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Comparative Dynamics and Drivers of Maritime Piracy in the Gulf of Guinea and the Strait of Malacca: An Empirical Analysis

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Abstract

Contemporary piracy is an international crime that is better tackled through international or regional collaborations. This synergic approach when effectively applied has great potential to curb the spate of maritime piracy. This study comparatively examines the causes and counterpiracy measures deployed in the Gulf of Guinea and Strait of Malacca. The study employed the comparative qualitative case study approach that is rooted in the Maritime Security Governance theory. The study examined the key causes of piracy and applications of counterpiracy measures in the Gulf of Guinea and Strait of Malacca. The study identified poverty as the major cause of piracy in both maritime domains. It also found that the counterpiracy collaborative approach had a positive outcome in Strait of Malacca but failed to deliver same result in the Gulf of Guinea. The littoral states in the Strait of Malacca area exuded sufficient political will and were able to establish an effective counterpiracy collaborative framework that enabled joint surface patrol and aerial surveillance. Through such measure pirates were deterred and incidents dropped significantly. In the Gulf of Guinea, the collaborative framework has not been effective. States in the area have not been able to demonstrate sufficient political will to end piracy in the area. Only a few states have made some commitments to while other have remained aloof. This study recommends that the existing intra-regional collaboration within the Yaoundé architecture should sustained and enhanced.

Keywords: Piracy Hotspots, Gulf of Guinea, Strait of Malacca, Counterpiracy, Regional Cooperation

Introduction

Since the 1990s, the resurgence of piracy in strategic international maritime corridors has posed significant challenges to global maritime security. Notable piracy hotspots have included the South China Sea, the Straits of Malacca and Singapore, the Gulf of Aden, and the Gulf of Guinea

(International Maritime Bureau [IMB], 2020). In response, governments have implemented various counterpiracy measures within these regions. For example, China's robust naval presence in the South China Sea has curtailed piratical activities, while coordinated international efforts, authorised by United Nations Security Council Resolution 1816 (2008), effectively suppressed Somali piracy in the Gulf of Aden. In the Strait of Malacca, regional cooperation among Malaysia, Singapore, and Indonesia succeeded in reducing piracy incidents. Conversely, the Gulf of Guinea remained highly vulnerable, culminating in its designation as the world's most dangerous maritime zone by the IMB in 2020 (IMB, 2020).

Despite the adoption of the Yaoundé Code of Conduct, which established a counterpiracy collaborative framework like the Djibouti Code of Conduct, effective regional cooperation in the Gulf of Guinea has been elusive (Obi, 2022). While the Yaoundé Architecture was created to facilitate collaborative maritime security, states in the region have struggled to coordinate and implement joint actions to eradicate piracy. As a result, the objectives underpinning the establishment of the Yaoundé Architecture have not been fully realised. Although there have been recent instances of limited cooperation among a few states, the Gulf of Guinea continues to be susceptible to maritime crime. This study therefore seeks to compare the counterpiracy collaborative frameworks of the Strait of Malacca and the Gulf of Guinea, aiming to extract lessons from the more successful Malacca model, given the strategic importance of both corridors to international trade (IMB, 2020).

Piracy in the Gulf of Guinea escalated from the late 1990s, seriously threatening the economic lifeline of Central and West African states (Onuoha, 2018). Acting as a vital conduit for billions of dollars in goods, energy, and resources, the Gulf facilitates essential trade between Africa and the global market. It supports major industries and employment and secures Africa's place in the global supply chain. The region's exports, including Nigerian oil and gas, Ivorian and Ghanaian cocoa, Guinean bauxite, and Angolan diamonds, are exchanged for crucial imports like machinery, electronics, vehicles, and foodstuffs (Onuoha, 2018). The density of maritime traffic in the Gulf attracts pirates, whose activities have had severe consequences for the region's stability and economic development due to its role as Africa's maritime trade powerhouse.

The Strait of Malacca, situated between Peninsular Malaysia and Sumatra, Indonesia, is a critical maritime passage connecting the Indian and Pacific Oceans, as well as populous nations such as China, Indonesia, and India (Massey, 2008). At 550 miles long and narrowing to 1.7 miles at its slimmest point, the strait accommodates approximately 60,000 vessels annually (Massey, 2008). Its vital role as a shipping and trade route has historically made it a prime target for piracy. The proliferation of attacks in the early 2000s prompted a coordinated response from littoral states, Malaysia, Indonesia, Singapore, and Thailand. Collaborative security measures transformed the Strait of Malacca from one of the world's most perilous maritime chokepoints into a more secure corridor, demonstrating the effectiveness of regional cooperation in combating transnational maritime threats (IMB, 2020). The study covers the period from 1998 to 2020. It focuses on maritime crimes such as hijacking of vessels, robbery and kidnapping for ransom.

Statement of the Problem

Existing counterpiracy framework in the Gulf of Guinea known as the Yaoundé architecture which established the zonal cooperation structure and inter-zonal collaborative mechanism has not yielded that much desired outcome. The littoral states in the region have failed to act according to the stipulations of the Yaoundé architecture. This condition allowed piracy to thrive, reaching a peak in 2020. Considering that counterpiracy collaborations is considered very ad rem to tackling

piracy because piracy is an international crime that cuts across states maritime jurisdiction, it becomes worrisome that the approach has not been effective in the Gulf of Guinea. Extant literature has also not given attention to the study of peculiarities necessary for the deployment of counterpiracy collaborative approach. This gap is therefore designed to fill this identified gap through its comparative analysis of the counterpiracy collaborative strategy in the Strait of Malacca and Gulf of Guinea.

Research Questions

The study is designed to answer the questions:

1. Why do piracy patterns differ between the Gulf of Guinea and Strait of Malacca?
2. Why does counterpiracy effectiveness differ between the Gulf of Guinea and Strait of Malacca?

Objectives of the Study

The main objective of the study is to compare counterpiracy effectiveness in the Gulf of Guinea and Strait of Malacca. The subsidiary objectives are:

1. To compare the causes of piracy and modus operandi of pirates in the Gulf of Guinea and Strait of Malacca.
2. To compare counterpiracy cooperation models between the Gulf of Guinea and Strait of Malacca.

Literature Review

Bourvier (1997) defined piracy as armed robbery or violent plundering on the high seas driven by general hostility. Olukoju (2023, p. 359) described it as theft or seizure of ships at sea or in ports. While straightforward, Olukoju's definition overlooks modern acts like hostage-taking. The International Maritime Bureau defines piracy as boarding or attempting to board a ship with criminal intent, including theft and readiness to use force (McNicholas, 2012). Shatakshi and Krishnan (2019, p. 81) call piracy "the plundering, hijacking, or detention of ships in international waters," though this lacks specifics on location and participation—limitations addressed by the UNCLOS definition.

The modern understanding of piracy stems from the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which took effect in 1994. Articles 101 to 103 define piracy as any unlawful act of violence, detention, or destruction committed for private gain by crew or passengers of a private ship or aircraft against another vessel or its people or property on the high seas, outside any state's jurisdiction. Under UNCLOS, piracy occurs only beyond national territorial waters, which extend 12 nautical miles from a state's coast. It may also take place in the exclusive economic zone (EEZ), up to 200 nautical miles from shore. Violent acts or seizures for private gain against other ships or aircraft in international waters meet this definition.

The UNCLOS definition raises questions about violent acts within territorial waters, such as in lagoons, estuaries, or inland waterways. Such incidents, though piracy-like, are legally classified as "armed robbery at sea" and fall under national, not international, law. This distinction creates legal and operational gaps, particularly where maritime crime occurs near coasts, limiting international enforcement and prosecution. UNCLOS does not fully resolve whether piracy is confined to the high seas or how to handle violent maritime crime within national waters. Similarly, the 1992 SUA Convention does not explicitly define piracy but outlines maritime offenses that constitute it, such as taking control of a ship by force, violence against crew, or damaging a vessel. The UN Security Council has urged states to use the SUA Convention to

combat piracy (Elmi, Affi, Knight & Mohammed, 2015). The working definition of piracy adopted by this study is the UNCLOS 1982 definition (Articles 101–103).

Theoretical Framework

This study adopts the Maritime Security Governance theory as its analytical framework. The theory investigates the interactions among states, international organisations, and private actors in addressing maritime threats such as piracy, smuggling, terrorism, and illegal, unreported, and unregulated (IUU) fishing (Bueger, 2015). It marks a significant shift from traditional state-centric maritime security models, which emphasised naval dominance and the protection of sea lines of communication (SLOCs) and Exclusive Economic Zones (EEZs). The growing complexity of transnational maritime threats has exposed the limitations of unilateral approaches. Consequently, Maritime Security Governance theory advocates for a polycentric and cooperative approach to maritime security, involving multiple actors and overlapping authorities operating at various governance levels (Bueger & Edmunds, 2020).

A key pillar of the Maritime Security Governance theory is Regime Theory, which posits that states cooperate under shared norms and legal frameworks, such as the United Nations Convention on the Law of the Sea (UNCLOS) and the International Ship and Port Facility Security (ISPS) Code (Young, 2011). While Regime Theory emphasises predictable cooperation through agreed rules, it is critiqued for overestimating state compliance and neglecting the impact of non-state actors. Addressing these gaps, Network Governance theory conceptualises maritime security as a network of relationships among navies, coastguards, port authorities, shipping firms, and private maritime security companies (Bueger, 2015). This framework highlights the importance of trust, information sharing, and operational coordination, as exemplified by mechanisms like the Combined Maritime Forces (CMF) and Shared Awareness and Deconfliction (SHADE).

Multi-level Governance (MLG) theory further enriches the framework by focusing on the vertical distribution of authority and policy implementation across local, national, regional, and global tiers (Hooghe & Marks, 2003). Initiatives such as the European Union's Critical Maritime Routes (CRIMARIO) and the Gulf of Guinea Interregional Coordination Centre illustrate how regional bodies mediate between global norms and domestic enforcement (Bueger & Edmunds, 2020). This layered perspective reveals that maritime governance is less about hierarchical control and more about fostering horizontal collaboration, resilience, and adaptability. The theory thus enables analysis of both formal structures and informal networks, acknowledging that effective maritime security is achieved through cooperation, knowledge sharing, and adaptive strategies amid ongoing uncertainty.

Methodology

The study employed the qualitative comparative analysis (QCA). This approach enables a comparative evaluation of counterpiracy measures in the Strait of Malacca and the Gulf of Guinea. Data used for the comparative study were obtained from the annual piracy reports of the IMB Piracy Reporting Centre. Some of the key variables examined include socio-economic indices such as unemployment and coastal poverty, political factors such as governance, corruption and conflict, mode of pirate operations which include weaponry, type of vessels targeted and tactics; and counterpiracy responses such as navel patrols, regional collaboration and prosecution.

Historical Trends of Piracy in the Strait of Malacca and the Gulf of Guinea

Although piracy in the Strait of Malacca dates back centuries, it only garnered significant international attention in the late 1990s. This was largely due to the effects of the 1997 Asian

financial crisis, which plunged many coastal communities in Indonesia and Malaysia into economic hardship, driving some towards piracy as a means of survival (Massey, 2008). Political instability in Indonesia further facilitated illegal activities. Additionally, high-profile attacks, such as the 1998 Petro Ranger incident, increased the visibility and reporting of piracy, including minor incidents. As a result, the number of recorded pirate attacks in the strait surged from near zero to seventy-five by the end of the decade (Massey, 2008). This escalation highlighted the growing international concern over maritime security, especially as the strait is a critical route for global commerce.

In the early 2000s, piracy in the Malacca Strait became a focal point for security agencies worldwide, especially following the 9/11 attacks, which underscored the potential for maritime terrorism. The types of piracy included vessel robbery, hijacking, and kidnap-for-ransom, with attacks frequently targeting moored or slow-moving vessels (Frecon, 2008). Most robberies occurred at night, involving quick thefts of cash and valuables, with losses per incident ranging from $10,000 to $20,000 (Krisnawati, 2009). Hijackings were more sophisticated, sometimes involving "phantom ships" where vessels were permanently stolen and re-registered (Frecon, 2008). Kidnapping of senior crew for ransom also became prevalent, with payments incentivising further attacks (Massey, 2008). Joint patrols and coordinated security measures by Malaysia, Indonesia, and Singapore from 2004 onwards dramatically reduced reported attacks, although piracy in Indonesian waters remains a concern.

Piracy in the Gulf of Guinea has increased since the mid-2000s, coinciding with insurgency in Nigeria's Niger Delta (Kamal-Deen, 2015). The region's substantial oil and gas reserves attracted foreign investment but also bred insecurity, as local grievances about unemployment and environmental degradation escalated into militancy (UNDP, 2006; Hassan & Hasan, 2017). Groups such as the Movement for the Emancipation of the Niger Delta (MEND) targeted oil installations, both on land and at sea, leading to a surge in maritime crime (Hazen & Horner, 2007). While early incidents focused on cargo theft, the 2010s saw a shift to tanker hijackings and, from 2016, a focus on kidnapping crew for ransom (Bell et al., 2021). The United Nations estimated the annual cost of piracy in the region at $1.9 billion, highlighting its significant economic impact (United Nations Secretary-General, 2022).

Trends of Piracy in the Strait of Malacca and Gulf of Guinea

Both the Strait of Malacca and the Gulf of Guinea witnessed significant piracy from the late 1990s, though their trajectories diverged due to distinctive counterpiracy approaches. In the Strait of Malacca, piracy was predominantly perpetrated by Indonesian groups engaged in armed robbery and opportunistic theft (IMB, 2000). The region experienced a sharp surge in incidents around the turn of the century, peaking at 75 attacks in 2000, largely driven by socio-economic hardship following the 1997 Asian financial crisis (IMB, 2000). Political instability, notably the Aceh conflict, perpetuated high attack levels until 2003 (IMB, 2003). The introduction of coordinated patrols, such as the MALSINDO "Eye in the Sky" initiative, led to a dramatic decline, with incidents falling to 10 in 2005 (IMB, 2005). Sustained surveillance and regional cooperation stabilised piracy at low levels, though vigilance remains necessary.

A transition occurred between 2012 and 2014 when Indonesian waters experienced a 440% increase in maritime armed robbery, despite generally low incident rates in the broader Strait of Malacca (IMB, 2012). This indicated a shift towards smaller-scale, less organised criminal activities. By 2015–2020, the region achieved remarkable stability, with zero reported incidents in the main shipping lanes, although sporadic thefts persisted within some territorial waters. The

evolution of piracy in the Strait of Malacca thus reflects the effectiveness of multilateral patrols and information-sharing mechanisms, transforming the region from a piracy hotspot to a model of improved maritime security (IMB, 2020; ReCAAP, 2020).

In contrast, the Gulf of Guinea exhibited a sustained upward trend in piracy from 1998 to 2020, characterised by escalating violence and a shift towards kidnapping for ransom (Anyika et al., 2022). Initial incidents targeted local fishing vessels but increased dramatically from 2005, coinciding with the Niger Delta oil boom and militant uprisings. By 2010–2014, attacks intensified, with incidents rising from 39 in 2010 to 62 in 2012 and peaking at 84 in 2020; over 95% of global crew kidnappings occurred here (IMB, 2020). The complexity of national jurisdictions and limited regional cooperation hampered effective responses, allowing Nigerian militants and transnational criminal networks to dominate, focusing on tanker hijacking, cargo theft, and high-profile abductions (IMB, 2020).

Table 1: Number of Piracy incidents in the Strait of Malacca and Gulf of Guinea, 1998-2020

Year	Strait of Malacca	Gulf of Guinea
1998	6	22
1999	37	36
2000	112	33
2001	58	58
2002	34	47
2003	36	67
2004	60	57
2005	20	25
2006	6	31
2007	7	60
2008	2	59
2009	2	46
2010	2	39
2011	1	53
2012	2	52
2013	1	51
2014	1	43
2015	5	31
2016	0	55
2017	0	45
2018	0	82
2019	0	64
2020	0	84

Source: IMB Annual Reports, 1998-2020

Table 1 showed that both maritime domains recorded significant number of incidents from 1998 up to 2005 when incidents dropped drastically in the Strait of Malacca but continued to rise in the Gulf of Guinea. Incidents dropped to zero in 2016 up to 2020 in the Strait of Malacca but continued to rise in the Gulf of Guinea. The decrease in the number of piracy incidents in the Strait of Malacca attest to the effectiveness of counterpiracy operations in the area. The stark contrast in the Gulf of Guinea could be attributed to weak and ineffective counterpiracy regime in the area.

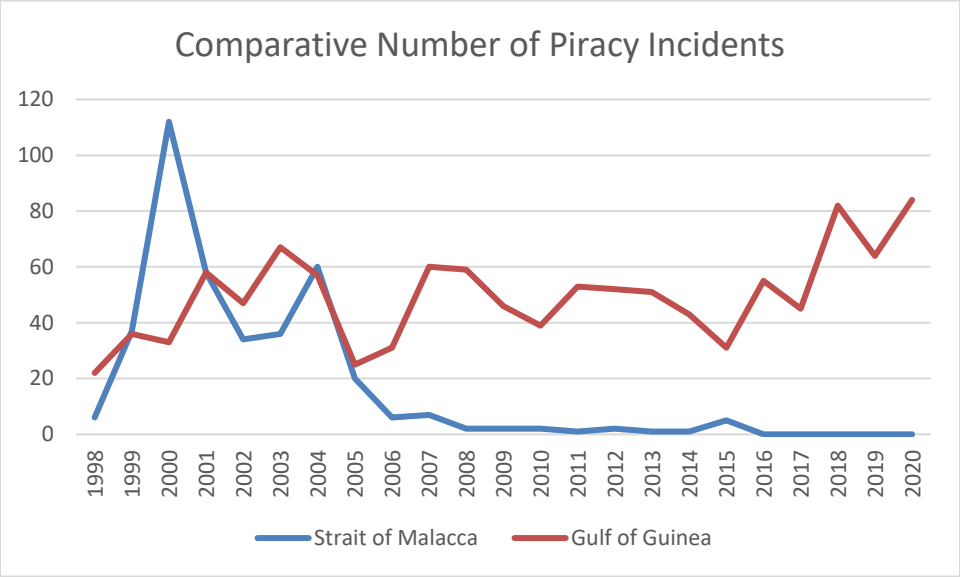


Fig.1 Comparative Trends of Piracy Incidents
Source: Author (adapted from IMB reports, 1998-2020)

Figure 1 further illustrates the trend of piracy incidents in the Strait of Malacca and Gulf of Guinea. The trend demonstrates that despite reaching an incident peak in 2000, piracy was on steady decline from 2004 and eventually reached a zero point from 2016. This is a pointer that very significant success was recorded in the counterpiracy operation in the Strait of Malacca. In contrast, the Gulf of Guinea has been a bastion of piracy with no significant drop in the number of incidents up to 2020. This demonstrated ineffective counterpiracy measure in the maritime zone.

Table 2: Comparative analysis of piracy in the Gulf of Guinea and Strait of Malacca

Criterion	Gulf of Guinea	Strait of Malacca
Primary motive of attacks	Kidnapping for ransom, oil theft	Cargo theft, crew robbery
Violence level	High (firearms, attacks on tankers)	Moderate to low (knives, rarely guns)
Root causes	Weak coastal governance, corruption, onshore militancy	Poverty
Regional cooperation	Weak (Slow implementation of Yaoundé Code of Conduct)	Strong (MALSINDO patrol and Eyes in the Sky aerial surveillance)
Legal prosecution	Rare, low capacity	More frequent, regional information sharing
Trend	Persistent up to 2020	Declined significantly from 2006

Discussion and Findings

The findings reveal that piracy and armed robbery in the Strait of Malacca surged during the 1997 Southeast Asian financial crisis, primarily due to economic hardship and unemployment among coastal populations (Nurbiansyah et al., 2012; Valencia, 2006). Many individuals, particularly from Indonesia, were driven to piracy as an alternative income source, aligning with Aristotle's

observation that poverty incites crime. While economic deprivation is a clear motivator, political factors, such as alleged involvement of the Gerakan Aceh Merdeka (GAM) rebel group in piracy, have also been cited (Story, 2008; Massey, 2008). However, claims of GAM's involvement remain contentious, with some suggesting that former members participated independently (Raymond, 2009). Most pirates in the area have been traced to Indonesia, indicating local socioeconomic conditions as major drivers. Thus, the convergence of economic necessity and, to a lesser extent, political dynamics explains the persistence of piracy in the Malacca Strait.

The persistence of piracy in the Strait of Malacca for over a decade can be attributed to porous maritime security and insufficient cooperation among littoral states—Malaysia, Indonesia, and Singapore (Chamber, 2010; Ho, 2006; Story, 2008). Early countermeasures were impeded by jurisdictional sensitivities and a reluctance to allow external intervention. Only with escalating international pressure and the realisation of the region's strategic vulnerability did substantive multilateral action begin (Frecon, 2005). The implementation of the Trilateral Coordinated Patrols (MALSINDO), the Eyes in the Sky (EiS) aerial surveillance, and improved information-sharing frameworks significantly enhanced security (Raymond, 2009; Liss, 2014). These measures, alongside the establishment of ReCAAP and the Malacca Strait Patrol (MSP), led to a dramatic reduction in incidents, demonstrating the effectiveness of regional cooperation and political commitment.

In the Gulf of Guinea, piracy and maritime crime have escalated due to a complex interplay of high youth unemployment, government neglect, underdevelopment, environmental degradation, and weak law enforcement. Host communities in Nigeria's Niger Delta, marginalised despite the region's resource wealth, have seen their livelihoods eroded by oil spills and limited access to employment (Kamal-Deen, 2015; Hassan & Hasan, 2017). Frustration and deprivation have fuelled militancy, with groups such as the Movement for the Emancipation of the Niger Delta (MEND) and other actors resorting to piracy and sea robbery (Hazen & Horner, 2007). Pirates frequently target oil tankers, viewing cargo theft as a form of redress. The collapse of traditional livelihoods has rendered many coastal communities' piracy havens, with young men entering maritime crime as a means of survival.

The modus operandi of pirates in both regions reflects adaptation to local conditions and countermeasures. In the Malacca Strait, pirates typically use small, fast boats to approach vessels stealthily, boarding with ropes and grappling hooks, and swiftly stealing valuables (IMB, 2005; Nurbiansyah et al., 2012). Hostage-taking for ransom also occurs, though less frequently (Chambers, 2010). In the Gulf of Guinea, piracy is often organised by "Pirate Action Groups" (PAGs) employing coordinated tactics summarised as "ATTACK", Assess, Track, Trail, Ambush, Capture, Kowtow. These operations are shaped by ship security protocols, naval presence, and environmental factors. Both regions demonstrate that piracy methods evolve in response to countermeasures, requiring continuous adaptation by security agencies.

A comparison of counterpiracy frameworks reveals the superior effectiveness of the Malacca Strait model, characterised by strong political will, coordinated patrols, and robust information sharing among Malaysia, Singapore, and Indonesia (Liss, 2014; Poonnawatt, 2023). Exclusion of external actors fostered regional ownership and accountability, while joint initiatives such as MALSINDO and EiS proved highly deterrent. This contrasts with the Gulf of Guinea, where the Yaoundé Code of Conduct, despite establishing a regional governance framework, suffers from non-binding provisions, uneven capacity, and limited commitment among signatories (Birchard, 2020). Only Nigeria has made significant legislative progress, and operational cooperation remains largely

confined to Zone E. The Malacca model's trilateral approach and integrated surveillance could be emulated in the Gulf of Guinea, with Nigeria and neighbouring states establishing joint patrols and information-sharing mechanisms to strengthen maritime security.

Conclusion

A common factor responsible for the surge in piracy in the Strait of Malacca and Gulf of Guinea was poverty. In the Strait of Malacca for instance, the surge in piratic activities is associated with the Asia financial crises of 1997 that led to loss of employments. Similarly, in the Gulf of Guinea, piracy rose because of the impoverishment of the coastal communities occasioned by long neglect by the Nigerian government. In the oil-producing Niger Delta area of Nigeria, environmental degradation brought about by decades of oil exploitation in the area worsened the poverty situation because the land became polluted and unfit for agricultural use likewise the water bodies which was no longer sustaining the people's fishing occupation. activities. Hence, people who had no land to farm on or profitable water to fish in, farmed sea. The agitation for environmental justice and better resource allocation in the area led to insurgency. Insurgency in the Niger Delta bred lawlessness that gave rise to piracy. Piracy is a symptom of onshore condition. It is the people who are conversant with the maritime terrain that indulge in piracy. Hence, there is need for government to give priority attention to the riverine people to always keep the maritime domain safe.

Recommendations

From the Findings, the study recommends the following:

1. Two major naval powers each from the West and central Africa should champion the maritime collaboration in the areas so that the gains of counterpiracy collaboration recorded in the Strait of Malacca could be replicated in the Gulf of Guinea.
2. Existing intra-regional collaboration within the Yaoundé architecture should sustained and enhanced. However, there is a need for improved radar coverage, surface and aerial surveillance of the Gulf of Guinea.
3. States in the Gulf of Guinea area should domesticate the UNCLOS to enable them prosecute piracy suspects and other maritime offenders. Moreover, states should integration of anti-piracy measures with development policies to engender the development of the coastal areas.
4. Joint information sharing centres and private-public maritime security partnership should be established in the Gulf of Guinea.

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