

This article was downloaded by: [US Naval Academy], [Nikolaos Biziouras]

On: 16 July 2013, At: 07:47

Publisher: Routledge

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



African Security Review

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rasr20>

Piracy, state capacity and root causes

Nikolaos Biziouras

Published online: 16 Jul 2013.

To cite this article: African Security Review (2013): Piracy, state capacity and root causes, African Security Review

To link to this article: <http://dx.doi.org/10.1080/10246029.2013.790318>

PLEASE SCROLL DOWN FOR ARTICLE

Taylor & Francis makes every effort to ensure the accuracy of all the information (the "Content") contained in the publications on our platform. However, Taylor & Francis, our agents, and our licensors make no representations or warranties whatsoever as to the accuracy, completeness, or suitability for any purpose of the Content. Any opinions and views expressed in this publication are the opinions and views of the authors, and are not the views of or endorsed by Taylor & Francis. The accuracy of the Content should not be relied upon and should be independently verified with primary sources of information. Taylor and Francis shall not be liable for any losses, actions, claims, proceedings, demands, costs, expenses, damages, and other liabilities whatsoever or howsoever caused arising directly or indirectly in connection with, in relation to or arising out of the use of the Content.

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden. Terms & Conditions of access and use can be found at <http://www.tandfonline.com/page/terms-and-conditions>



Nikolaos Biziouras is an Assistant Professor in the Department of Political Science at the United States Naval Academy (bizioura@usna.edu)

Piracy, state capacity and root causes

Lessons from the Somali experience and policy choice in the Gulf of Guinea

Nikolaos Biziouras

By comparing the Somali experience of piracy with the emerging situation in the Gulf of Guinea, I show that increases in the enforcement aspects of state capacity in the Gulf of Guinea states are necessary but not sufficient tools to combat the emergence, growth, and institutionalisation of piracy. Such tools would require state-building measures that would minimise the incentives of individuals to join piracy organisations and they would have to effectively deal with youth unemployment, income inequality, and environmental degradation.

Keywords Gulf of Guinea, Somalia, piracy, state-building, navy

Introduction

Piracy in the Gulf of Guinea is not a new phenomenon.¹ Indeed, it has been steadily rising in the last five years, increasing from seven attacks in 2007 to 20 in 2012.² Given Somalia's experience with piracy, this increased frequency of piracy in the Gulf of Guinea has only increased the commitment of national, regional and international policymakers to avoid the institutionalisation of piracy in the Gulf of Guinea, as it has occurred in Somalia.³ If anything, these policymakers have long advocated the need to use Somalia's experience with piracy as a valuable lesson in what needs to be done in terms of state capacity, regional cooperation and external support.⁴ More importantly, given the abundant oil resources in the area, Western powers are committed to using shore-based state-building measures to minimise these increasing security threats.

I use this article to engage in this comparison.⁵ By comparing the Somali experience of piracy with the emerging situation in the Gulf of Guinea, I illustrate how increases in the enforcement capacity of these states, while necessary, are not sufficient to combat the

emergence, growth and institutionalisation of piracy in the Gulf of Guinea. Furthermore, given the poverty in these countries and the limited opportunities for upward economic and social mobility for the region's youth, I show that, much like the experience in Somalia, piracy can become a viable and self-sustaining occupational niche for those engaged in illicit activities because of its payoff levels, regardless of state action. This is an important finding in terms of dealing with this emerging threat to regional and international security because, as Table 2 shows, after Somalia the world's most fragile states happen to be in the Gulf of Guinea.⁶ As such, this article points towards a more optimal use of external resources and policy choices.⁷

Somalia, piracy and state capacity

The collapse of the Barre regime in Somalia initiated a twenty-year period of uneven state capacity, both spatially and temporally. From the relatively capable state of Somaliland to the emerging piracy state of Puntland and the often-anarchic area around Mogadishu, the internationally-recognised Somali border has witnessed a significant amount of variation in terms of the monitoring, compliance and enforcement policies that we associate with state capacity. Yet, unlike most contemporary analyses, Somalia was not structurally predisposed to such a high level of piracy attacks as has become accepted as conventional wisdom.

The emergence of piracy followed the rise in foreign overfishing within Somali waters. The overuse of the Somali exclusive economic zone area by foreign fishing fleets in an illegal, unregulated and environmentally unsound fashion marginalised the Somali fishermen, who could not compete with the larger boats of the better financed foreign fleets.⁸ In addition, the consistent dumping of toxic material by European firms decreased fishery stocks, thus further depressing the income of Somali fishermen.⁹ Moreover, the inability of the Puntland state to maintain the Western-trained coastguard meant that well-qualified Somali mariners could now use their vessels and expertise for private enrichment.¹⁰ Hence, if the standard accounts were accurate, we would expect an increasing number of attacks on commercial fishing trawlers for robbery purposes, in a pattern reminiscent of piracy in Southeast Asia in the 1980s and 1990s. Yet, the number of piracy attacks remained fairly consistent between 1991 and 2004, never exceeding more than 24 in a given year and averaging less than 15 per year, of which 18 per cent or less were successful hijackings, and rarely attacking anything other than a commercial trawler or a food aid ship.¹¹ And herein lies a major claim of this article: regardless of the low level of state capacity that existed in Somalia, piracy, which had emerged as a viable option for enterprising Somalis, did not become a mass event because coastal Somalis could still rely on other forms of economic sustenance.

The December 2004 tsunami changed this equilibrium. Not only did it wreak significant damage upon the local fishing communities, especially in terms of equipment and facilities,¹² but it also illustrated the absence of any viable compensation mechanism for these fishermen. Somali fishermen realised, rather abruptly and all too well, that they lacked alternative routes for upward economic mobility and could not rely upon any of the Somali state institutions for economic support. Aware of the willingness of the foreign fishing fleets to pay for access and cognisant of the inability of the Somali state to stop them, the local fishermen commenced small-scale piracy, focusing on either stopping and robbing the foreign trawlers or demanding fees for continued access to their waters. They followed up these actions with attacks on the

Table 1 Pirate attacks in the Gulf of Guinea by country, year and sailing condition

		1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Benin	At anchor	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	15	0
	Underway	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	12	1
Cameroon	At anchor	0	0	0	0	0	2	7	6	2	7	5	2	3	1	1	0	1	2	2	0	0
	Underway	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	1	3	0	0
Cote D'Ivoire	At anchor	0	0	0	0	2	2	3	6	5	9	5	2	13	7	0	3	5	3	5	3	3
	Underway	0	0	0	2	2	0	0	2	0	0	0	0	0	13	4	1	6	0	0	0	0
Equatorial Guinea	At anchor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Underway	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	0
Gabon	At anchor	0	0	0	0	0	1	2	3	2	3	7	0	0	0	0	0	0	0	0	0	0
	Underway	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ghana	At anchor	0	0	0	0	1	1	4	2	2	5	4	3	5	3	3	1	6	3	0	2	2
	Underway	0	0	0	1	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nigeria	At anchor	4	1	1	0	1	12	1	10	7	15	14	34	17	3	0	2	3	0	0	0	2
	Underway	0	0	0	0	2	3	0	12	2	3	0	6	1	3	2	0	3	1	0	0	8
Republic of Congo	At anchor	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1	4	2
	Underway	0	0	0	0	0	0	0	1	0	0	0	0	0	0	2	0	1	0	0	0	0
Sao Tome and Principe	At anchor	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Underway	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Togo	At anchor	0	0	0	0	0	0	0	0	1	0	1	1	0	0	1	0	1	0	0	5	2
	Underway	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	2	0
Gulf of Guinea	TOTAL	4	1	1	5	8	22	19	43	22	43	36	49	39	30	13	7	28	12	11	43	20

Table 2 State Fragility Index of Gulf of Guinea and Somalia

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Benin	17	17	17	17	17	17	17	17	16	16	16	13	12	13	13	12
Cameroon	19	19	18	19	19	19	20	17	18	17	17	17	17	17	16	16
Cote d'Ivoire	16	16	15	15	16	19	19	18	18	19	18	18	17	17	16	20
Eq. Guinea	17	17	16	15	14	13	11	11	12	12	12	12	12	12	12	11
Gabon	12	12	12	11	11	12	10	10	11	11	11	11	10	10	11	11
Ghana	16	15	14	14	13	12	11	12	13	14	13	14	14	14	14	14
Nigeria	22	21	21	22	21	21	21	21	21	20	20	20	19	19	18	17
Rep. of Congo	15	13	16	16	19	18	18	18	17	17	17	18	16	16	16	16
Togo	20	19	19	18	17	16	16	16	16	16	16	13	13	13	13	13
Somalia	23	23	22	22	22	22	22	22	22	22	22	21	23	25	25	25

Table 3 Piracy attacks in Somalia and the Gulf of Aden by year and sailing condition

		1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Gulf Of Aden/Red Sea	At anchor	0	0	0	0	0	0	0	0	2	10	1	3	1
	Underway	1	0	0	1	1	0	1	0	2	9	5	5	0
	Total	1	0	0	1	1	0	1	0	4	19	6	8	1
Somalia	At anchor	0	0	0	0	0	0	0	0	0	0	1	2	2
	Underway	3	0	1	8	21	2	10	15	15	9	14	14	17
	Total	3	0	1	8	21	2	10	15	15	9	15	16	19
TOTAL		4	0	1	9	22	2	11	15	19	28	21	24	20
		2004	2005	2006	2007	2008	2009	2010	2011					
Gulf Of Aden/Red Sea	At anchor	1	1	0	2	0	0	0	0					
	Underway	7	18	10	11	89	131	102	96					
	Total	8	19	10	13	89	131	102	96					
Somalia	At anchor	0	2	0	3	0	2	3	0					
	Underway	3	21	5	24	19	48	77	61					
	Total	3	23	5	27	19	50	80	61					
TOTAL		11	42	15	40	108	181	182	157					

World Food Program vessels that had been amassed off the Somali coast in high numbers in order to prevent the famine from spreading.¹³ Yet, sooner rather than later these attacks generated significant financial payoffs that were difficult to overlook.

Entrepreneurial Somalis followed the example of the Somali fishermen. These piracy entrepreneurs emerged from the local communities of financiers and merchants, and from the Somali diaspora, who recognised the opportunity for handsome profits. They realised that Somalia, and especially Puntland, had a unique characteristic that Southeast Asia did not have: the ability to safely anchor a hijacked vessel and maintain the kidnapped victims in a safe onshore location,¹⁴ thus transforming piracy from robbery on the high seas, whose total take did not exceed US\$5 000 to US\$10 000, to kidnapping on the high seas, whose total would be determined by the value of the cargo and the value of the kidnapped crew. Moreover, the financiers of piracy also realised that the returns could be high, especially when considering the upfront fixed costs of piracy: a few skiffs powered by big outboard engines; a very-high-frequency (VHF) communication system; semi-automatic and/or rocket-propelled grenades as armaments, the supply of which had not been in doubt in the Horn of Africa since the late 1970s; and a few willing young men with varying degrees of military experience and financial needs, along with even fewer experienced seafarers.¹⁵

The early successes quickly illustrated two mutually reinforcing conclusions that only increased the demand for piracy and led to its explosion: the rewards were significantly out of proportion with the capital invested, and the organisational structure could easily be imitated. Successful hijackings led to ransom payoffs that have increased, on average, from US\$300 000 in 2007 to US\$2 000 000 in 2009.¹⁶ Juxtaposed with a capital investment of nearly US\$10 000

to US\$15 000 per piracy endeavour,¹⁷ even after deducting bribes (on average 25 per cent), investor payouts (on average nearly 30 per cent) and onshore expenses (on average, nearly 15 per cent), any participating pirate stood to make between US\$10 000 to US\$15 000.¹⁸ Compared to annual per capita incomes of US\$300, a payoff from one successful hijacking was equal to nearly 50 years of hard work.

Such success led to significant imitation.¹⁹ By mid-2009, there were three major organised pirate groups, territorially segmented on a north–south axis, concentrated in the ports of Harardhere, Hobyo, Garad and Eyl, all of them clan-based.²⁰ More often than not, successful pirate raids provided individual pirates with enough organisational expertise and adequate capital resources to branch out on their own and create their own pirate groups. Safe havens were important, since expanding pirate organisations moved into different areas and had to strike profit-sharing bargains with the local clans for onshore protection and logistical support.²¹ Between 2008 and 2010, pirate organisations had expanded throughout the Puntland coastline and were pushing further southward in order to expand their attacks away from the increasingly patrolled Gulf of Aden and into the less-patrolled Indian Ocean.

If the incentives for membership in pirate organisations were strong and reward-driven, the punishment part of the equation was nearly non-existent: in the few cases where pirates were apprehended, they were either released or transferred to Puntland or Kenyan authorities, where they were not adequately punished.²² Given the increasingly corrupt nature of the Puntland state, pirates quickly realised that incarceration within a Puntland jail could barely be considered a punishment.²³ They also quickly discovered that striking clan alliances with the relevant political actors would lead to immunity from arrest and prosecution. Additionally, paying bribes according to the principles of clan politics would increase their protection from the multilateral naval forces operating in the region, because these clan elders refused to collaborate with the multinational naval forces and separate the law-abiding residents from the pirates, thus further preventing retaliatory strikes and capture raids.²⁴ Furthermore, the increasing unwillingness of the Kenyan authorities to serve as the tip of the adjudication sword for Western maritime interests meant that the chances for effective prosecution in Kenya would be rather small.²⁵

This explosive growth in piracy attacks, which increased from less than 15 per year between 1991 and 2004 to 103 per year between 2005 and 2011, institutionalised piracy and made it increasingly difficult for both clan and state elites to break away from it and its stream of revenues.²⁶ While the pressure from the international community has been steadily increasing, and while the naval presence off the Puntland and Somali coasts is increasingly being militarised, neither action has been able to change the decision-making calculus of pirates, clan leaders and state elites. The pirates are constantly expanding the ranks of their members because of their revenues, and they are content with the limited level of state capacity that has prevented the collapse of the Puntland regime into the lawlessness of Somalia. The clan leaders are benefiting from their participation in the piracy revenues, at both an individual and a group level.²⁷ The state elites are benefiting from the revenues that piracy is generating for them at an individual level, and are willing to tolerate the stimulus that piracy spoils have given the local economy. Indeed, while the multinational naval forces have reduced piracy attacks from 179 in 2010 to 157 in 2011, the frequency of these attacks has not come down to pre-tsunami levels.²⁸

Gulf of Guinea, state capacity and piracy on the cusp

As with Somalia, foreign overfishing in the West African waters accompanied the emergence of piracy in West Africa.²⁹ The introduction of the European fishing fleets highlighted the critical importance of state capacity to prevent the emergence, growth, and institutionalisation of piracy. While the fishing access agreements between the European Union and the African countries implicitly relied upon a monitoring, compliance and surveillance system that would identify illegal fishing, capture the trespassers, and effectively punish them, it quickly became apparent that the vast majority of these countries did not have the ability to engage in monitoring, compliance and surveillance functions.³⁰ Consequently, the European fishing fleets engaged in overfishing: they caught more fish than was negotiated and they reported less than they caught.³¹ The end result of this overfishing was the increasing depletion of the African fishing stocks and the increasing impoverishment of the local fishermen. Indeed, by the mid-1990s, piracy attacks had increased to nearly 30 per year from less than 10 per year in the 1985–1995 period, and they remained at that level until 2005.³²

While the emergence of piracy in the Gulf of Guinea was similar to its emergence in Somalia, the states in the Gulf of Guinea, unlike Somalia, responded by seeking to increase their level of state capacity in order to prevent its growth and institutionalisation. Firstly, they sought to increase their monitoring, compliance and surveillance activities,³³ because more monitoring provided much-needed information about the amount of illicit activity.³⁴ Increased surveillance enabled the targeted use of enforcement and punishment mechanisms that had been lacking in the Gulf of Guinea states.³⁵ Punishment matters, and its threat can, and does, increase the costs of piracy for individual fishermen. Finally, they used diplomatic and fiscal resources to procure vessels in order to use their increased monitoring and surveillance capacity to achieve greater compliance with their policies.

As such, between 1995 and 2008, the Gulf of Guinea states procured equipment in line with their monitoring, compliance and surveillance capacities.³⁶ While by 2000 the Benin Navy had become practically non-operational, within two years Benin had received two patrol boats from China that increased its capacity to engage in rudimentary monitoring missions significantly. Similarly, while the Cameroonian navy had relied upon three patrol craft to monitor its maritime space, by 2008 it had procured 16 additional patrol craft (ranging from 6.5 to 30 metres each) and installed radar equipment towers on its coastline, and in January 2008 it became the first African country to have Automatic Identification Systems (AIS) installed on its ships, thus increasing its capacity to monitor and track vessels passing through its maritime space. Equatorial Guinea, which had relied on two small patrol craft for its maritime capacity until 2000, utilised its oil exports to acquire seven additional patrol craft from shipyards in the Ukraine and Israel by 2008. While Gabon followed a modest pattern and increased its patrol craft capacity by three vessels by 2008, Ghana relied on its diplomatic relations with the United States (US) to receive three donated vessels in 2008. Last, but not least, the Nigerian navy effectively modernised its fleet in this time span: while in the late 1990s the Nigerian navy was relying on frigates from the early 1980s, by 2009 the Nigerian navy had aggressively refitted its capacity for monitoring, surveillance and compliance by increasing its patrol crafts, modernising its naval aviation surveillance capacity, and increasing the patrolling capacity of its coast guard.

In addition, these states sought to further increase their capacity by joining the training missions offered by the African Partnership Station (APS) of the newly created United States Africa Command (AFRICOM) unified command. By the end of 2010, Gulf of Guinea states

had: participated in joint maritime training exercises where their navy personnel reviewed and practised search and rescue techniques, acquired AIS management practices, and learned how to conduct visit, board, search and seizure tactics;³⁷ participated in joint missions which combined surface- and air-based surveillance techniques;³⁸ engaged in anti-illegal fishing monitoring, surveillance and pursuit tactics;³⁹ updated their equipment maintenance knowledge;⁴⁰ and practised in small-boat anti-piracy operations.⁴¹ Unlike the case of Somalia, in the Gulf of Guinea, Western powers have sought to use a less militarised version of naval intervention, focusing more on state-building measures.

Simultaneously, the Gulf of Guinea states deepened their regional cooperation efforts. They used the Economic Community of Central African States (ECCAS) to promote joint anti-piracy actions, coordinate information sharing and engage in learning from best practices. They used the Maritime Organisation of West and Central Africa (MOWCA) to create a sub-regional integrated Coast Guard network in 2008 in order to combat piracy, ensure safe travel, and engage in a variety of maritime enforcement actions. They formed the Gulf of Guinea Commission (GGC) to better coordinate inter-state action and push the idea of piracy as regional phenomenon that can only be dealt with regionally.⁴² Furthermore, Angola, Cameroon, Equatorial Guinea, Gabon and Nigeria, in order to better assuage the concerns of Western policy-makers, established the Gulf of Guinea Energy Security Strategy (GGESS) to ensure security of energy supply in the Gulf of Guinea region. And by the end of 2010, it appeared that these measures, aimed at increasing the Gulf of Guinea states' monitoring, compliance and surveillance capabilities, were working. Piracy attacks declined from 28 in 2008 to 11 in 2010. Perhaps more importantly, they were no longer occurring in Nigeria, which had traditionally accounted for nearly 40 per cent of all attacks, and especially for nearly all of the sophisticated ones that occurred underway and required logistical coordination, planning and significant material resources.

However, by the end of 2011, piracy attacks within the Gulf of Guinea exploded to 43, with none of them reported within Nigeria. Indeed, they had migrated from Nigeria to neighbouring Benin, which experienced 27 attacks, a number greater than the total number of attacks that Benin had experienced in the previous 30 years. In a similar fashion, seven of them occurred in Benin's neighbour Togo, two of them in Ghana, and four in the Republic of Congo, indicating a pattern of piracy that was expanding throughout an area that was being better monitored and surveyed than before. Furthermore, this pattern continued in the first half of 2012 with 19 attacks, nine of them occurring in Nigeria and one occurring in Benin, indicating the ability of pirates to effectively and efficiently manoeuvre between these two sovereign jurisdictions.⁴³

And herein lay the crux of the issue. In a pattern similar to Somalia, which occurred under significantly lower levels of state capacity, the emergence of piracy as a viable economic activity had led to its growth as an avenue for upward economic mobility for the unemployed young men of the Nigerian Delta, the Cameroonian Bakassi Peninsula, and the then under-performing fishing areas of Benin and Ghana.⁴⁴ High and persistent youth unemployment, the absence of subsidies and support from the state, and the environmental degradation from the oil fields have made these areas chronic sore spots for low-intensity criminal activity because they increase the pool of young recruits for these criminal organisations.⁴⁵ The use of the area as a global energy source has meant that piracy targets, both in terms of oil industry workers who can be taken hostage for ransom and in terms of cargo which can be siphoned off and then sold, have remained consistently plentiful, thus further increasing the supply of targets. The low financial and technical capital requirements, the cash-based economies of the region,

and the reinvestment of these piracy profits back into the local economies, much like the case of Puntland, have combined to enable the persistence of organised piracy. Last, but not least, the persistence of corruption among state officials in these countries has effectively reduced the credibility of state enforcement as a deterrent to piracy and has demonstrated how fragile states can effectively and knowingly enable the persistence of piracy by looking the other way because of the localised financial benefits that accrue from piracy.

While the Gulf of Guinea states have increased their state capacity in terms of the equipment and tools for monitoring, compliance and surveillance, they have not increased their capacity to deal with the root causes of piracy: youth unemployment, income inequality, absence of alternatives for upward social and economic mobility, and corruption, all of which have continued to persist and fuel the growth of piracy. In effect, the Gulf of Guinea states have not been able to deal with the long-standing problems that provide incentives for individual citizens to join the piracy organisations.

Conclusion

State incapacity matters, but only insofar as it is a necessary condition for the emergence of piracy – but it is not a sufficient condition. Piracy has thrived within Puntland, which ranks in the middle, between the minimally but still actually capable state of Somaliland and the lawlessness of Mogadishu and its environs. In many ways, state capacity appears to be related to piracy in a non-linear fashion, a fact often missed by those who advocate aid and resources aimed at increasing the equipment and tools for governance. Given the extant fiscal constraints on the part of the Western states, any governance- and state-building measures in Somalia and the Gulf of Guinea would lead to a Puntland-like state with the attendant consequences: enough state capacity to prevent a high level of lawlessness and guarantee that piracy hostages would not get hurt by competing pirates, but not enough state capacity to prevent the emergence of piracy.⁴⁶

What matters is the need to deal with the poverty and youth unemployment that incentivise the potential piracy recruits to become actual pirates. In both Somalia and the Gulf of Guinea, the emergence, growth and institutionalisation of piracy in Somalia could not have occurred without significant financial rewards to those who were poor and desperate enough to participate in them. Pirate entrepreneurs have stressed the importance of significant financial rewards, while they have effectively illustrated that punishment is not really a credible risk.⁴⁷ Indeed, the absence of a coherent regional-level legal framework has continued to make capture, prosecution and incarceration of pirates rather elusive across both regions. As the military build-up in the Gulf of Guinea and the growing regional integration among the coastal states demonstrate, increases in the enforcement aspects of state capacity at the domestic level cannot durably reduce instances of piracy by individuals who consistently remain poor and without alternative options.

Acknowledgements

The author would like to thank Steven Monteiro for research assistance and Emelia S. Probasco, Mike Kellermann, the panelists at the 2011 IIS/ISAC conference and the reviewers of this journal for their constructive criticism.

Notes

- 1 I include the following countries in the Gulf of Guinea throughout this paper: Benin, Cameroon, the Ivory Coast, Equatorial Guinea, Gabon, Ghana, Nigeria, Togo, Sao Tome and Principe, and the Republic of Congo. As Table 1 shows, piracy events have been occurring in the Gulf of Guinea with differing frequency for the last 20 years. I use data from the International Maritime Bureau to calculate attacks and their location on an annual basis.
- 2 By attacks I refer to attacks that occur either underway or at dock (see Table 1). All data on attacks come from the International Maritime Bureau's Quarterly Reports.
- 3 United Nations Security Council (UNSC), Letter dated 18 January 2012 from the Secretary-General addressed to the President of the Security Council, Security Council Report, <http://www.securitycouncilreport.org/atf/ct/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/AUUN%20S%202012%2045.pdf> (accessed 26 July 2012). This letter stressed the need for regional coordination among the countries in the Gulf of Guinea.
- 4 US Mission to the United Nations, Remarks by Ambassador Susan E. Rice, U.S. Permanent Representative to the United Nations, at a Security Council Meeting on Piracy in the Gulf of Guinea, October 19, 2011, <http://usun.state.gov/briefing/statements/2011/175866.htm> (accessed 15 August 2012). Rice stressed the need to prevent piracy in the Gulf of Guinea from becoming like piracy in Somalia.
- 5 Francois Vreÿ, Bad order at sea: from the Gulf of Aden to the Gulf of Guinea, *African Security Review* 18(3) (2009), 17–30; Freedom C Onuoha, Sea piracy and maritime security in the Horn of Africa: the Somali coast and Gulf of Aden in perspective, *African Security Review* 18(3) (2009), 31–44; Theo Neethling, Piracy around Africa's west and east coasts: a comparative political perspective, *Scientia Militaria: South African Journal of Military Studies* 38(2) (2010), 89–108. These works can be read as an introductory background for my analysis.
- 6 Table 2 is based on the Fragile State Index; see Monty G Marshall and Benjamin Cole, Global report 2011: conflict governance and state fragility, <http://www.systemicpeace.org/GlobalReport2011.pdf> (accessed 15 August 2012).
- 7 Michael L Baker, Toward an African maritime economy: empowering the African Union to revolutionize the African maritime sector, *Naval War College Review* 64(2) (2011), 39–62; Peter Chalk, *The maritime dimension of international security: terrorism, piracy, and challengers for the United States*, Santa Monica, CA: Rand Corporation, 2008; James E McGinley and Jonathan P Berliner, High noon on the high seas: a proximity–complexity model of maritime piracy threats, *CCC Strategic Insights* 8(2) (2009), <http://www.isn.ethz.ch/isn/Digital-Library/Publications/Detail/?ots591=0c54e3b3-1e9c-be1e-2c24-a6a8c7060233&lng=en&id=99286> (accessed 15 August 2012); Jonathan Stevenson, The U.S. Navy: into Africa, *Naval War College Review* 62(1) (2009), 59–64; Donna Nincic, Maritime piracy in Africa: the humanitarian dimension, *African Security Review* 18(3) (2009), 1–16; J Peter Pham, West African piracy: symptoms, causes, and responses, in Stephen Brannon and Taufiq Rahim (eds), *Conference on global challenge, regional responses: forging a common approach to maritime piracy*, Dubai: Dubai School of Government, 2011, 29; Martin N Murphy, The troubled waters of Africa: piracy in the African littoral, *The Journal of the Middle East and Africa* 2 (2011), 65–83. For American and European policy-makers and analysts, this increase in piracy attacks in the Gulf of Guinea has increased the need to deal with the situation sooner, more effectively, and with more resources allocated to the undertaking.
- 8 Gabobe Hassan Musse and Mahamud Hassan Tako, *Illegal fishing and dumping hazardous waste threaten the development of Somali fisheries and the marine environment*, paper presented at the Tropical Aquaculture and Fisheries Conference, Kuala Terengganu, 7–9 September 1999; Judith Achieng, Environment – Somalia: local fishermen battle foreign trawlers, *IPS News*, 26 March 1999, <http://www.ipsnews.net/1999/03/environment-somalia-local-fishermen-battle-foreign-trawlers/> (accessed 15 August 2012); Aaron S Arky, Trading nets for guns: the impact of illegal fishing on piracy in Somalia, Unpublished master's thesis, Naval Postgraduate School, Monterey, 2010, 8. The fleets were comprised of vessels from Italy, Spain, France, Portugal, and Germany on the European side, and vessels from Japan, China, India, South Korea, Taiwan, and Thailand. Local Somali fishermen experienced a decline of more than 20 per cent. More importantly, they did not participate in the expansion of fishing that the foreign fishing fleets brought about.
- 9 Mahamudu Bawumia and Rashid Sumaila, *Fisheries, ecosystems and piracy: a case study of Somalia* (Fisheries Centre Working Paper # 2010-04), Vancouver: University of British Columbia, 2010, 20–25.
- 10 Ken Menkhous, Dangerous waters, *Survival: Global Politics and Strategy* 51(1) (2009), 21–25.
- 11 See Table 3 for Somalia and Gulf of Aden piracy attacks between 1991 and 2011.
- 12 Daahir M Burale, *FAO post tsunami assessment mission to central and south coast of Somalia*, Rome: Food and Agriculture Organisation, 2005; United Nations Environment Program, *UNEP annual report 2005*, Nairobi: UNON Publishing Services Section, 2005. The tsunami destroyed nearly three quarters of the fishing gear, as well as the two cold storage facilities which were critical for preventing fish and lobster catches from spoiling. In addition, it destroyed nearly two thirds of all Somali boats.

- 13 Arky, Trading nets for guns, 27.
- 14 Justin V Hastings, Geographies of state failure and sophistication in maritime piracy hijackings, *Political Geography* 28 (2009), 213–223; Martin N Murphy, *Small boats, weak states, dirty money: piracy and maritime terrorism in the Modern world*, New York, NY: Columbia University Press, 2009; Lauren Ploch, Christopher M Blanchard, Ronald O'Rourke et al, *Piracy off the Horn of Africa* (CRS Report for Congress), Washington, DC: Congressional Research Service, 2010.
- 15 United Nations (UN), *Report of the monitoring group on Somalia pursuant to Security Council Resolution 1853 (2008)*, New York, NY: UN, 2010, 38–39, 99.
- 16 U.S. Government Accountability Office (GAO), *Maritime security: actions needed to assess and update plan and enhance collaboration among partners in countering piracy off the Horn of Africa*, Washington, DC: GAO, 2010, 30.
- 17 Sarah Percy and Anja Shortland, *The business of piracy in Somalia* (Discussion Paper 1033), Berlin: DIW, 2010, 25; Stig Jarle Hansen, *Piracy in the greater Gulf of Aden: myths, misconceptions and remedies*, Oslo: NIBR, 2009, 29. Pirates were only paid on a successful-attack basis, hence 'no prey, no pay'.
- 18 Raymond Gilpin, *Counting the costs of Somali piracy* (Working Paper), Washington, DC: United States Institute of Peace, 2009.
- 19 Hansen, *Piracy in the greater Gulf of Aden*, 12; Percy and Shortland, *The business of piracy in Somalia*, 8.
- 20 International Crisis Group, *Somalia: the trouble with Puntland* (Africa Briefing No 64), Nairobi/Brussels: International Crisis Group, 2009; Ploch et al, *Piracy off the Horn of Africa*, 6; Hansen, *Piracy in the greater Gulf of Aden*.
- 21 Hansen, *Piracy in the Greater Gulf of Aden*, 25–26.
- 22 GAO, *Maritime security*, 22. The GAO estimated that nearly 57 per cent of all pirates captured between August 2008 and June 2010 were released.
- 23 The March 2010 UN Report of the Monitoring Group on Somalia lobbied these charges directly at the Puntland governing elites.
- 24 UN, *Report of the monitoring group on Somalia*, 7. A similar pattern of integration with the surrounding societies has been a hallmark of pirates. In the case of Puntland, in the 2009 Presidential election, pirates contributed to the electoral campaigns of both candidates.
- 25 GAO, *Maritime security*. GAO illuminates the bureaucratic wrangling behind this issue at the bilateral level.
- 26 See Table 3. All data is derived from the Quarterly and Annual Reports of the International Maritime Bureau.
- 27 James Kraska, Freakonomics of maritime piracy, *Brown Journal of World Affairs* 16(2) (2010), 109–120, 115.
- 28 See Table 3.
- 29 Starting with the agreements with Senegal and Guinea-Bissau in 1979, the European Union negotiated fishing rights agreements with Guinea in 1980, Equatorial Guinea and Sao Tome in 1983, the Seychelles and Mauritius in 1984, Madagascar and Mozambique in 1986, Mauritania and the Gambia and Angola in 1987, Gabon and Morocco in 1988, and Cape Verde and Cote d'Ivoire in 1990. These agreements were renegotiated and re-signed in the 1990s, and in the 2000s as well.
- 30 Vlad M Kaczynski and David L Fluharty, European policies in West Africa: who benefits from fisheries agreements?, *Marine Policy* 26 (2002), 75–93. The European fishing fleets did not accept West African observers onboard, did not hire local fishermen for crew, and hardly ever visited local ports for inspection.
- 31 Agritrade Fisheries, *June newsletter*, 1 June 2007.
- 32 See Table 1.
- 33 Henrik Österblom, U Rashid Sumaila, Örjan Bodin et al, Adapting to regional enforcement: fishing down the governance index, *PLOS One* 5(9) (2010), e12832, doi:10.1371/journal.pone.0012832
- 34 David J Agnew and Colin T Barnes, Economic aspects and drivers of IUU fishing: building a framework, in Kathleen Gray, Fiona Legg, and Emily Andrews-Chouicha (eds), *Fish piracy: combating illegal, unregulated, and unreported fishing*, Paris: OECD, 2004.
- 35 Christophe Béné, Bjorn Hersoug, and Edward H Allison, Not by rent alone: analysing the pro-poor functions of small-scale fisheries in developing countries, *Development Policy Review* 28 (2010), 325–358, 328. The reductions in government budgets because of stabilisation policies reduced states' ability to collect accurate information on fish catches.
- 36 I have used Jane's World Navies database to generate information on the dates and types of procurement decisions that the Gulf of Guinea states made during this time period. See the World Navies Directory of IHS Jane's Defense & Security Intelligence & Analysis, <https://janes.ihs.com/CustomPages/Janes/ReferenceHome.aspx> (accessed 26 July 2012).

- 37 Eddie Dale Harrison, Africa partnership station arrives in Libreville, Gabon, *US Navy*, 8 January 2008, http://www.navy.mil/submit/display.asp?story_id=34217 (accessed 18 August 2012); Tasha Tully, Equatorial Guinea Navy officers train aboard U.S. Coast Guard Cutter Dallas, *United States Africa Command (US AFRICOM)*, 7 July 2008, <http://www.africom.mil/NEWSROOM/Article/6244/equatorial-guinea-navy-officers-train-aboard-us-co> (accessed 8 August 2012); Tasha Tully, Coast Guard Cutter Dallas advances maritime partnership with Sao Tome and Principe, *US AFRICOM*, 2 July 2008, <http://www.africom.mil/NEWSROOM/Article/6245/coast-guard-cutter-dallas-advances-maritime-partne> (accessed 26 July 2012); Gary Keen, Bradley first U.S. Navy ship to visit Bata, Equatorial Guinea, *US AFRICOM*, 20 January 2009, <http://www.africom.mil/NEWSROOM/Article/6428/bradley-first-us-navy-ship-to-visit-bata-equatoria> (accessed 15 August 2012); Commander, U.S. Naval Forces Europe-Commander, USS Robert G. Bradley conducts training; gives back to host nation, *US Navy*, 11 January 2009, http://www.navy.mil/submit/display.asp?story_id=41694 (accessed 18 August 2012).
- 38 Jason T Poplin, Nigeria, U.S. conclude joint maritime training exercise, *US AFRICOM*, 4 March 2008, <http://www.africom.mil/NEWSROOM/Article/6129/nigeria-us-conclude-joint-maritime-training-exerci> (accessed 18 August 2012).
- 39 Vince Crawley, Protecting fishing part of maritime security, Africa Command deputy says, *US AFRICOM*, 30 March 2009, <http://www.africom.mil/NEWSROOM/Article/6570/protecting-fishing-part-of-maritime-security-afric> (accessed 18 August 2012).
- 40 Jason Morris, Ghana Navy recognized during Dutch APS deployment, *US Navy*, 28 October 2009, http://www.navy.mil/submit/display.asp?story_id=49290 (accessed 18 August 2012).
- 41 Zachary Harrell, MCAST security force assistance mobile team collaborates with Cameroon navy, *US Navy*, 5 August 2010, http://www.navy.mil/submit/display.asp?story_id=55068 (accessed 18 August 2012).
- 42 This focus on regional cooperation was particularly important in terms of legal cooperation because of the ability of pirates to avoid prosecution because of jurisdictional issues; see John Gibson, Maritime security and international law in Africa, *African Security Review* 18(3) (2009), 60–70.
- 43 See Table 1. All data are derived from the Quarterly and Annual Reports of the International Maritime Bureau.
- 44 Halle Dunn, *Oil pirates of the Niger Delta*, Master of Defence research project, Canadian Forces College, Ottawa, 2009, 35.
- 45 Daniel J Whiteneck, John Ivancovich, and Kim Hall, *Piracy enterprises in Africa* (CRM D0023394.A2/Final), Washington, DC: Center for Naval Analyses, 2011.
- 46 Percy and Shortland, *The business of piracy in Somalia*; Hansen, *Piracy in the greater Gulf of Aden*. Percy and Shortland reach a similar conclusion. In addition, Hansen argues that the pirate-producing areas of Puntland have above-average per capita incomes in comparison to the rest of the area, indicating the possibility for a non-linear relationship within the economics-based arguments as well.
- 47 Roger Middleton, *Piracy in Somalia: threatening global trade, feeding local wars* (Briefing Paper), London: Chatham House, 2008, 7. Middleton details a particularly vivid presentation of a pirate's frame of mind vis-à-vis his prey.