Maritime Piracy: Nature and Implications on National Security in Nigeria

[1]**Ahmed Rufa'i Usman Ph.D.,**

[2]**Saheed Babajide Owonikoko Ph.D.,**

[3]**Abdulkarim Umar Muhammad**

[4]**Sani Abdulmalik Omale**

[1]Department of Sociology, (Criminology and Security Studies),

Federal University, Dutse, Jigawa State-Nigeria,

[2]Centre for Peace and Security Studies, Modibbo Adama University, Yola

[3]Department of Criminology and Security Studies,

Nigerian Army University, Biu Borno   State, Nigeria.

[4]Department of Defence and Strategic Studies,

Nigerian Defence Academy Kaduna State, Nigeria.

[1]arusman2015@gmail.com, [1]+2347033075170

Abstract

The paper examined the nature and implications of maritime piracy on national security in Nigeria. Relative deprivation theory was adopted as the theoretical framework. Maritime piracy is becoming security challenge to many nations. Maritime piracy is an act of violence committed against crew persons and those boarding ships at seaports, and territorial waters for private ends. Maritime piracy is a global crime inflicting unquantifiable economic losses to many nations. Most of the piratical activities perpetrated in the Gulf of Guinea (GoG) occur in the coasts of Nigeria. Nigeria remains the hotspot of piracy in Africa. The increasing piratic activities in the GoG pose serious security threat. It became detrimental to maritime business and socioeconomic development on Nigeria waters. It has affected water transportation, fishing and commercial activities in Nigeria. Nigeria is facing challenge on oceans constituting a threat to national security. Shipping has for a long time been recognized as one of the strong catalysts for socio-economic development. Maritime piracy in Nigeria include: theft of oil and cargo, Illegal fishing, trafficking of counterfeit items, people, narcotics and arms, oil bunkering, kidnapping, hijacking of ship.

Key words: Maritime insecurity, Implication, Nature, Ocean, Piracy

Introduction

Maritime piracy is an act of violence committed against crew persons and ships at seaports, and territorial waters of state. Maritime insecurity has become an issue posing threats to socioeconomic activities. There has been concern on maritime safety and security, with attention to the insecurity pose to global commerce, peace and stability of waterways. Pirate attacks in African waters become a serious concern to international community affecting. The increased maritime attacks in African waters result to poor living conditions. African states are either failed, failing or weak, in terms of security, good governance, maintenance of law and order. A significant number of maritime criminalities are perpetrated in the Gulf of Guinea (GoG) waters. Maritime piracy has been a challenge for mariners with impact on the cost of shipping, merchandise trade, oil and shipping activities. The sea is an important source of oil, gas and minerals and used for connecting cables and pipe for data services and mobile telephones connectivity. The Nigeria waterways is becoming unsafe for seafarers in Africa, recording high incidence of maritime insecurity against ships, travelers and sea related services.

According to the United Nations Convention on the Law of the Sea (1982), maritime piracy is any illegal act, violence or detention or any act of depredation committed for private ends by the crew of a private ship or private aircraft and directed; on the high seas against another ship or against persons and property on board such ship or aircraft. The act is directed against a ship, aircraft or property, or any act of voluntary involvement in the operation of ship or aircraft, persons or property. Maritime piracy has been linked to terrorism, maritime terrorism is the use of threat or violence in the maritime environment against persons, installations and shipping for political or socio-economic objectives.

According to Anyanwu, Melvin, Ogola and Ogwo (2023), maritime insecurity is a concern in the Gulf of Guinea region. Energy security and trade depend to a large extent on sea-based transport, and the region is currently the source of around 5.4 million barrels of oil per day. This is equivalent to more than the total amount imported by EU27 countries in 2022 and over half of US crude oil imports in 2022. Oil supply from the region in 2023 was equivalent to 40% of total EU27 and 29% of total US petroleum consumption. Maritime piracy in the Gulf of Guinea accounted for nearly 30% of attacks (427 of 1,434) in African waters between 2013 and 2023, the proportion is increasing. Maritime security is essential in maintaining the flow of revenues from oil and gas, which have potential to contribute to the development in the region. At the same time maritime resources such as fish, aquaculture and intact ecosystems contribute to the livelihoods of many Africans.

According Abdelfattah (2020), the (GoG) faces serious maritime insecurity. The GoG is a large body of water located off the western coast of Africa, stretching from Nigeria, Guinea, Gabon, Angola, Ghana, Benin, Cameroon, Gambia Ivory-Coast, Congo, Equatorial Guinea, Sierra Leone, Guinea-Bissau, São Tomé and Principe, Togo, and Republic of Congo. The GoG is an important region for international trade, a home to several ports and as a transit point for oil and other natural resources. The coastal region is low-lying, with mangrove swamps, marshes, and lagoons interspersed. This geographical feature gives advantage to maritime pirates in committing heinous criminality along the waterways. The GoG today is the most perilous maritime region with regards to pirate criminal activities, accounted for the highest number of maritime attacks globally and the world's most dangerous waterways.

According to the (UNODC, 2023), shipping is one of the strong catalysts for socio-economic development. Greater part of the export and import in Nigeria depends on the use of sea. The Armed attacks against ships continue to threaten Nigeria's national security. Nigeria is one of the major exporters of crude oil in Africa, facing attack, from South-South, South East, down to South West.

It includes kidnapping, armed robbery, vandalism of vessels and oil bunkering happening in the oceans. UNODC (2023) expressed that, maritime pirates in coastal Nigeria include: violent attacks, hijacked and robbed vessels, kidnapped crews along the coasts, rivers, ports and surrounding waters. Pirates hijacked vessels for days, ransacked the vessels and stole part of the cargo. Nigeria account for over 60% of total seaborne traffic in the West African sub-region.

From the foregoing, maritime sector generates job, revenue and foreign exchange earnings. However, maritime insecurity affects investments and economic growth. Maritime piracy increases due to the poor conditions in the maritime region. The deteriorating conditions instigated youths to maritime crimes. Due to frequent criminality on the sea, the Nigeria Navy conducts different operations like Joint Anti-piracy, Deep Blue Project, Coast Guard Patrol, Vessel Escorting to counter the activities of pirates. Maritime insecurity affects the activities of the Nigeria Port Authority (NPA), Nigeria Maritime Administration and Safety Agency (NIMASA), Ministry of Petroleum, Transport and International Oil Shipping Companies. The Federal Government created the Ministry of Maritime Affairs and Blue Economy with aim of combating insecurity on Nigeria waterways. Against this background, the paper examined the nature of piracy and its implications on national security in Nigeria.

Maritime Piracy

The crime of maritime piracy is detrimental to socioeconomic well-being of any nations, affecting global waterways. According to the Article 101 of the United Nations Convention on the Law of the Sea 1982. Maritime piracy refers to:

> (a) Any illegal acts of violence or detention or any act of deprivation, 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 of such ship or aircraft; (ii) Against a ship, aircraft, persons or property in a place outside the jurisdiction of any states; (b) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a private ship or aircrafts; (c) Any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

From the foregoing, maritime piracy is a violent act carried out by non-state actors on high seas against ships, sailor and other persons on board. It is a criminal act aimed at forcefully boarding a ship with intent to commit illegal acts of violence or detention, or any act of depression, committed for gain against the crew or passengers and ships.

Maritime Piracy in the Gulf of Guinea

According to Adongoi and Ubong (2021), maritime insecurity is a global phenomenon affecting maritime traffic in the world. The GoG is one of the World's most dangerous maritime regions with regards to piracy. The GoG is important geo-political point for shipping, transporting oil, as well as goods to and from other nations. Bordering 20 countries with 6,000 kilometers of coastline. Maritime piracy is high on the economy, with costs estimated at US$1.925 billion annually for 12 Gulf of Guinea countries. Tackling piracy in the GoG requires sustainable political will at the national and regional levels, more effective cooperation among members of the international community. The prevalent incidence of pirate attacks affects economy, threatens maritime security; affecting global trade flows and economic growth.

For Charles and Wullson (2021), the GoG has one of the world's richest fishing grounds, representing 4 percent global fish production. The fisheries sector is a critical source of employment for millions of people, contributing to the economics of the region. But before it benefits from this potential, threats to its stability and prosperity must be addressed. Maritime insecurity has been on the increase around GoG in spite of growing national, regional and international efforts in improving maritime security in the sea routes. However, attacks constitute a fair share of the high incidents in the oceans.

Adongoi and Ubong(2021) , expressed that, the GoG is an important region because of its landmass and maritime domain. Its large population offers a potential market with abundant energy resources among GoG nations. In addition to the maritime sphere and energy resources, other important mineral like diamond, gold, silver, copper, iron, cobalt, uranium and petroleum are found among GoG nations. The Gulf of Guinea encompasses the Atlantic Ocean; Benin, Cameroon, Equatorial Guinea, Ghana, Gabon, Ivory Coast, Nigeria, Togo and the Sao Tome and Principe. Angola and the Republic of Congo lie south, with Liberia, Sierra Leone, Guinea, Guinea-Bissau, the Gambia and Senegal to the north. The Gulf of Guinea is richly endowed with minerals and fisheries resources, making it a strategic area. The route of Gulf of Guinea represents 25 percent of African maritime traffic.

The traditional *modus operandi* of pirates largely involved the use of speedboats to attack shipping crew, cargo and valuables. Pirate attacks in the GoG recorded high incidence, pirates launch attacks for stealing cargo, valuables from a vessel and kidnap crew-members. The ports of Bonny and Lagos (Nigeria), Cotonou (Benin), Lomé (Togo), Tema (Ghana), and Abidjan (Côte d'Ivoire) are vulnerable with large numbers of merchant ships hang around. Maritime pirates are increasingly modifying tactics by hijacking fishing vessels, attack vessels operating off the coasts of countries like Benin and Cameroun.

Maritime Piracy in Nigeria

According to Chidozie (2023), Nigeria is within the Gulf of Guinea, the West coast of Africa. Nigeria's coastal area is about 853km, with maritime insecurity especially sea piracy and oil theft. Nigeria loses huge sums of money affecting revenues and the wellbeing of coastal areas whose livelihood depends on the maritime sector. Nigeria plays crucial role in the success of maritime security in the GoG. The Niger-Delta area is the most extended (450 km), with the abundant mineral resources and biodiversity. The crude oil amounts to 90% of the country's forex income. Attacks on vessels and crews from the shores, seaport, waterways, and anchorages are common around Lagos, Brass, Port Harcourt, and Bonny waters. Militants in the Niger-Delta engage in maritime crimes affecting the region and national development.

The activities include, illegal oil bunkering, stealing of crude oil or derivatives from tankers and pipelines for the trans-shipment into larger ocean-faring marine vessels, as well as illegal fishing. The waterways in Niger-Delta region have been the center of maritime piracy across the Gulf of Guinea. Criminal activities in Nigerian waters have metamorphosed from oil siphoning and bunkering to increasingly well organized and violent attacks on merchant vessels and crews:

The Nature of Maritime Piracy in Nigeria

Maritime piracy takes different forms in Nigeria's water ways. As discussed below:

Maritime Terrorism

For Bueger and Larsen (2020), maritime terrorism is any attempt or threat to seize control of a ship by force; damage or destroy a ship or its cargo; to injure or kill a person on board; or to endanger in any way the safe navigation of a ship moving on territorial waters of one State into another or into international waters. Maritime terrorism is a violent crime at sea threatening maritime security. As organized extremist groups seek new avenues to carry out their activities, the maritime domain has become a target. Terrorism at sea involves violence perpetrated by extremist groups with political, ideological, or religious motivations. These acts can include hijacking vessels, carrying out maritime attacks, smuggling weapons, kidnapping hostages, and launching cyber-attacks on maritime infrastructure. The goal is to instill fear, cause economic disruption, and advance the ideological agenda of the perpetrators.

Armed Robbery and Theft of oil Cargo

According to Francis (2020), the Gulf of Guinea pirates launch attacks primarily from Nigeria, with the aim of stealing cargo, equipment from vessels and its crew. Armed robbery, kidnapping of crew-members happens. The International Maritime Bureau (2023) recorded successful piracy and armed robbery, 37 involved the use of firearms and 15 successful hijackings of cargo in the GoG. Attacks on chemical tankers and vessels carrying refined petroleum increases. Tankers that are attacked are usually moored or carrying out ship-to-ship transfers at sea, and so are vulnerable to being detected and boarded. The crew is held while the cargo is transferred to smaller vessels by the hijackers and resold onshore. It is estimated that 40 per cent of Europe's oil imports, and close to 30 per cent of the United States' imports of petroleum products travel through the Gulf of Guinea each year.

Maritime Smuggling

According to International Maritime Bureau (2022), maritime smuggling is a challenge to global security and stability. This illicit activity involves the clandestine transportation of goods, people, or substances across borders, often evading customs, immigration, and other authorities. Maritime smuggling occurs via sea routes and waterways, taking advantage of the vast oceans. Smuggled goods include weapons, drugs, counterfeit products, and human trafficking, all of which have devastating consequences on economies. Many of the busy seaports in the Gulf of Guinea lack sufficient oversight. Allowing smuggling routes to become established, about 50 tons of cocaine, destined for Europe and worth $2 billion, transits West Africa annually.

International Maritime Bureau (2023), opined that, maritime smuggling networks utilize advanced and flexible tactics in carrying illegal operations. Exploiters of human trafficking and smuggling take advantage of the extensive and unidentified maritime pathways. Employing a range of watercrafts, including cargo ships and small fishing boats, to transport people across borders or subject them to exploitative labour or sexual exploitation. These criminal networks take advantage of lax enforcement in maritime areas, employing covert pathways and deceit to avoid being detected. The utilization of hidden compartments on ships, counterfeit documents, and coercion enhances the concealment of their activities.

Environmental Crimes and Illegal Fishing

For Kalu (2024), environmental crimes cover depletion of natural resources, illegal fishing, smuggling of coal, oil theft, as well as wildlife crime such as poaching. Illegal, unreported and unregulated fishing contributes to the degradation of the marine ecosystem. This has environmental, economic and social impacts on communities, as well as on the international fishing industry. The

impact of illegal fishing on marine ecosystems is profound. Overfishing, disrupts the natural balance of aquatic populations, leading to a decline in fish stocks and the potential collapse of entire species. This jeopardizes the biodiversity of the oceans and compromises the food security and livelihoods of millions of people depending on marine resources. In addition to its ecological implications, illegal fishing also has economic and social consequences. The depletion of fish stocks due to illicit fishing activities result in revenue loss for legitimate fishing enterprises and coastal communities. This increased poverty and social unrest in areas relaying on marine resources for economic well-being. The GoG waterways faces illegal fishing. Almost 40 per cent of the fish caught in GoG waters is taken illegal. The maritime security in the GoG is critical economic significance for West African governments, collectively losing $1.5 billion annually to illegal fishing. Illegally caught fish is often destined for EU and Asian markets. There is link between vessels involved in illegal fishing and other forms of organized crime at sea.

Oil Bunkering

For Geib and Petrig (2020), the GoG borders many African countries with sizeable oil and gas industries, with Nigeria being the dominant oil producer in the region. As a result of this, oil tankers are targeted by pirates. Most criminals focused on targeting the cargo onboard, including oil, rather than the crew or the ships themselves. Oil bunkering as a form of maritime insecurity refers to acts involving oil theft. This includes the diversion and smuggling of oil and unauthorized loading ships. It requires the tapping into an oil pipeline, and the transportation of the oil elsewhere on sea. Pirates puncture the pipeline at night, establishing a tipping point from which the group operate. This illicit activity involves the theft and unauthorized siphoning of oil from vessels, pipelines, or storage facilities, often taking place in the world's oceans and waterways. Oil bunkering is considered as maritime insecurity as it undermines the global economy and energy security. The theft of oil has significant impact on the global oil supply chain, leading to market instability. Moreover, the illicit sale of stolen oil generates significant profits for criminal organizations and terrorist groups, used to fund illegal activities, including arms smuggling, human trafficking, and other forms of transnational crime.

Piracy Kidnappings

Piracy kidnappings occur when people are kidnapped by pirates or taken hostage. Article 1 of the United Nations International Convention against the Taking of Hostages(1983) defines a hostage-taker as any person who seizes or detains and threatens to kill, to injure, or to continue to detain another person in order to compel a third party namely, a State, an international intergovernmental organization, a natural or Juridical person, or a group of people, to do or abstain from doing any act as an explicit or implicit condition to the release of the hostage commits the offense of taking of hostages. Piracy kidnappers often obtain large financial reward in exchange for hostages and can also be politically motivated. According to Martin (2023), kidnapping for ransom is common in Gulf of Guinea, off the coasts of Benin, Ghana, Nigeria, Congo Brazzaville and Cameroon. Political instability, lack of law enforcement and poverty contributes to maritime kidnapping. The Niger-Delta region is a tourist attraction in Nigeria. The coastal area remains unsafe, neither foreigner nor the Nigeria government able to harness the tourism potential of the region. Maritime insecurity affected the tourist with kidnapped cases.

Hijacking of Ship

According to Fileman (2010), hijack against ships for ransom have become common in the Gulf of Guinea, which runs from Senegal to Angola, taking in the southwest coast of Nigeria. Hijacking involves the unlawful seizure of a ship or maritime vessel by individuals or groups with malicious intent. The perpetrators take control of the vessel through force, coercion, or deception, often endangering the lives of crew members and passengers on board. Pirates in the GoG hijack ships and hold the crew for ransom. Ship hijacking typically involve armed individuals boarding vessels, taking control of the ship and its crew, diverting it to a different location for various illicit purposes. These hijackings often target oil tankers, cargo vessels, and fishing boats, seeking to steal valuable cargo, equipment, or ransom for crew members. The perpetrators of ship hijackings are often well-organized criminal groups that operate within the maritime environment. Most pirate attacks are carried out against bulk carrier and container vessels. These vessels carry millions of dollars' worth of goods, for which pirates know they can get a large ransom.

Security Implications of Maritime Piracy

Maritime piracy has numbers of security implications as discuss below:

Effects on Oil Industry and Production

According to Kalu (2024), oil production in Nigeria has been dropping as a result of piracy and illegal maritime activities thereby costing the Nigerian economy an estimated $202 million for the period 2010 to 2023. Given the crucial role of sea transportation in the global oil trade. Regions rich in oil resources are prone to sea piracy. The threat of piracy and terrorist attacks on oil infrastructure disrupt production activities, leading to decreased output and revenue losses for oil-producing nations. Insecurity in maritime domain raises insurance premiums for oil tankers and increases transportation costs, impacting the profitability of oil exports. Maritime insecurity compels oil companies to halt operations or seek alternative routes, further exacerbating supply chain disruptions and contributing to market volatility.

Threat to Food Security and Fishing Industry

For Moneke (2021), fish plays a vital role and food security in providing important source of protein to Africans. It provides food for 200 million Africans and income, for over 10 million. The negative effect of piratic attacks on the Nigerian coastal waters is that, seafood prices skyrocketed because of the scarcity thereby placing it out of reach for many Nigerians. In addition to the revenue realized from the export of fish, the industry also earns additional income through fishing licenses to foreign operators. Attacks on fishing vessels, in Nigerian waters include theft of fish cargoes, equipment and other material on board and killing of fishermen. Accordingly, the threat of piracy at sea deter fishermen from venturing into maritime areas, limiting access to fishing and reducing their catch. This affects the livelihoods of fishermen and disrupts the supply chain of fish and seafood products, leading to shortages and price increases.

Humanitarian Effects and Loss of lives

According to the International Maritime Bureau (2023), piratic activities lead to loss of human lives with various tragic occurring at sea. Piracy, shipwrecks, maritime accidents, and human trafficking are among the primary contributors to this phenomenon. There is infliction of grievous bodily injuries which results in permanent disability with psychological trauma where the seafarer may never go back to sea. Piracy continues to pose a significant threat to seafarers, with incidents of violence resulting in casualties annually. Shipwrecks, often caused by adverse weather conditions, technical failures, or collisions, lead to the loss of both crew and passengers. Additionally, the use

of unseaworthy vessels in human trafficking operations puts migrants at significant risk, with many perishing at sea due to overcrowding, lack of supplies, and harsh conditions. These incidents highlight the urgent need for enhanced maritime security measures to prevent further loss of life at sea.

Socio-economic Effects

According to Potgeiter (2024), maritime insecurity continues to affect global trade. Shipping companies record loss in their operations affecting economy. The threat of piracy delays in shipments as vessels reroute to avoid danger zones or wait for safer conditions. These delays disrupt supply chains, affecting businesses timely deliveries resulting in financial losses. Moreover, maritime insecurity deters investments, constraining economic development and limiting trade opportunities. Fishing industry contributes to the economy of Nigeria, pirate attacks on fishing trawlers have reached the point that, many fishing boat captains refuse to sail. The attacks range from harassment to theft of fish cargoes, engines and other material on board and extortion. The Nigerian Maritime Security Task Force on Acts of Illegality in Nigerian Waters (2024) reported, 293 sea robberies and pirate attacks between 2020 and 2023 on the country's fishing vessels alone. Also, maritime trading activities lost N118.5 billion between 2003-2011, N5bn in 2012, N6bn in 2013, N7.5bn in 2014, N12bn in 2015, N13 in 2016, N15bn in 2017, N17bn in 2018, N20bn in 2019 and N23bn in 2020 to 2023.

Proliferation of Arms

According to Joubert (2023), maritime piracy increases the circulation of weapons. The pirates make huge profit from the procurement of sophisticated arms and navigation technology. These weapons, which include firearms, explosives, and other portable weapons, contribute to increased violence, crime, and instability in maritime regions. As a result, socio-economic activities such as trade, fishing, and tourism are negatively impacted. The presence of small and light weapons leads to higher levels of piracy, armed robbery at sea, and illegal fishing, creating an environment of fear and uncertainty for those engaged in maritime activities.

Environmental Degradation

According to Uadiale (2024), with the interception of vessels oil carrying, there is underlying danger of oil spillage. This could be deliberate or unintentional depending on the goals and aspirations of the interceptors. The Sirius Star which was laden with two million barrels of crude oil at the time of its hijack made history as the largest oil tanker ever to be intercepted. One particular cause for concern at the time was the nature of the cargo. The concern was that the hijacking might represent an escalation in the goals and ambitions of the pirates and that an oil tanker of that size could cause significant environmental damage if run aground, sunk or set on fire.

Relative Deprivation Theory

According to Siegel (2013), relative deprivation theory was developed by Sociologist Samuel Stouffer in his 1949. The assumption of the theory is that; a person feels deprived or entitled to something based on the comparison to someone. Relative deprivation theory is based on the notion that; people feel relatively deprived of resources, such as money, or intangible items, such as social status or respect. The theory is related to social movement theory. Groups who feel deprived often organize a social movement to advocate change and resort to criminality.

However, there is problem of neglect in the Niger Delta region and other maritime areas in Nigeria. The government, neglected the region, people felt deprived as other Nigerians receive large parts of their resources. The problems of maritime piracy in Nigeria resulted due to socioeconomic and political problems, injustice, environmental degradation, unemployment and deprivation. This led to the emergence of the Niger Delta militants who engages into maritime terrorism, armed robbery and theft of oil cargo, maritime smuggling, environmental crimes, illegal fishing, kidnappings and hijacking of ships.

Conclusion and Recommendations

Maritime insecurity is a threat affecting the security of maritime activities in Nigeria. Maritime piracy affects water transportation, fishing and commercial activities in the coastal region of Nigeria. The porous nature of the coastline and the extensive network of waterways provide opportunities for criminal organizations into maritime piracy, exacerbating security concerns. Moreover, the theft of crude oil and refined petroleum products, commonly referred to as oil bunkering, has been an issue in Nigeria's maritime domain. Criminal syndicates siphon oil from pipelines, engage in illegal refining and export activities, causing significant revenue losses for the Nigerian government and environmental damage. Maritime criminals target vessels, including commercial ships, fishing vessels, and recreational boats, using tactics such as armed robbery, hijacking, and kidnapping. The paper recommends:

i. Unemployment and economic hardship contribute to maritime piracy. Government should provide social infrastructure and jobs to youths in the oil producing communities. Reducing unemployed youths will reduce maritime insecurity in Nigeria.
ii. Poverty and social exclusion contribute to maritime piracy. Government should reduce the level of poverty in the affected region, poverty alleviation programs can help in reducing poverty and address sea piracy in the country and eschew youths from maritime criminality.
iii. Government should provide modern patrol ships and gadgets to the Nigeria Navy. This will help in combating maritime insecurity in Nigeria and the Gulf of Guinea.
iv. There is the need for regional cooperation of Gulf of Guinea coastal areas through Multi Joint Task Force (MJTF). Regional cooperation through information sharing, exchange of personnel, equipment, and training, funding and increased maritime domain awareness will help in improving maritime security in the GoG .
v. The National Assembly should review legislations on maritime, ports and terminals. This can help in prosecution and deter maritime crimes and improve maritime safety in Nigeria.

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