessel immediately because he had some engine issues. So the navy shot at the engine and it stopped gradually."

According to one interviewee, a former captain had informed several members one-by-one, Then these persons had in turn informed remaining person voluntary to be involved in the group carrying out the attack. The interviewed all said they were friends/businessmen who came together for this "business".

2.1.5 NIGERIAN MARITIME AND ONSHORE OPERATIONS

GoG pirates are predominantly operating from Nigeria (mainly Delta, Bayelsa, Rivers and Akwa Ibom states in the Niger Delta region) and from the Bakassi Peninsula. Consequently, Nigerian and Cameroonian authorities organized numerous counterpiracy operations along the coast and within the creeks. These operations – Delta Safe, Octopus Grip, Accord 1 & 2 – were conducted in order to "protect oil and gas infrastructure and deter militancy, sea robbery, crude oil theft and other forms of criminality within the JOA that could impact negatively on economic activities in the Niger Delta."83 In April 2022, Nigeria launched a new operation, mainly to counter oil theft in the Niger Delta, dubbed Operation Dakatar Da Barawo (Stop the Thief).84 Furthermore, Nigerian maritime administrations reinforced their efficiencies with new technical capacities and additional innovations, as reported in Section 2.1.1.

2.2 REGIONAL COOPERATION AND ANTI-PIRACY LAWS

2.2.1 ECOWAS TRANSFER AGREEMENT

In addition to developments in national counterpiracy laws and the first two GoG piracy trials, is the abovementioned Suppmentary Act on on the Transfer of Persons Suspected of Having Committed Acts of Piracy and their Associated Property/Evidence for prosecution among ECOWAS member states was
The Yaoundé Architecture celebrated its tenth anniversary recently. Established in June 2013, this inter-regional (ECCAS and ECOWAS) maritime security architecture, spanning all 19 states of the Gulf of Guinea, progressively improved in efficiency. Since its initiation, several dimensions of this ambitious structure have been developed, contributing in various ways to improving regional counterpiracy efforts.

One area that has improved is coordination and cooperation, which have been strengthened through a combination of exercises, training and the provision of new tools and equipment for maritime domain awareness and for information sharing. Several foreign countries provided support to reinforce this information-sharing process through, for instance, the Yaoundé Architecture Regional Information System (YARIS) and other appropriate tools. Within the Yaoundé Architecture, new sub-regional cooperation mechanisms have been established to optimise information-exchange and cooperation.

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FOCUS 8

THE YAOUNDÉ ARCHITECTURE

ICC Yaoundé – Interregional Coordination Centre

The centre is the body responsible for strengthening activities for enhancing cooperation, coordination and interoperability of systems, as well as the implementation of the regional strategies on security within the common maritime space of West and Central Africa. To carry out these functions, the ICC has five divisions:

- Political Affairs and International Cooperation
- Information Management and Communications
- Training and Practice
- Legal Affairs and Judicial Cooperation
- Administration and Finance

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**FOCUS 8**

**CRESMAO and CRESMAC – Regional Maritime Safety Centres**

The mission of the Regional Maritime Safety Centres (Centre régional de sécurité maritime de l’Afrique de l’Ouest [CRESMAO] and Centre Régional de Sécurité Maritime de l’Afrique Centrale [CRESMAC]) is:

1. to strengthen regional cooperation at the strategic level, within the framework of the implementation of the ECOWAS Integrated Maritime Strategy (EIMS);
2. to coordinate the activities of the maritime zones (A, D, E, F and G); and,
3. to facilitate the coordinated sharing of inter-regional information and experiences under the auspices of the ICC.

**MMCCs – Maritime Multinational Coordination Centres**

The GoG coastal space is divided into five operational maritime zones where activities are coordinated by five Maritime Multinational Coordination Centres located in Luanda, Douala, Cotonou, Accra and Praia.

**MOC – Maritime Operational Centres**

At national level, in each country, one Maritime Operational Centre convenes the main stakeholders involved in state action at sea (maritime police, customs, fisheries and environment protection), as well as the national navies in charge of the coordination.
To strengthen effective cooperation between counterpiracy actors at regional and international levels, in mid-2021, ICC Yaoundé and NIMASA\footnote{NIMASA: Nigerian Maritime Administration and Safety Agency} established a forum for Shared Awareness and Deconfliction (GOG-MCF/SHADE) for the Gulf of Guinea. In addition to high-level representatives from regional navies, SHADE – mirroring its Horn of Africa predecessor – also includes external actors from the shipping industry and from states outside the GoG region whose navies engage in GoG counterpiracy activities. They include Denmark, France, Italy, Portugal, Russia, Spain, United Kingdom (UK), United States of America (USA).

Shade’s main objectives are to connect and discuss how best to tackle piracy, and to deconflict initiative.

### 2.3 INTERNATIONAL NAVY PRESENCE

#### Coordinated maritime presences

Initially adopted in 2020 by European Union (EU) member states,\footnote{The Coordinated Maritime Presences concept was first discussed after the informal meeting of Defence Ministers of 28–29 August 2019 in Helsinki. On 17 June 2020, the Council adopted conclusions, reiterating the willingness to launch the pilot project in the Gulf of Guinea, in line with the revised EU Maritime Security Strategy and Action Plan.} the EU piloted its Coordinated Maritime Presences (CMP) concept in the Gulf of Guinea, in January 2021.\footnote{European Union External Action, “The EU launches its Coordinated Maritime Presences concept in the Gulf of Guinea”, 25 January 2021.} This pilot entailed deployments by EU member states of military vessels. Some of them had already been scheduled for deployment but were now subsumed into the broader EU CMP pilot concept. CMP also included navy deployments from EU member states new to counter piracy in the GoG.
Each navy deployment maintained national command and control structures. Deployments also differed in duration, approach and type of navy vessel. The vessels used were usually frigates, 120–130 metres long (around 6,000 tonnes), equipped with high-level military equipments. They were usually deployed for four months. The result was an augmented foreign-navy presence in the GoG region, as new EU member states added to the long-standing traditional navy presence of countries such as France, UK, Portugal and Spain, with different historical links with West Africa. Italy was the first country to deploy a military vessel within the CMP framework, with multi-mission vessel Luigi Rizzo deployed to the GoG in early 2020. The vessel undertook its first counterpiracy operation on 25 March 2020, when Luigi Rizzo foiled a piracy attack on the cargo vessel Scarabee offshore Bayelsa state, Nigeria. Since this initial mission, the Luigi Rizzo and other sister ships such as Foscari now operate in the GoG for periods of time, assisting vessels attacked by pirates. In October 2021, Denmark sent a frigate (equipped with helicopter and SBS teams) to contribute to the EU’s GoG maritime presence.

The CMP concept has contributed to foiling several piracy attacks, and is currently working to strengthen cooperation with regional actors and states. In September 2022, the CMP concept was extended for two more years up to February 2024. In addition to the CMP, other states have also contributed to counterpiracy in the GoG. The USA continues – among other contributions – to conduct its annual Obangame Express exercise, now in its 12th year. This exercise combines assets, vessels and aircraft drawn from numerous countries. The Obangame Express 23, which ran from 23 January 2023 to 3 February 2023, had participation from Angola, Benin, Brazil, Cabo Verde, Cameroon, Canada, Côte d’Ivoire, Denmark, Democratic Republic of the Congo, Denmark, France, Gabon, the Gambia, Germany, Ghana, Guinea-Bissau, Italy, Liberia, Morocco, Namibia, Netherlands, Nigeria, Poland, Portugal, Republic of Congo, Sao Tome and Principe, Senegal, Sierra Leone, Spain, Togo and USA (lead nation on Obangame Express). ECOWAS and ECCAS also participated.

Military vessels from the UK Navy are also present in the GoG at specific periods, during which they conduct counterpiracy operations. Furthermore, the Russian destroyer Vice-Admiral Kulakov also contributed to counterpiracy efforts in the GoG. For example, the Russian destroyer came to the rescue of the container ship MSC Lucia when she was attacked by pirates on 25 October 2021 while en route from Lomé to Cameroon. In September 2022, the Indian frigate INS Tarkash also contributed to counterpiracy missions as she patrolled within GoG. When Brazilian frigate Uniat performed same missions in July 2022. And, following the attack on the fishing vessel Marine 11 on 26 March 2018 in Ghana waters, a South Korean military vessel, Munmu the Great, similarly contributed to counterpiracy in the GoG.

Importantly, none of these efforts alone – whether at international, national or regional levels – can fully account for the drop in GoG piracy to the historically low levels first witnessed beginning April 2021, and dropping further throughout 2022. As previously noted, onshore dynamics must also be taken into consideration when seeking to explain this significant downtrend in piracy (EU Report, 2022).

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91 SBS : Special Boat Services - Navy special forces
93 For Obangame Express, as for other exercises, like the Grand African Navy Exercise (NEMO), the national and the international levels are not entirely distinct, but are mutually reinforcing. See Pierre Morcos, “A transatlantic approach to address growing maritime insecurity in the Gulf of Guinea”, Center for Strategic and International Studies, 1 February 2021.
95 MP Sidharth, “Indian frigate INS Tarkash in India’s first ever warship to patrol Gulf of Guinea, 41-day mission completed”, WION, 4 October 2022.
96 Agence France-Presse, “South Korea deploys warship to Ghana after pirates kidnap seafarers”, Arab News (Seoul), 1 April 2018.
2.4 OIL-RELATED CRIME

Oil theft sits at the intersection of DO piracy and other maritime (and onshore) crimes in the Niger Delta. It is a complex economic crime that occurs at different locations (e.g., tapping from pipes, at refineries and during sea transport of refined product or crude oil). It involves actors at different levels. Research has shown that there are at least three levels of oil theft.97

The top level involves organized theft by well-connected, high-level actors. This may for example occur in the form of “overloading” of oil cargo beyond stipulated allocations, which is very difficult to trace. The difference between the stipulated allocation and the overloaded cargo means money for various actors that facilitate this process in different ways.

The second level involves direct tapping of crude from pipelines. This level too has high-level actors but also a range of criminal “business” people, and – in some instances – armed men who protect both the actors and crime locations. There are several criminal groups operating at this level. The proliferation of oil-theft groups in the Niger Delta gained public attention following renewed attempts by the Nigerian government to address oil theft in the Niger Delta. As the situation was not sustainable and as different official bodies was regularly accused to be part of the oil theft, either directly or through bribes, then president Buhari decided in mid-2022, to transfer one part of the oil pipes surveillance task to a company, TANTITA Security Services Ltd, owned by the former militant Government Oweizide Ekpemupolo aka TOMPOLO. Despite initial doubts concerning the feasibility of the transfer of this pipeline surveillance task to TOMPOLO, TANTITA SSL deployed thousands of surveillance operators in the Niger Delta creeks under the aegis of the security contract allowed to his company. The Tantita SSL operators, acting with the NSCDC (Nigeria Security and Civil Defence Corps), selected within youths from various host communities in the Niger Delta, have been deployed since the end of 2022 without serious issues. Operations by security contractors (including former militants) hired by the Nigerian government revealed that there are multiple loading points, controlled by different criminal groups.

The third level involves illegal refining of stolen crude oil by local actors in numerous locations in the Niger Delta.98 It also includes transporting and selling the refined product. Research has shown that this crime (refining stolen oil) is not necessarily viewed by all actors as illegal, but as an economic activity that they engage in for survival, and as a crime of a much less lucrative and of a less serious nature than the above-mentioned crude oil theft whereby large volumes of crude move out of the Niger Delta99. While artisanal refining of crude oil in the Niger Delta is not new, it has proliferated over the past few years. This increased proliferation has not only increased pollution in the Niger Delta but also attracted several actors at different
points of this criminal business in the Niger Delta, as well as regional markets in Cameroon and Benin. There are strong indications to suggest that pirates are engaging in oil theft, especially at artisanal refining, but possibly also in the transportation at sea and protection thereof.\textsuperscript{100} This is partly because pirates bring both security and navigational value to other actors involved in oil theft. The pirates – especially those who operate within creeks – are armed and have very good geographical knowledge of the complex interlinked rivers and creeks. They are regularly hired to secure the different transfer phases.\textsuperscript{101} The increase of oil theft, particularly artisanal refining in the Niger Delta,\textsuperscript{102} concomitant with the decrease of GoG kidnap-for-ransom piracy, have led to several observers speculating that these onshore changes may – in addition to offshore counterpiracy efforts – be an important factor that has contributed to the decrease in DO piracy, as detailed in this report, and other reports.\textsuperscript{103} Regarding published findings, it is important to emphasise the significance of taking onshore dynamics into account. This includes the inverse link between the drop in piracy and the apparently rising oil theft likely also linked to rising artisanal refining in the Niger Delta.

Graph 9
PIRACY INCIDENTS GOG AND OIL PRODUCTION IN NIGERIA 2020 – H1 2023
Source: IMB & OPEC

102 Marie de Vergès, “In Nigeria, oil theft can affect as much as 25% of production”, Le Monde, 22 February 2023.
AN UPDATE ON PIRACY TRENDS AND LEGAL FINISH IN THE GULF OF GUINEA

PIRATES OF THE NIGER DELTA II
This follow-up report to PND1 has provided data that details the drop in piracy in the Gulf of Guinea, in particular since April 2021, with a historical low-point in 2022, yet with a slight uptick in H1 of 2023, whilst remaining at levels below those that previously characterized the Gulf of Guinea as marked by a significantly higher risk of kidnap-for-ransom piracy than any other region in the world. The report also outlined international, regional and national counterpiracy efforts in the period under review that may in different ways have contributed to explaining this significant piracy drop. However, given that piracy is multidimensional, the report also acknowledges that a focus on counterpiracy efforts provides an important but limited understanding of the intricate underlying drivers and enabling conditions. It is also imperative that more comprehensive research be conducted on the factors that in different ways contributed to the piracy drop. Closely related and equally warranting further research is an in-depth exploration of the nexus and potential links between piracy and other forms of (maritime) crime in the GoG, as briefly alluded to above, and explored in other reports.104

104 See for example, EU report “Pirates and Oil Theft in the Niger Delta: an analysis of the connection between piracy and oil bunkering”; Global Initiative report (forthcoming)
Cognizant of this broad-based context, we conclude this report with a call for further reflections on the possible links between the drop in piracy and the changes in other forms of maritime crime in the Gulf of Guinea, as well as changes in crimes onshore. Piracy intersects with other forms of crime, but further evidence is needed to unravel the nexus and links. Kidnap-for-ransom piracy may for example be undertaken in the context of other crimes such as oil smuggling. Interviews with convicts from the *Dona 1* case suggest that – according to interviewee statements – their involvement in piracy is linked to transnational oil smuggling.

Thus, although kidnap-for-ransom piracy in the GoG region is down – and fell to historically low levels throughout all of 2022 – the intersection of, and interaction between, piracy and other forms of crime requires deeper investigations. Therefore, in order to provide a more comprehensive understanding of the drivers behind the changing dynamics of GoG piracy, the overview of institutional initiatives to combat GoG piracy – and outlined in Part II of this report – should be complemented by further analyses of potential links between piracy and other types of maritime crime.
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