

The Response of the Nigerian Government toward Preventing and Countering Maritime Piracy and Sea Terrorism in the Gulf of Guinea

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ABSTRACT

Purpose: Maritime Piracy is a risk to international safety which impacts the global maritime enterprise economically and from different perspectives. The phenomenon has been known to have affected the seafarers, ships, vessels and aircraft that are operating within international waters. Nigeria is the country that has the best prevalence of Maritime Piracy constituting 29% of the whole international incidences in 2019. This has made the state search for a method of stopping crime through the creation of a criminal method below the law of Anti-Piracy Suppression Act 2019. The problem is the level at which Maritime Piracy has become an uncontrollable crime and has escalated into terrorism in Nigeria for several decades without the authorities concerned, taking an adequate measures to curb the menace. This study examines critically the response strategies of Nigeria to curtail the crime of Maritime Piracy and other related crimes and its feasibility in addressing the problem. **Methodology:** The research used a qualitative technique of facts assembling and evaluation. Data were assembled from secondary sources including documented resources and media reports. The secondary sources consist of books, reports and other documents. The data obtained were analysed using thematic analytical interpretations. **Findings:** The work discovered that Maritime Piracy persists in Nigeria because of a lack of legal enforcement. **Implications:** The work recommends among others that the newly introduced law should be implemented fully with its sanctions and punishments to prevent the crime. **Originality:** until this study, no study has reported on the legal implications of maritime regulations in mitigating sea piracy and armed robbery in the Gulf of Guinea. Most of the studies give emphasis on the economic implications only.

Keywords: Gulf of Guinea, Maritime Piracy, Nigeria, Prevention, Response, Terrorism.

INTRODUCTION:

On the beaches and outskirts of nations all over the world, maritime piracy and maritime terrorism are both a part of a dangerous pattern for maintaining global security concurrently. Sea piracy has a long history on earth and is a global security concern. Years of prosperity were followed by a dramatic decline and current flooding. The International Maritime Organisation (IMO) claims that an organisation under the United Nations (UN), approximately 5,667 sea thefts were recorded against seafarers around the world between 1984 and 2011 (IMO, 2018). Similarly, the International Maritime Agency (IMB) recorded about 3000 successful strikes or attacks on maritime piracy between 2000 and 2009 (Kraska, 2011: 1). Most recently, 107 attacks or thefts were recorded in 2018, and a total of 78 piracy and terrorism were recorded in 2019 from January to July (IMB, 2019).

Maritime piracy is turning into a difficulty because it poses dangers to countrywide security, financial prosperity, and the fitness of the lives and belongings of general-purpose seafarers within the waters of the contemporary-day world. From 1990 to 2013, 6,000 robbers and lethal attacks were recorded closer to Universal Business Vessels, as focused thru the IMF and the International Chamber of Commerce (ICC). Pirates and sea terrorists are probably to get away in a sizable amount of world extensive waters and characteristic completed unstable wearing activities without checking. The speedy effect of marine theft has compelled the IMO's 2011 miracle hazard to be

held in Malmö, Sweden, October 17-19, 2011, at a regular conference. To guard the transport enterprise from the risks of attackers and robbers residing within the world's waters, dropping sizeable assets through crook activity (Mejia, Kojima and Sawyer, 2013: 1).

Overall, virtually every world's ocean has a history of theft and naval raids and invasions, from the early days of naval use of small vessels to the beginnings of merchant ships, cruise ships, governments, and until recently. Overview of World Sea development Transportation the use of big ships and sea freight to move big items and companies. In the 20th century, the float of robbery education regarded to recede, however within the center of the twenty first century, sea theft and some other detail of robbery immediately associated with theft emerged. This state of affairs made the difficulty of marine piracy a traumatic issue (Lehr, 2007: 1, Alexander and Richardson, 2009: 1, Geib and Petrig, 2011: 1).

Piracy is a global security issue and has been increasing recently, specifically in the 1980s and contemporarily. 107 attacks or thefts were recorded in 2018, and a total of 78 offshore thefts and equipped robbers were recorded from January to July 2019 (IMB, 2019). The miracle continues, all under UN guidelines, despite different assessments of how to deal with issues, including the legitimate enactment of global law under the protection of institutions such as the IMO, IMF and ICC (Onuoha). and Hassan2010). Sea theft and invasion have more than one implications for the arena economy, security, felony issues, and typical prosperity. A general of 201 maritime piracy and terrorist quotes had been registered in 2018 and handed a hundred and eighty in 2017 (IMB Piracy Reporting, 2018).

Piracy is even greater of a problem in Africa, specifically within the Horn of Africa and the Gulf of Guinea. Thefts range in length and nature and feature lengthily impacted the safety of transportation, marine physical games along with international commercial enterprise and different economic physical games, and the affected zones. For example, in 2018, 40% of all piracy assaults introduced on Earth passed off within the Gulf of Guinea, and assaults within the Nigerian waters accounted for 29% of all international assaults. Given that a few instances have been now no longer nicely archived or disclosed, it become even admitted that the scope of the assault at the Nigerian waters become inappropriately spoke back via way of means of the IMB. A wide variety of prepared brutal assaults additionally passed off in neighboring nations of Nigeria, which includes Benin, Ghana, and different nations within the Gulf of Guinea (IMB Piracy Reporting, 2018).

Maritime piracy and terrorism have many implications for the Nigerian nation. There is a countrywide protection threat. Nigeria's coasts and waters have become risky and loose shelters for criminals, each inland and at Atlantic, making seafarers and maritime shipping extraordinarily risky and possibly frightening. This scenario has led buyers across the world, running outside and inside Nigeria, to increase a lot of methods to soundly shipping commodities within the air and with the aid of using land. This has brought about severe protection breaches within the country. Financially, Nigeria is said to have lost about US \$ 2.8 billion. This is about 11% of Nigeria's fiscal limit in 2019 (IMB Piracy Reporting, 2019). Politically, Nigeria has lost its importance as a major country in the Gulf of Guinea. This is due to the lack of initiative and political will to solve the problem of oncoming sea robbery. Based on this, the study investigates the Nigerian government's response to the unsightly pace of sea looting and terrorist crackdown concerns in the Gulf of Guinea, one of the world's most unpredictable red spots.

LITERATURE REVIEW:

This segment critiques the literature beneath a number of the diagnosed subjects which might be maximum applicable to the challenge of the study. The literature has been severely reviewed to permit the identity of lacking gaps that permit contributions via way of means of bridging studies gaps.

The Concept of Piracy:

The concept of sea piracy has been given various meanings by many scholars. The United Nations Convention on the Laws of Sea identified piracy as

“Any acts of unlawful violence devoted for non-public ends through the group or the passengers of a non-public deliver and that's directed at the excessive seas in opposition to any other deliver or aircraft, or in opposition to humans or residences of such ships which are attacked inside or outdoor the state”

(United Nations Convention on the Law of the Sea: UNCLOS Article 1 Part 1 p.21).

Piracy is considered a demonstration of malicious, aggression, and fraud committed by civilian vessels and their teams against seafarers, boats, and vessels in national seas or universal waters for the benefit of the private sector. Was (Onuoha and Hassan, 2010 and Hong, 2010). .. Maritime piracy was considered as the illegal capture of crime and property, the assault and seize of seafarers and ships, the confiscation of boats, the theft and subversion of ships for self, isolated, power contest and monetary questioning processes. These proposals have a terrible effect on coastal researchers. Surveys in particular nations or global waters (Attard, 2014 and Hassan and Hassan, 2017).

In a few different measurement, maritime piracy is perceived as global or global wrongdoing carried out closer to innocent sailors specializing of their supply for burglary, kidnapping for ransom, coercion, prisoner taking for political intention and annihilation of lives and homes for terrorism (Priority Paper for the Danish Efforts to Combat Piracy and one-of-a-kind Types of Maritime Crime 2019-2022). Along the ones lines, the above clarifications of sea piracy show in extra sincere term that maritime piracy or sea theft and terrorism incorporates wrongdoings which are completed through a meeting of offenders who goal voyagers through ocean and global enterprise sports and transportation that are added via the ocean. In any other direction, maritime piracy is seen (Geib and Petrig 2011 and Hassan et al. 2017) because the attacks on sailors and ships simply as vessels or airships through littler packs in the area of a state off the beaches of world waters and that is geared toward boats and vessels which have been creating a ride beginning with one state then onto the following or internal a comparable state beginning with one place then onto the following. Sea robbers commonly utilised small hands or much less contemporary-day guns and methodologies once in a while than pirates on worldwide despite the fact that through and large, their strategies for interest and guns seem like comparative. Navy piracy at sea interferes with naval sports and weakens the political authority of the affected countries, for that reason exerting monetary and political effect at the affected countries.

Types of Maritime Piracy:

According to the IMB quoted in Kraska (2011), maritime piracy is divided into four main categories. These include:

Attack:

This is an immediate attack on goods and businesses, especially seafarers and carriers of oil and other necessities. Attacks are usually fruitless, but are considered robbers in terms of goal-oriented efforts. Perpetrators used speedboats and advanced weapons to capture ships and cargo across seas and inland waterways around the world.

Hijack:

On several other occasions, pirates seized ships or cargo and detoured them from their intended course or destination to another. This can be done intentionally, either from a financial point of view, or to seek an exchange for political or financial purposes. After reaching the target, the ship may be dropped off. On various occasions, they redistributed goods by ship and fired empty ships and lodge groups.

Kidnapping:

The pirates captured the sailors and paid interest before dismissing them. Due to the Horn of Africa and the Gulf of Guinea, abductees may be banished to people working in oil organizations, development organizations and other important sectors. They are confiscated to mature at the rate of huge real money payments before releasing them.

Robbery:

In other cases, the frequency is not to capture or seize ships or cargo, but to look for seafarers to find something that is obvious and accessible to pirates. They used speedboats to concentrate on the ship, board them and were interested in what they were looking for. They carry away the detained items.

Causes of Maritime Piracy:

Lehr (2007) prominent numerous elements that triggered sea piracy across the world. One of those variables is globalization. Globalization and development have caused the growth of product and company improvement and worldwide alternate. Later, whilst it have become clean that extra luxurious and crucial items and groups have been necessarily accessible, scammers noticed this as a capability goal for his or her crimes. Another purpose for Navy piracy is the length of momentum after the give up of the Cold War and the give up of the Soviet Union. The decline of the Soviet Union as the second one superpower on the earth brought on the overall withdrawal of

warships, mainly withinside the Pacific, India, and Atlantic Oceans. Thus, much less enthusiasm for naval ventures and much less warships looking will lessen the safety of valid alternate physical games and boom the extent of crook activity. Various perspectives (Dutton, 2013, Osinowo, 2015, Hassan and Hassan, 2017, Abdel Fattah, 2017) have many motives for piracy and terrorism withinside the Gulf of Guinea, as defined below. Due to the elements, maximum of them are associated with needs. The loss of population of the place, loss of economic possibilities and unemployment, mismanagement and terrible authority, pollution, weak spot of army installations, political will to address the issues of inequality and theft. Another thing chargeable for the unfold of piracy is the negligence of deliver proprietors who pick out now no longer to record theft from the delusional worry of dropping big sums of cash thru expanded safety and compensation (P & I). They are taken into consideration theft to be minor as compared to what they misplaced withinside the process (Lehr, 2007). Nonetheless, the above perspectives appear in charge sufferers of piracy and discomfort. Because they recognise that the dearth of situation approximately now no longer being capable of record favorable prices for quick sports reasons pirates to break out unconditionally.

Maritime Piracy: A Global Perspective:

Piracy at sea is a world issue that affects all lands and nations. In 2019, the ICC and IMF reported that maritime piracy was less common in the first quarter of 2019 than it was in the fourth quarter of 2018. 66 instances of maritime piracy were recorded in the first quarter of 2018 by the IMF. In 2019, it is higher than 38, which was the first quarter. 27 vessels were on board in the first quarter of 2019, according to the IMB, of which seven were dismissed and four attacks were attempted (IMB, 2019).

With 22 events in the fourth quarter of 2019, the Gulf of Guinea is the region where maritime piracy and terrorism pose the greatest threat. In the first quarter of 2019, the coastal states of Benin, Cameroon, Ghana, Côte d'Ivoire, Liberia, Nigeria, and Togo were all recorded as having 21 global team hijackings across five distinct frequencies. With thefts in 2018 and the first quarter of 2019, as well as 14 occurrences, Nigeria is a piracy hub (IMB, 2019). The International Maritime Authority (IMB) has established a live tracking system to monitor pirate cases and trends. This action against cheating and robbery hatred was wise. An example of a guide for a clear elaboration is presented below.

Figure 1: Live Map of Maritime Piracy Across the Globe as of 7th July 2020



Source: Adapted from International Maritime Bureau (IMB, 2020)

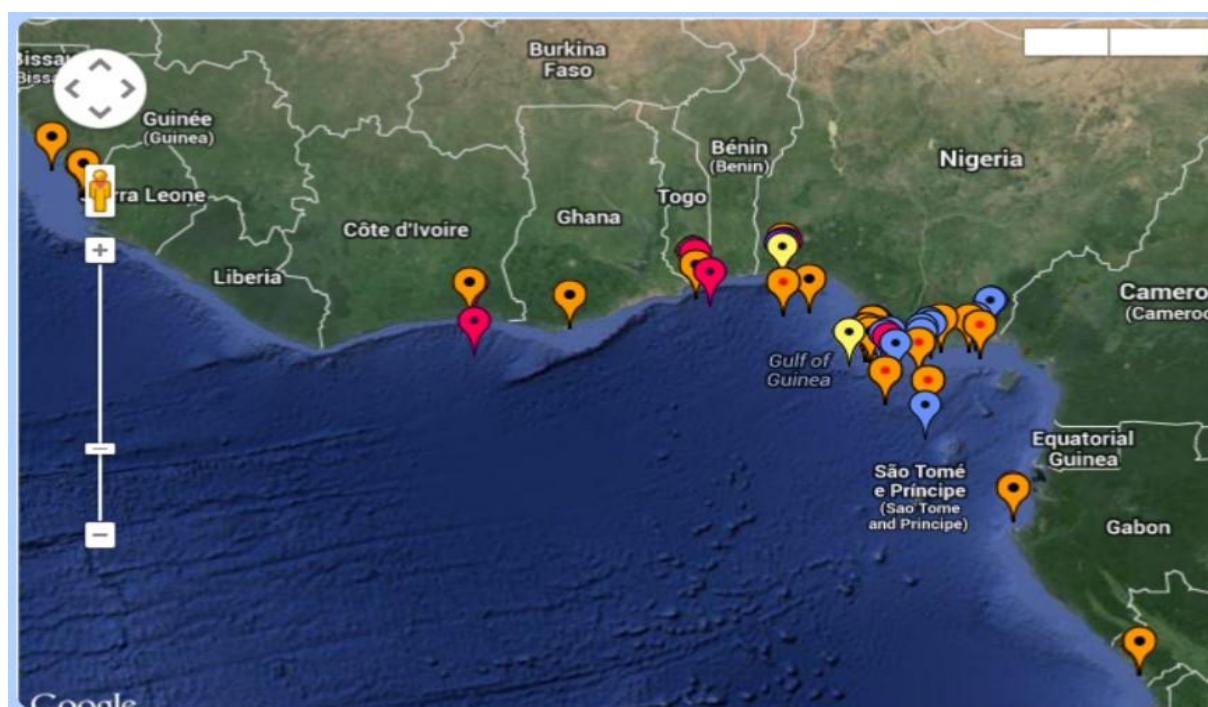
The figure presented above illustrated the prevalence of maritime piracy in the Horn of Africa, the Gulf of Guinea in Africa and the Strait of Malacca in the Asia Pacific. The figure revealed the primacy of happenings in the Gulf of Guinea, the location of Nigeria, an area of study here. The explanation is emanating from the various drivers of maritime offences in the Gulf of Guinea including abject penury and deprivation, misgovernance, corruption and inequality. The Gulf of Guinea is constantly prominent in the incidences of deprivation, squander of public treasury, misrepresentation and similar indicators of backwardness.

The Gulf of Guinea:

The IMB reported the Gulf of Guinea as the most affected zone in piracy in the last decade. For instance, the economic sabotaged that accrued from the crime in 2015 in the region cost \$719.6 million, with 1,225 attacks on sea travellers, 44 abducted and 23 perished and out of the 54 attacks in recent, 48% of the attacks took place on international waters (UN, 2015). The most dangerous of the shores for piracy are the West African seas as reported by IMB in 2019. For example, 62 of the 75 incidences seafarers' hostage taking for ransom globally happened in the Gulf of Guinea off the coasts of Benin, Benin, Cameroon, Ghana, Nigeria, and Togo.

Based on the analysis above, Africa emerged as the top spot of maritime robbery and attacks, specifically, incidences emerging from Gulf of Aden in East Africa and the Gulf of Guinea in West African Coastal shores. The two zones constituted a 40% of the global piracy, sea robbery and an estimated 96% of global abduction for ransom in international waters. This scenario is displayed in the figure below.

Figure 2: Maritime Piracy in the Gulf of Guinea



Source: Adapted from International Maritime Bureau (IMB, 2020)

Maritime Piracy in Nigeria:

The IMF has named Nigeria as the country with the highest prevalence of maritime terrorism and piracy in both 2018 and 2019. According to the IMF (2019), Nigeria registered a total of 22 robberies in the 2018 main quarter alone, concentrating on eight vessels discovered off the Nigerian coast. Limit of 300,000 tons for Bayelsa in the Delta of Nigeria. There are numerous repercussions of piracy in Nigerian seas. For instance, marine piracy is said to have cost Nigeria a stunning US \$ 2.8 billion in losses in 2018. (United Nations, 2018). These are the financial ramifications of the robbery in the Nigerian waters. In 2019, Nigeria may experience another loss of this magnitude. This is due to the IMF report's primary quarter.

Politically, on the Nigerian coast, seafarers have always been at risk of attack and could not be affected since most of the incidents discovered in the major quarters of 2018 and 2019. The country faces the powerlessness of security threats and security disappointments. The calm was not caught. The scale and frequency of theft in Nigeria is shown in the guide below.

Figure 3: Map Showing the Frequency of Maritime Piracy in Nigeria



Source: Adapted from International Maritime Bureau (IMB, 2020)

The Responses:

UNCLOS first appeared in 1954 when the United Nations General Assembly (UNGA) referred to and called for a global law focusing on the high seas and the sea. By 1956, draft treaties governing universal seas and seas, named Articles 38-45 against Navy piracy and other crimes in the world's waters, were drafted. This development laid the foundation for the final incorporation of the 1958 Convention on the High Seas. The Convention has reached several agreements on the high seas and seas around the world (United Nations Conference on Trade and Development, UNCTAD, 2014: 3). The treaty adopted by the United Nations in 1958 contains five notable guidelines.

The 1988 treaty was increasingly confusing and empowered entities to take action against ship confiscation and robbery. However, one of the escape clauses of the 1958 Convention was the issue of maritime piracy at sea. These were necessary to take into account the anti-theft law at sea maintained under the 1988 Suppression of Illegal Acts on Maritime Safety (SUA) Convention (1988). Apart from UN treaties and related documents, there are other efforts around the world to lay the foundation for a legitimate system for combating universal robbery. These associations include the IMO and the IMF. These important initiatives are described below.

The International Maritime Organization is the world's most important agency that regulates all aspects of marine ventures and activities (Saiful, 2014). The rationale behind the development of the IMO is that the oceans and oceans cover more than 70% of the globe, and humans use the ocean as a means of transportation from a rough time frame (Otto, 2014). The global economy relies on the sea for global exchange and transportation, making water transportation one of the most important hotspots for financial improvement and durability. Transportation is one of the most prosperous businesses in the world today (Pharmaceuticals, 2016).

On Earth, IMO has a long history, notably following World War II. In order to address some of the difficulties associated with postwar peacebuilding, the United Maritime Advisory Board was established in 1946. This organization not only restored aristocrats to marine exercises but also strengthened them to support the faltering global economy was started (Attard, 2014). A parliament has been called by the UN Economic and Social Council to create an Intergovernmental Maritime Advisory Board (IMCO). The organisation needed to be renamed to the IMO since it became active rather than consultative following the conference, which took place in Geneva in 1948 and featured some existing exhibits (Nunes, 2013).

Under the support of the ICC, which was specifically dedicated to pursuing all forms of maritime malpractice and infringement, the IMB was established in 1981. The IMB became a focal point for monitoring and identifying maritime piracy to the extent that the severity and components of the alarming rate of global robbery precluded the establishment of the IMB Piracy Reporting Center (PRC) in Kuala Lumpur, Malaysia, in October 1992. (ICC International Maritime Bureau, 2018). The IMB PRC is tasked with carrying out the following assignments:

Providing the flow day-by-day position of maritime piracy and terrorism to boats and sailors through a planned communication on the Inmarsat-C Safety NET Service; Reporting of the rates of maritime piracy and terrorism to the quick specialists and IMO;

Assist indigenous regulations who allow organizations to catch pirates and bring them to justice.

Help confiscated ship owners and vessels track and search their property.

Assistance for individual seafarers under or under attack.

To provides the latest updates regarding theft events or red alerts by your ISP.

Publishes a complete intermittent and annual report detailing theft measurements.

The IMB counters its outbreak by supporting global battles with sea pirates, warning seafarers, and helping identify their property or trapped people from pirates during or after an attack. It was useful and important. It can also provide useful information on reconnaissance and transport safety by recognizing the dangers associated with red areas and spot zones. In 2018, six countries accounted for 75% of the world's maritime piracy, according to the IMF report. These countries are listed in Table 4 below, depending on their location and the frequency of occurrence during the year.

Table 1: Countries with the Highest Incidences of Maritime Piracy According to IMB Report in 2018

Country	Incidence	Rank
Nigeria	31	1 st
Indonesia	25	2 nd
Bangladesh	7	Joint 3 rd
Venezuela	7	Joint 3 rd
Benin	5	Joint 4 th
Ghana	5	Joint 4 th

Source: Adapted from (IMB Piracy Reporting, 2018)

According to the IMF Reporting Center, Africa is a hotspot for the Navy on Earth, accounting for about half of all attacks in 2018. According to the report, the Gulf of Guinea is the primary purpose of illegal activity. In the face of this, the African Union has begun efforts on the mainland to combat sea piracy. One of these aspirations is the choice of Articles 3 and 4 of the Union, which emphasizes the welfare, security and positive tranquility of the mainland. The goal of African Union security engineering is to continue to be achieved in 2050, as described in the article (African Union 2019).

To enhance maritime security in Africa, the AU adopts the Anti-Piracy Charter, entitled "African Charter on Maritime Safety and Development," consistently adopted by all Togolese Lome pioneers in 2016. By doing so, we have strengthened our support. This development provided an IMOPRC proposal equivalent to the simple enactment and appropriation of the Charter. The Charter aims to promote sustainable improvement and participation of African countries, to achieve calmer, safer and more validated sea conditions and stewardship for financial improvement of the mainland. African chiefs were asked to ratify and sign the Charter to counter theft and invasion in African waters (African Union, 2016).

The difficulties of fighting maritime piracy and sea terrorism in the Gulf of Guinea are political, financial, social, natural and in particular legal due to hazy lawful arrangements and meanings of what establishes maritime piracy and terrorism to empower for the arraignment of the culprits notwithstanding when they are secured. These have been the motivation behind why the zone stays a fundamental flashpoint in a robbery with oil burglary, capturing, furnished theft, assaults and seizing of vessels and ships on the ascent (Chatham House, 2013).

Despite the existence of weak policies to combat naval piracy in the Gulf of Guinea, there are local efforts and cooperation to address the issue. There are global organizations such as the United Nations, IMO, IMF, African Union (AU) and ECOWAS itself, and different countries in the affected areas are working together to tackle the issue of copyright infringement. Low-level collaboration over the past few years has shown that entertainers and partners have prevented them from understanding their goal of achieving the well-being and safety of the region's oceans. In March 2012, the West African Maritime Security Parliament, consisting of the United States Africa Command (AFRICOM) and the Center for Strategic Studies in Africa, began an agreement between ECCAS and ECOWAS on the selection of a model memorandum (MOU) and a multilateral agreement. Did. Regional participation agreement. The blurred areas that are distinguished are satisfactory observations and lack of funding. For example, a joint reconnaissance of the Navy between Nigeria and Equatorial Guinea found that Nigeria was 95% funded. Nigeria has played an important role in fostering harmony and marine well-being among the Gulf of Guinea countries (Chatham House, 2013).

The above examinations so far demonstrate that there were no genuine endeavours from the Nigerian government for a long time despite of being the nation with the most elevated pace of wrongdoing over the globe even though there are some recommendable efforts. The worldwide and territorial endeavours should help and bolster Nigeria

in its mission towards stifling sea piracy and terrorism, yet there is a requirement for genuine methodology and activity by the Nigerian state in light of the fact that tending to or handling the difficulties of maritime piracy in Nigeria can be interpreted as tending to about ¼ of the worldwide wrongdoing in this point of view.

THEORETICAL FRAMEWORK:

This work incorporates "Routine Activity Theory" to make clear and decipher the textual content and records settings of the paintings. Routine pastime principle became edited and hooked up via way of means of Cohen and Felson (mentioned in 1979, Bottom and Wiles, 1997: 320). The speculation has 3 fundamental assumptions. It is the absence of potential criminals, appropriate targets, and competent guardians. The three accept that all three classifications need to be established before a crime occurs. "Routine" can, in principle, be defined as a situation in which a criminal continually reviews appropriate goals to ensure that there are no catches to prevent discouragement or fraud. The hypothesis also expects scammers to be rational in their actions and decisions. Because they guarantee that they will do their wrongdoing in places where they can help and escape without hiccups.

The hypothesis is persuasive regarding clarifying crimes in the context of this study, for example, sea piracy in Nigerian waters in light of the fact that the crime prospered and increment because of the ideal nearness of the potential guilty party, appropriate objective and the nonattendance of the competent watchman which are the Nigerian heads and Nigerian security workforce. In any case, the hypothesis is feeble in its clarification that hoodlums are normal in their exercises. This is on the grounds that they may not utilise their soundness like that of the security faculty in handling the violations.

Suppose we need to apply the hypothesis further to understand or support the school's story about Nigerian Navy piracy and terrorism. As envisioned in Routine Activity Theory, perpetrators and their unprotected prey are always present, even in the absence of solid organization and established forces to deal with them. It, and if there is no such position or position within a nation, that nation or nation is then marked within the nation labeled with the "bombed nation" or the wonders of a corrupt nation. The IMB (2018) reiterates that 29% of world maritime piracy happens in Nigeria, that's a concern. It is associated with the dearth of get entry to stable regulations and groups that could act and act always towards pirates. According to the United Nations Development Program 2018, the territory is the headquarters of global wide poverty. With such an overwhelmingly negative populace and difficulties, which means the state has been collapsing and is a wealthy oil supplier. National unhappiness can end result in, or open up, the route of all misconduct, which include robbery, to endure, speak in confidence to deprived people. In this situation, the estimation of habitual interest that is essentially showed right here is withinside the presence of ability targets, specifically boats and ships withinside the Nigerian waters, and withinside the absence of the strength to thwart fraud. The wrongdoer time and again engages in cheating. The state is swimming toward the disease of the failed state.

Method of Data Collection and Analysis:

The research structure of this work is to use qualitative techniques for collecting and researching information. The subject qualifies the work of a qualitative context-related analytical strategy. A qualitative approach is a worldview that directs the investigation of vast amounts of information through social issues that can be condensed and investigated using selected procedures or methods that are optimal for the selected point (Sharan, 2009: 7). .. Qualitative methods can provide procedures for using evidence when relevant (Sekaran and Bougie, 2013: 14), based on circumstances, subject matter, and expert thinking, only sources or two strategies. Can be used selectively (Creswell, 2014: 70).

The study uses both mandatory and auxiliary sources. The primary source is the prestigious government report incorporated into the law on legitimate anti-piracy in the waters of Nigeria. Optional sources include books, journal articles, web sources, essays, and reports. Information gathered from major and ancillary sources is discussed, investigated and translated using content checks. Topics and subtopics are formed from available information, discussed with actual writing about the subject of study, and adopted hypothesis systems are applied to the process of touching on the basis of discoveries.

DISCUSSIONS AND FINDINGS:

Maritime Piracy and Terrorism in Nigeria: The Issues:

One purpose why sea piracy and terrorism preserve on prospering all round and mainly withinside the Gulf of Guinea is an immediate end result of the powerless lawful implementation preparations that could include the wrongdoing thru authorisation and as a result anticipate a preventive job. Numerous investigations (Mair, 2011:5,

Ukeje and Ela 2013, Bryant, Townsley and Leclere, 2014, Hassan and Hassan 2017 and Tien Le 2019) contended that the lawful preparations aren't stable or professional sufficient to warfare or deal with the threatening trouble of maritime piracy international over. These through inspiration suggest that there's a demand for a advanced method to the present day approach obtained internationally, territorially and regionally withinside the international locations of the Gulf of Guinea and Nigeria explicitly. These have left a fantastic vacuum for the policymakers and analysts to take a shot at in taking into consideration extra grounded and steadily a hit valid estimates that could deal with the safety troubles in that viewpoint. The country has notion of the lawful measures beneath the "Demonstration of Anti-Piracy Suppression and different Maritime Offenses 2019", but the vast trouble presently is the feasible execution of the lawful preparations that is any other trouble near through.

In order to handle security challenges, particularly marine piracy, in Nigerian waterways, legal provisions have been made. In any case, it has been established that law is insufficient to address the issue. For instance, the majority of infractions in the Nigerian portion of the Nigerian seas are handled with caution rather than being dealt with (Brume-Eruagbere, 2017). By switching to this legal arrangement, offenders would be able to develop and expand their methods outside of Nigerian seas. A marine pirate law was just introduced and adopted by the President and Parliament on July 5, 2019, yet the Nigerian government is still battling to handle the issues.

There are many studies on research from a global perspective (Burnett 2003 Lehr 2007, Alexander and Richardson 2009, Onuoha 2010, Geig and Petrig 2011, Kraska 2011, Mejia et al. 2013, United Nations 2015, and Priority Papers on Danish Efforts to Fight Piracy and Various Types of Maritime Crime 2019-2022). None of this work revolves around the Nigerian setting, leaving a gap for researchers to fill in.

There are also several research on copyright violations in Nigeria. B. Onuoha and Hassan, Neethling, Okoronkwo, Okpara, and Onyinyechi, Jimoh, and Brume-Eruagbere, all published in 2009. 2019 European Parliament advocated for copyright infringement laws in Nigeria It established the need for additional research on the application of other national laws to the situation. The Nigerian Government's response to Nigeria's legal copyright infringement rules, which were presented in late 2019 under the title "Regulations on Controlling Copyright Infringement in 2019," is also sufficiently taken into account in all of the aforementioned work. Not me. The researcher was then faced with research gaps that needed to be filled in order to contribute to learning.

The Response of the Nigerian Government: An Act for the Suppression of Piracy 2019:

The Nigerian State knows the outcomes of sea piracy and its results at the country's human costs, financial, social, environmental, political and reconciliation progress, and piracy and its inadequacy. Understand the shortcomings of worldwide coverage at the concern and allow them to recognize that they may enact a finances regulation for piracy and maritime terrorism of their waters and in commonplace waters inside their territory or territory. A invoice entitled "Pirate Repression and Other Maritime Crime Bill 2019" turned into released with the aid of using the President and submitted to Parliament for voting. Parliament handed the invoice, and the president accredited the invoice in May 2019 (World Maritime News, 2019). The Nigerian Piracy Act provisions offer the subsequent as a part of efforts to scale back piracy and armed invasion in coastal and West Africa (World Maritime News, 2019).

The UNCLOS 1982 and SUA 1988 laws and their conventions are upheld by the bill. The UNCLOS and SUA Conventions are mentioned in the Bill's opening articulation, and the Bill continues to recognize and assert both their embodiment and Nigeria's commitment to advancing them;

The legislation offers pirate and other maritime offenses that are in compliance with the UNCLOS Agreement a specific meaning; the law addresses the global need for independent rules on robbery;

Punishment for maritime offenses that includes prosecution for a lengthy prison sentence, a fine, or both;

Return of benefits to owners of abused maritime properties or renunciation of ongoing maritime misbehavior to the Nigerian government;

Establishing new sources of funding for piracy and maritime offenses will detract resources from other purposes for the Bill;

The Federal High Court is given Special Forces to prevent maritime robbery. The bill also gives the court the authority to seize boats or planes used to commit marine crimes in Nigerian or international waters.

The arrangements of "The Suppression of Piracy and other Maritime Offenses Bill 2019" are exhibited here in subtleties including the segments, sub-areas on the term robbery, oceanic offences, authorisations, disciplines and other related issues.

Part I: Objectives of the Bill.

1. Part I: Objectives of the Bill.

To prevent and suppress piracy, armed robbery and any unlawful act against a ship and other maritime equipment.

2. Scope of Application

- i. This law applies to vessels or aircraft navigating the territory and inland waters of Nigeria, or on or around the high seas, and anyone aboard a fixed or floating platform.
- ii. This law applies to persons, ships, or aircraft in or on the high seas in connection with piracy in the following situations: The criminal was found outside Nigeria, but was committed on a ship or vessel carrying the flags of the parties to the SUA Convention, within the territory of the Parties to the SUA Convention or other similar Convention.
- iii. If Nigeria is a neutral party or a party to an armed conflict and there is an armed conflict related to sailors, the armed conflict must be involved,
- iv. If any provision of the bill conflicts with an armed conflict in a state of conflict, the law on armed conflict shall prevail.

3. Acts of Piracy in line with UNCLOS provision

- a. Illegal violence, arrest or predatory or aircraft directed by the crew or messenger of a civilian vessel or aircraft for civilian purposes and directed against anyone on another vessel or aircraft on the high seas.
- b. Knowing the fact that you are a pirate ship or an aircraft, and voluntarily participating in the operation of a ship or an aircraft, and c. Actions that incite or intentionally promote the actions described in subparagraphs (a) or (b) of this section.

4. Maritime Offences and Unlawful Acts at Sea

Maritime crimes include armed robbery at sea and acts other than piracy as defined by this law if they are illegally present in the Nigerian Maritime Area or Nigerian jurisdiction.

- a. Gain or take control of a ship, aircraft, or fixed or floating platform
- b. Violence against people on ships, aircraft, or fixed floats
- c. Destroy a ship or aircraft or damage a ship or aircraft or its cargo
- d. placing a device or substance on a destructive ship, aircraft, or fixed floating platform.
- e. Destroy or damage nautical facilities or significantly interfere with their operation f. Endanger the navigational safety of ships, aircraft, or fixed floating platforms by transmitting information that is known to be false.
- f. Whether acquired at a bank or other financial institution, or demanding a ransom for payments related to or related to copyright infringement.
- g. Falsely claim to be a victim or suffering from piracy, maritime crime, or illegal activity under this Bill
- h. Petroleum, petroleum products, liquefied natural gas, or other dangerous or toxic substances leak or escape from ships, aircraft, or be a victim of copyright infringement, maritime crime, or illegal activity under this Bill . Petroleum, petroleum products, liquefied natural gas, or other dangerous or toxic substances leak or escape from ships, aircraft, or fixed floats in sufficient quantities or concentrations to cause death or serious injury.
- i. Use of ships, aircraft, or fixed floating platforms in ways that could lead to serious injury or death

5. Trial of Offences

In accordance with the provisions of the Constitution and the Attorney General relating to the Attorney General's right to prosecute, 1. All offenses under this Act shall be prosecuted by the Federal Attorney General, the Attorney General so designated. .. Federal Attorney General and the body with the consent of the Federal Attorney General

1. The Federal High Court of Nigeria, with the exception of all other courts, shall have jurisdiction to consider issues under this Bill.
2. The court may hear one of the following: Crimes under this bill are against Nigerian or

Nigerian-registered persons, ships or fixed floats on the Nigerian continental shelves, or Nigerian citizens of Nigerian territory (including territorial waters). Or in the case of piracy against external ships or aircraft.
 Provision of Bill

Part II: Offences, Punishments, Forfeiture, and Restitution

1. Offences by persons and ships

Committing, committing, promoting, supporting, betting, colluding, or participating in piracy or maritime crimes or illegal activities under the Bill is a penalty or penalty set forth in this Bill. You will be punished if you are convicted of.

2. Exclusion of certain acts

The bill does not punish the following shipments:

1. Item or material or equipment or material specially designed or prepared for the processing, use or manufacture of special fissile material
2. Equipment, material, software or related technology. Development, manufacture, or delivery of BRCN weapons associated with nuclear weapons or other nuclear explosive devices used for the purposes specified in Section

3. Punishment for piracy, maritime offences and other unlawful acts

- i. Any character who commits an act of piracy, armed theft at sea or any illegal act beneath this Bill whether or not he turned into armed with firearms in the course of the dedication of the crime or now no longer, will be in charge on conviction to lifestyles imprisonment and to a great of now no longer extra than N50, 000, 000 (fifty million Naira) (\$138, 015) further to the restitution to the proprietor or forfeiture to the Federal Government of Nigeria or regardless of the character has received or gained
- ii. Anybody company or entity that commits an offense of piracy will be prone to on conviction to a great of now no longer much less than N500, 000, 000 (5 hundred million Naira) (\$1, 380, 150) and every of its administrators or foremost officials or any character answerable for its control and manage, will be prone to a great of now no longer much less than N100, 000, 000 (100 million Naira) (\$276, 030) and imprisonment for now no longer ess than 15 years every further to restitution to the proprietor or forfeiture to the Federal Government of Nigeria of something assets gains
- iii. Any different maritime offence or illegal act as described beneath the this Bill, will be in charge on conviction to a great of now no longer much less than N350, 000, 000 (3 hundred and fifty million Naira) (\$966, 105) and every of its administrators or foremost officials or any character answerable for its manage or control will be in charge on conviction of now no longer much less than N100, 000, 000 (100 million Naira) (\$276, 030) and imprisonment for now no longer than 12 years further to restitution or forfeiture to the proprietor or the Federal Government of the gains.
- iv. 4. Punishment for tried piracy, maritime offences, and different illegal acts 1. Any character who tries to dedicate any act of piracy on conviction to now no longer much less than 12 years imprisonment and to a great of now no longer much less than N100, 000, 000 (100 million Naira) (\$276, 030) 2. A maritime offence or some other illegal act shall on conviction be prone to 10 years imprisonment and to a great of now no longer much less than N75, 000, 000 (seventy-5 million Naira) (\$207, 022.50)

Source: Adapted from (The Federal Government of Nigeria: An Act for the Suppression of Piracy and other Maritime Offences 2019).

The above laws indicate a serious response toward countering maritime piracy and terrorism in Nigerian waters and the Gulf of Guinea by introducing strict regulations and measures that clearly defined how the pirates and sea terrors could be punished and sanctioned if they are caught in the act. Prior to the 2019 Act, there were no strong regulations except the Nigerian Maritime and Safety Administration (NIMASA) Act of 2007 which only specified the role of the Agency in the monitoring of maritime activities within the Nigerian sea territory without sections that provide for punishing the pirates with punitive measures. It is against the backdrop of the newly established laws that this study revealed that if there is a strict implementation of the regulations, the rate of maritime piracy

and terrorism in Nigerian waters will drastically diminish and that will translate into an overall decline in the global incidence because Nigeria alone is harbouring the crime in its territory up to nearly 30 % of the total incidences. Nigeria had acted though, not timely, but accordingly at least in responding towards tackling the crime. It is hoped that the laws will succeed in curbing the alarming rate of maritime piracy and terrorism soon. It is not an easy task considering the level of vulnerable security personnel in the country, dilapidated weapons, low level of intelligence gathering, abject penury, unemployment, bribery and corruption and other social problems.

However, there are several challenges identified in this study by the consulted informants on why the incidences of maritime piracy are still insurmountable in Nigeria despite the existence of the laws. One of the factors according to them is the internal security challenges that the country is facing. Currently, Nigeria is battling with Boko Haram insurgency in the Northeast, rural banditry in the Northwest, farmers-herders clash in Northcentral, kidnapping, armed robbery and other crimes in other parts of the country. The security personnel are engaged and exhausted in the internal challenges more than on shores. That has enabled the pirates to continue to strike successfully. Another great challenge in actualising the practical applicability of the laws to arrest the menace of piracy in the Gulf of Guinea is corruption. The Nigerian state has developed a notorious reputation for corruption incidences including the security agencies. The security agencies and the government parastatals that are responsible for maintaining the security in the Nigerian seas are accused of collecting bribes from seafarers including the pirates to overlook their activities as narrated by most of the consulted informants. Furthermore, the lack of modern equipment for surveillance, reconnaissance, speed boats, aircraft and weapons is limiting the role of the Nigerian government in countering and preventing piracy in the Gulf of Guinea, added the informants. Additionally, the lack of such efforts in initiating laws from the neighbouring countries that share the same border with Nigerian shores is discouraging.

The question that experts asked is whether the newly introduced laws in Nigeria in 2019 are adequate in arresting maritime piracy in the country and the Gulf of Guinea. For example, Ogbonnaya (2020) observed that the Nigerian state should be appreciated for being the first country to introduce such comprehensive laws in West Africa. However, he suggested that Nigeria alone cannot achieve success in the operation of the law. There is a need for other countries in the Gulf of Guinea to follow suit by introducing laws that will counter-piracy in the zone. This is because the incidence of maritime piracy continues to surge upward in the region from recorded cases of 47 in 2011 to 64 in 2020 and the total cost of piracy, kidnapping and armed robbery in the Gulf of Guinea by all the stakeholders including Nigeria was \$2.3 billion. Since the introduction of the law, maritime piracy continued unabated in Nigeria. This raised the question about Nigeria's capacity to implement its new law, detect crimes and punish the offenders. Additionally, the law is a standalone law that operates independently of domestic law which makes it ineffective in the face of evolving crimes like piracy and sea terrorism. Given the fact that piracy is a transnational crime, combating it by a single country alone is impossible practically. Besides, the laws did not seek to strengthen the maritime agencies in Nigeria which is another weakness of the law that should be looked into (Ogbonnaya, 2020). Ogbonnaya (2020) concluded that to make the laws effective, the Nigerian Anti-Piracy Law of 2019 should be amended to cater for the above- identified weaknesses. In addition, Prins (2020) observed that the Corona Virus pandemic is making the fight against piracy in the Gulf of Guinea practically not feasible. The governments in West Africa are battling internally with the devastating effects of the Virus which provides room for the pirates to operate with more assaults undeterred.

CONCLUSION AND RECOMMENDATION:

The study concludes that maritime terrorism is a global fraud and raises security concerns for key stakeholders and policy makers around the world. Crime rates are rising, especially in the 21st century, with crime rates and the introduction of legislation on surveillance groups expected to reduce crime rates. The study reveals that marine piracy thrives in two notable zones. The Gulf of Aden and the Gulf of Guinea together make up about 40% of all frequencies in the world. Piracy is believed to affect the navigation of waters around the world, especially by boats, ships and seafarers, and have an economic impact on the world's maritime industry. From this work, Nigeria has the highest incidence of Navy piracy and terrorism, based on reports from IM in the last quarters of 2019 and 2019, in response to reports from several agencies.

It can be concluded that it is considered a country. And a large number of scientific experts consisting of 29% of the world's absolute rate. Nigeria is located in the Gulf of Guinea, where crime is most prominent. The investigation also emphasized that Nigeria is trying to address maritime insecurity by proposing an anti-piracy law in 2019. This is a decent effort, especially if implemented properly.

Scrutiny shows how the laws presented by Nigeria or the legitimate system have their strengths and weaknesses.

The purpose is to ensure that policymakers use their qualities to ensure that Nigeria's anti-piracy and anti-terrorism laws are in force, while at the same time reducing the quality of performance when refusing to use the law. Is to pay a lot of attention to the drawbacks to avoid. Rejection and promotion of harmony and tranquility of law-breakers in Nigerian and universal waters. Part of the quality found in the investigation is the fact that the law has strong support and discipline for criminals. Another peculiarity is the Nigerian state's commitment to prosecute offenders in the global waters of the Gulf of Guinea in cooperation with all Member States, depending on their jurisdiction. The main drawbacks are the long-standing lack of use of structured law and the lack of political willingness to deal with the problem, despite the lack of complex and untrained security agencies capable of undertaking marine surveillance missions.

Thus, it is recommended from the conclusion above that:

1. The study recommends that the State must adopt additional techniques in the established Maritime Piracy Act for the proper security and protection of Nigerian waters and internationally expanded waters. The law is clearly expressed and well-designed, but the problem is effective application.
2. In addition to hiring legal and legal professionals, NIMASA personnel, who are in charge of maintenance, are required to acquire advanced skills, knowledge, and information, both domestically and internationally. We recommend that you receive regular and continuous training. Sea pirate armed robbery. This helps the legal strategy work as expected.
3. The investigation also recommends that special forces specially trained to combat piracy in the Nigerian waters and the Gulf of Guinea are needed to deal with possible incidents. .. One of the reasons why the incidence in the state of Nigeria is continuously recorded at the highest level is poor security and poorly equipped and trained security guards.
4. The report also recommends that the 2019 Anti-Piracy Act be applied fully and put into effect in order to protect Nigerian waterways from pirates. For the purpose of keeping an eye on and apprehending criminals so they can face the law, the nation should provide an efficient and well-trained security agency. It is also advised that Nigeria, as the dominant nation in the region, develop a regional strategy for securing Nigerian waterways and the Gulf of Guinea.

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