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COMBATTING THE THREAT OF PIRACY IN THE NIGERIAN MARITIME INDUSTRY: THE PITH AND POTENTIALS OF THE SUPPRESSION OF PIRACY AND OTHER MARITIME OFFENCES ACT 2019

Omeiza Alao

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COMBATTING THE THREAT OF PIRACY IN THE NIGERIAN MARITIME INDUSTRY: THE PITH AND POTENTIALS OF THE SUPPRESSION OF PIRACY AND OTHER MARITIME OFFENCES ACT 2019[1]

By Omeiza Alao[*]

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1.0. INTRODUCTION

The Ocean's contribution to the economy of various nations is immense, with its contribution measured to be worth at least $2.5 trillion per year.[2] The world's ocean constitutes the primary transportation system for international trade as more than 90 percent of the world's trade is done by sea.[3] With established importance and a significant number of economic resources passing the seas every day, the ocean presents viability for both legitimate and illegitimate businesses. This position is particularly interesting because international waters as "No Man's Land" lacks both the control and security needed to protect legitimate interests. Unsurprisingly, West Africa lost $2.3 billion to Maritime Crimes in the Gulf of Guinea between 2017 and 2019.[4] The trouble of Piracy within the Gulf of

[1] Hereafter referred to as "SPOMO Act"

[*] Omeiza Alao is currently a student at the Nigerian Law School Lagos, and a graduate from the University of Lagos, Nigeria. He can be contacted via email: llordomeiza@gmail.com.

[2] World Wildlife Forum (WWF), "Living Blue Planet" (2015), available at https://assets.wwf.org.uk/downloads/living_blue_planet_report_2015.pdf (accessed 31 July 2020).

[3] Go to Sea!, a Campaign to attract entrants to the Shipping Industry (November 2008) by the International Maritime Organization (IMO), in association with the International Labour Organization (ILO), BIMCO, International Chamber of Shipping/International Shipping Federation (ICS/ISF), International Association of Dry Cargo Shipowners (INTERCARGO), International Association of Independent Tanker Owners (INTERTANKO), and International Transport Workers' Federation (ITF). Available at http://www.imo.org/OurWork/HumanElement/GoToSea/Documents/Gotosea!campaigndocument.pdf (accessed 31 July 2020).

[4] United Nations Office on Drugs and Crime (UNODC), "West Africa loses $2.3 billion to Maritime Crime in Three Years as Nigeria, UNODC Rally Multi-

Guinea is a threat to maritime security and the general growth of nations within the region. Accordingly, the region witnessed six hijackings of maritime ships in 2018. Of the 18 vessels fired on worldwide, the Gulf of Guinea saw 13 of the attacks, and the region witnessed 130 of the 141 hostages taken globally.[5] Nigerian waters have not fared better either, as in the last three months of 2018, Nigerian territorial waters recorded 41 kidnapping incidents and 31 piracy incidents.[6]

While there exist multifarious reasons for the persistence of piracy, one of its major facilitators is the lack of adequate legal framework for the prosecution of piracy and related offences in Nigeria. Navy Captain Yahuza Badamosi, The Head, Maritime Guard Command of the Nigerian Maritime Administration and Safety Agency (NIMASA), supports this position. He believes that the delay in the passage of the Piracy Bill and the country's slow judicial process are significant reasons for the persistence of piracy on Nigerian waters.[7] In light of the existing and persisting threat of piracy on Nigerian Maritime industry, President Mohammed Buhari signed the Suppression of Piracy and other Maritime Offences (SPOMO) Act on 24 June 2019,[8] making Nigeria the first nation in West and Central Africa to have a standalone anti-piracy law with the aim of preventing and suppressing piracy, armed robbery, and other unlawful acts against a ship, aircraft, and any other maritime craft.[9] This article shall proceed on an analysis of the new legislation and test the temerity of the law against the backdrop of the rampant piracy issues facing the country.

National Efforts to Thwart Piracy in the Gulf of Guinea", available at https://www.unodc.org/nigeria/en/press/west-africa-loses-2-3-billion-to-maritime-crime-in-three-years-as-nigeria--unodc-rally-multi-national-efforts-to-thwart-piracy-in-the-gulf-of-guinea.html (accessed 31 July 2020).

[5] *Ibid*.

[6] *Ibid*.

[7] Hellenic Shipping News Worldwide, "Why Piracy Persists in Nigeria's Maritime Sector — Navy", available at https://www.hellenicshippingnews.com/why-piracy-persists-in-nigerias-maritime-sector-%E2%80%95-navy/ (accessed 31 July 2020).

[8] Punch Newspaper Online, "Buhari Signs Anti-Piracy Bill into Law", available at https://punchng.com/buhari-signs-anti-piracy-bill-into-law/ (accessed 31 July 2020).

[9] S. 1 SPOMO Act.

2.0. THE LEGAL FRAMEWORK FOR THE SUPPRESSION OF PIRACY UNDER INTERNATIONAL LAW

Piracy is a crime that arises, more often than not, on the international scene. The place of "No Man's Land", which is under no jurisdiction of a single State, witnesses piratical acts quite often. Piracy is, therefore, an international concern that demands global action. Developing alongside the concept of universal jurisdiction, the legal problems that arise in suppressing piracy are defining piratical acts, the prosecution of offenders, and the enforcement of available laws in respective States.

2.1. Development of the Concept under Customary International Law

While ubiquitous, the concept of "Piracy" presents definitional difficulties. This raises legal issues as it is important to provide the scope of activities that may come under the term. The concept of maritime piracy is a slippery concept. According to Oppenheim, piracy in its original and strict meaning comprised of at least three elements:[10] an authorized act of violence, occurring on the open sea, and committed from one vessel against another. The glaring problem from this definition was the fact that it is narrow and did not cover certain instances. For example, the two-vessel requirement meant that cases of takeover of ships were not covered as they involved only one ship. Furthermore, the motive for such criminal acts was whether the acts were piratical and this usually did not include politically motivated attacks on vessels. National courts, including those of the United States (US) and Britain viewed piracy as any unauthorized act of violence committed on the high seas.[11] Thus in *US* v *Smith*[12], Justice

[10] L. Oppenheim, *International Law: A Treatise*, 8th ed. (Longmans: London, 1967), pp. 608-609.
[11] M. Halberstam, "Terrorism on the High Seas: The Achille Lauro, Piracy and the IMO Convention on Maritime Safety" (1988) 82(2) *The American Journal of International Law*, p. 273.
[12] *United States* v *Smith* 18 US (5 Wheat.) 153 (1820).

Story submitted that while there existed different definitions of piracy, "all writers agree that robbery or depredations on the sea, *amino furandi*, is piracy".[13] This was also the position in the English case of *The Magellan Pirates*[14] where the court stated, while noting the different definitions of piracy that existed, that all nations agreed that such acts of murder and robbery when committed on the high seas were piratical. Thus, the position prior to any legal framework was the understanding that the commission of certain delimited acts involving violence on the high seas, not being a lawful act of war but with piratical intention, amounted to piracy.[15]

2.2. The United Nations Convention on the Law of the Seas

In attempting to dispel the lack of clarity that surrounded the concept, the Harvard Draft, compiled in 1932, attempted at providing a definition after careful analysis of the views of prominent jurists on piracy and the movement of customary international law. Their conclusion led to the adoption of certain key stipulations. Thus, to be considered piracy, the crime must be committed on the high seas, must be carried out for private ends and that there must be two vessels involved in the crime. The United Nations Convention on the Law of the Sea (UNCLOS) [16] adopted this proposed definition. Article 101 of the Convention provides that maritime piracy is any illegal act of violence or detention or any act of depredation committed for private ends by the crew or passengers of a private ship or a private aircraft and directed: on the high seas, against a ship or aircraft, or persons or property on board such ship or aircraft; against a ship, aircraft, persons or property in a place outside the jurisdiction of any State. It further consists of any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft and any acts of inciting or intentionally

[13] *Ibid*, at 161.
[14] *The Magellan Pirates* 164 ER 47 (1853).
[15] *Re Piracy Jure Gentium* (1934) AC 586.
[16] United Nations Convention on the Law of the Sea (UNCLOS), 10 December 1982, 1833 U.N.T.S. 397, available at: https://www.refworld.org/docid/3dd8fd1b4.html (accessed 23 November 2020).

facilitating any of the acts as mentioned earlier.[17] However, the definition provided by the Convention is lacking in certain aspects. The definition limits itself to acts that must take place on either the high seas or outside a State's exclusive jurisdiction, which is not always the case especially with Piracy that have a territorial nature. This definitional problem is understandable. Piracy is the first universal crime being one that occurred outside the space of any one country's jurisdiction. The international nature of the crime has likewise given rise to the concept of universal jurisdiction.[18] While this may hold, the argument persists for the need for an expansive definition of Piracy so that legal distinctions do not hinder the fight against Piracy. For example, under Article 101 of UNCLOS, there is the requirement of private gain by the individuals which is different from the political motivations that characterize certain piracy incidents in the Gulf of Guinea. Thus, while there is the need for the existence of domestic legal frameworks to suppress piracy, for such frameworks to be particularly impactful, they must adopt a more expansive definition of "piracy" than that under Article 101 of UNCLOS. Any working definition should acknowledge the existence of piracy while ships are berthed, underway, or otherwise on inland waters, territorial waters or high seas and the piracy acts so defined must be wide enough to cover thefts, kidnapping and other related criminal acts.

2.3. The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA) 1988[19]

The gaps in the piracy rules provided by UNCLOS, as revealed by various piracy events, including the hijack of *Achille Lauro* in 1985, necessitated a new legal framework to prevent unlawful acts being unregulated due to the limitations of the traditional definition of piracy. The purpose of the SUA Convention is to ensure that illegal acts, with adverse effects on ship navigation, are criminalized, whether

[17] Article 101 UNCLOS.

[18] This allows a State to claim jurisdiction over the alleged perpetrator's crime when the crime has not taken place in the State's own territory

[19] IMO, Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, 10 March 1988, ILM 688, 1678 UNTS 221.

or not such acts fall within the traditional concept of Piracy.[20] Rather than basing its thrust on a singular definition of piracy, the SUA Convention provides for a long list of offences which affect the safe navigation of ships on the sea. The SUA Convention did not require private gain and also did not need the presence of more than one ship for an act to be criminalized. Under the SUA Convention, attacks on ships that are politically motivated and attacks from within the ship are adequately criminalized.[21] Furthermore, the SUA Convention addressed geographical jurisdiction by extending this beyond just the high seas. By Article 4 of the SUA Convention, State parties have the right to prosecute acts of piracy carried out on a ship navigating or scheduled to navigate to or from the territorial waters of a State.[22] However, the SUA convention did not provide for the punishment of offenders under the treaty. The SUA Convention places an obligation on State parties to make specific laws that would guide sentences for the crimes created. While this allows States to decide the gravity of sanctions to be imposed, it means that the Convention could become "dead letter", should governments fail to domesticate the provisions of the SUA Convention. This shortcoming is particularly apparent when dealing with dualist states. Furthermore, the SUA convention fails to impose any real obligation on State parties to prosecute or punish offenders.[23] Essentially, the SUA Convention is merely a guide

[20] T.A. Mensah, "Piracy at Sea – a New Approach to an Old Menace" in H. Hestermeyer, N. Matz-Lück, A. Seibert-Fohr, S. Vöneky (eds.), *Law of the Sea in Dialogue*. Beiträge zum ausländischen öffentlichen Recht und Völkerrecht (Veröffentlichungen des Max-Planck-Instituts für ausländisches öffentliches Recht und Völkerrecht), (2011) 221 Springer, Berlin, Heidelberg. Available at https://doi.org/10.1007/978-3-642-15657-1_8 (accessed 30 July 2020).

[21] A. Kamal-Deen,"The anatomy of Gulf of Guinea piracy" 2015 68(1) *Naval War College Review*, pp. 93-118, available at https://digital-commons.usnwc.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1183&context=nwc-review (accessed 30 July 2020).

[22] R. Geib, and A. Petrig, "Piracy and Armed Robbery at Sea: The Legal Framework for Counter-Piracy Operations in Somalia and the Gulf of Aden" (2011) *Oxford Scholarship Online*.

[23] S.M.M. Hasan, "The Adequacies and Inadequacies of the Piracy Regime: A Gulf of Guinea perspective", available at https://researchdirect.westernsydney.edu.au/islandora/object/uws%3A28540/datastream/PDF/view (accessed 30 July 2020).

whose strength lies in the willingness of States to enforce its provisions within its jurisdiction.

3.0. REGULATION OF PIRACY PRIOR TO THE ENACTMENT OF THE SUPPRESSION OF PIRACY AND OTHER MARITIME OFFENCES ACT 2019

While various documents and Conventions under international law criminalizes piracy, all of them lacked enforceability in Nigeria. Nigeria has ratified both UNCLOS and the SUA Convention. However, though ratified, Section 12 of the 1999 Constitution requires that such international Conventions have to be enacted into law before they can be enforceable in Nigeria. What this means is that the bulk of international jurisprudence on piracy is unenforceable in Nigeria. Consequently, while Section 215(h) of the Merchant Shipping Act 2007 provided for the application of the SUA, the provision falls short of the requirements of domestication under Nigerian law. Furthermore, the SUA Convention does not stipulate punishments for the offences created.[24] Thus, even if the Merchant Shipping Act is assumed to have domesticated the Convention, it would fail the requirements for a valid offence provided for in Section 36(12) of the 1999 Constitution.[25]

In terms of local legislation, there was a paucity of laws that directly regulated and criminalized piracy and maritime-related offences. While arguments exist that there were various laws, including the Criminal Code, Penal Code, and the Robbery and Fire Arms (Special Provisions) Act,[26] that could be forcefully construed to criminalize piracy, piracy is not the focus of these laws. It would, therefore, be quite the ordeal to define acts of piracy to fall within them. In a similar vein, Section 15(1)(a)(ii) of the Money Laundering (Prohibition) Act 2011 provides for piracy and its possible criminalization. Still, the Act provides no

[24] This is because the Convention intended to allow State parties decide on the punishments and sentencing for the offences so created.
[25] Cap. C23, Laws of the Federation of Nigeria (LFN) 2004.
[26] Cap. R11, LFN 2004.

definition for the term or the offence. Thus, while it may not have been impossible to prosecute offenders under the initial legal framework, the uncertainty and lack of structure meant this likelihood improbable.

4.0. THE SUPPRESSION OF PIRACY AND OTHER MARITIME OFFENCES ACT 2019

4.1. Retaining the traditional definition of Piracy

The scope of application of the SPOMO Act is provided for in section 2 of the Act and applies to individuals' onboard ships, aircraft, fixed or floating platforms in, on or above the territorial and inland waters of Nigeria or on or above international waters. The Act further extends its applicability to individuals who breach its provisions while outside the territories as mentioned earlier but are in the domain of a State party to the SUA Convention. Section 3 of the Act provides that Piracy consists of any:

> (a) Illegal act of violence, act of detention, or any act of depredation, committed for private ends by the crew or any passenger of a private ship or private aircraft and directed;
>
> (i) In International Waters against another ship or aircraft or against a person or property on board the ship or aircraft; or
>
> (ii) Against a ship, aircraft, person or property in a place outside the jurisdiction of any state;
>
> (b) Act of voluntary participation in the operation of a ship or an aircraft with knowledge of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; and
>
> (c) Act of inciting or of intentionally facilitating an act described in paragraph (a) or (b) of this section.

The definition is essentially the same in pith as that provided for in Article 101 of UNCLOS. Similar to UNCLOS, there exist three main elements of the offence of piracy as provided:

i. Committed for private ends;
ii. Occurring on the high seas; and
iii. Involving two ships.

To understand the definition as provided, UNCLOS and appropriate texts provide a guide. First, as previously stated, the element of "private end" means that violent acts carried out against ships on the high seas done for political purposes do not come within the provisions of the Act. To put this into perspective, this means that the famous attack on the *Achille Lauro* would not fall within the requirements of the Act as the objective of the attack was political. The second crucial component of the provision is that piracy must occur "on the high seas". The rationale for this is that piracy, as an international crime, can only be committed on the open sea[27] and piracy in international waters had as much to do with international law as other robberies within the territory of a State.[28] However, the same rationale cannot influence the provisions of the Act as the Act governs the enforcement of anti-piracy laws within the boundaries of national jurisdiction. It is head-scratching that the definition does not recognize that piracy may occur within the territorial waters of the state as there is a larger concentration of commercial vessels in territorial waters, closer to the respective State port. Indonesia and Malaysia have noted the inadequacy of this second requirement and have instead opted for the use of the term "armed robbery against ship" or "sea robbery", instead of "piracy",[29] to refer to attacks against ships occurring in the Malacca Straits. The last element on the need for the involvement of two vessels is not encompassing. Acts such as mutiny and sabotage, done by on-board crew members, will not fall within the definition of Piracy because there is no second ship involvement. With respect to the meaning of piracy, Section 3 does not provide a less problematic definition than what exists under UNCLOS.

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[27] *Supra* n 10, at 615.
[28] 292nd Meeting, 16 May 1955, Summary Record of the Seventh Session 2 May - 8 July 1955, Yearbook of the International Law Commission (1955 Vol. I) 53.
[29] R. Beckman and M. Page, "Piracy and Armed Robbery Against Ships" in Gill M. (ed.) *The Handbook of Security* (Palgrave Macmillan: London), available at https://link.springer.com/chapter/10.1007/978-1-349-67284-4_11#citeas (accessed 11 January 2021).

4.2. Adopting the SUA Convention: A Welcome Addition

While the definition in section 3 of the SPOMO Act is lacking, retaining the traditional definition of piracy is not faulted. The is because the Act adequately captures other instances of violence against ships. The SPOMO Act remedies the pitfalls of the traditional concept of piracy by adopting the position of the SUA Convention in creating a fairly elaborate list of maritime-related offences. Section 4 of the Act provides that maritime offences include armed robbery at sea and any other acts listed in paragraphs (a) – (r), committed by any person or group of persons, where such person or group of persons or their sponsors are unlawfully within the Nigerian Maritime Zone or Nigerian jurisdiction. The provision is particularly pleasing. It ensures that violent acts committed against or on vessels while within the Nigerian Maritime Zone or Nigerian jurisdiction are sufficiently captured under the law. Furthermore, there is no requirement of private gain or the need for two vessels in the list of offences created under section 4. This is important as Nigeria witnesses criminal acts that are more politically motivated than privately pursued. Consequently, the scope of activities criminalized under the Act is fairly broad enough to erase the defects of the definition of piracy under section 3.

4.3. Enforcement under the Act: A Concern for the Right to Personal Liberty

The Act further provides in section 5(2) that the Federal High Court shall have jurisdiction over the offences created. This provision is in line with the jurisdiction of the Federal High Court provided for in section 251(1)(g) and section 251(3) of the Constitution. In the prosecution of offences created under the Act, the Act empowers members of the relevant authority to seize ships or aircraft that are reasonably believed to be a pirate-controlled ship or aircraft or anything that appears to be connected with the commission of an offence under the Act.[30] Surprisingly the Act fails to specify the "relevant" authority. The question that arises is whether this refers to

[30] S. 7 SPOMO Act.

only NIMASA or it extends to other safety agencies within the state like the Nigerian Navy, the Police, etc.

Interestingly, the Act provides that persons arrested in pursuit of prosecution may be detained in custody for a reasonable period of time. This is submitted to be subject to unreasonable abuse. This provision is not aided by the fact that the Act empowers the court to issue an order to remand a suspect in custody for up to 180 days without trial.[31] Section 9 provides that the court may, pursuant to an ex-parte application, grant an order for the detention of a suspect arrested under the act for a period not exceeding 90 days, subject to renewal for a similar period until the conclusion of the investigation and detention is dispensed with. This means that a "suspect" may be detained for up to 6 months without trial. This is similar to remand orders provided for under the ACJA, the constitutionality of which is still subject to debate. It is argued that the section must be interpreted in line with the fundamental right to liberty and the provision on reasonable time provided for in Section 35(5) of the Constitution. Failing to do so would open up the possibility of human rights violations in the pursuit of piracy prosecution.

4.4. Punishments under the Act

The Act provides for the exception of certain acts from the offences created under section 11. Section 12 provides for the punishment for the crime of piracy, armed robbery at sea, or other unlawful acts under the Act, with life imprisonment and to a fine of not more than ₦50,000,000 (Fifty Million Naira), in addition to restitution to the owner or forfeiture to the Federal Government of Nigeria. The Act also ensures that corporate bodies may be found liable by providing criminal conviction and fines under section 12(3). Interestingly, while the act provides for 12 years imprisonment for the offence of attempted piracy in section 10, the fine of ₦100,000,000 (One Hundred Million Naira) for attempted piracy is double the fine for the successful commission of the offence. It is curious why the fine for attempted piracy is double that for committing the crime itself.

[31] S. 9 SPOMO Act.

4.5. The Piracy and Maritime Offences Fund

The creation of the Piracy and Maritime Offences Fund is another important initiative.[32] The fund is to be created and maintained by NIMASA under the supervision of the Minister. The Act further provides how the funds are to be realized and directs that the funds be used in implementing the provisions of the Act. The Piracy and Maritime Offences fund is to receive contributions from the Cabotage Vessel Finance Fund (CVFF); however, the Act does not specify how much should be contributed from the CVFF. The provision is interesting in light of the disbursement of CVFF, which took the Federal Government 15 years to distribute.[33] While the creation of the piracy and maritime offences fund may be a welcome addition, the lack of clarity and the administrative issues that plague the CVFF cast doubt on the fund's potential.

4.6. Partnership for the Success of the Act

Another salient but important provision in the fight against piracy is section 18, which allows the agency to enter into agreements with other national or international bodies to facilitate the discharge of its duties under the Act. This is important as the crimes created have a wide territorial reach and require cooperation with other States around the Gulf of Guinea. NIMASA is encouraged to cooperate with Member States in the Gulf of Guinea and other international and regional organizations, including the Gulf of Guinea Commission (GGC) and the Maritime Organization for West and Central Africa (MOWCA), to suppress piracy and related crimes.

5.0. SHORTCOMINGS OF THE SUPPRESSION OF PIRACY AND MARITIME RELATED OFFENCES ACT

It is certainly too early to make any conclusive comments on the problems that face or may hinder the Act's success and call for an

[32] See S. 19.

[33] C. Nwagbara, "After 15 Years, Shipowners to Get Vessel Finance Fund in January", available at https://nairametrics.com/2019/12/15/after-15-years-shipowners-to-get-vessel-finance-fund-in-january/ (accessed 31 July 2020).

amendment of the Act. However, the Act does raise some questions and doubts. A major problem that the Act may face is its failure to properly define the rights and responsibilities of the relevant security authorities. This is present throughout the Act. For example, section 17(3) provides that "law enforcement and security agencies" will be responsible for gathering intelligence, patrolling waters, and investigating offences. However, it does not mention which authority. Following the provisions of the Armed Forces Act 1993,[34] the Nigerian Navy has some responsibility concerning the safety of the country's maritime waters, and NIMASA also has responsibility regarding maritime operations. If the appropriate legal authority referred to under the Act is NIMASA, which may be inferred from section 17(2), how does their enforcement of the Act reconcile with the powers and duties of the Nigerian Navy? On the flip side, if NIMASA is not the appropriate or only "relevant authority" or "law enforcement and security agency", it makes for questionable enforcement as NIMASA is in charge of the Piracy and Maritime Offences Fund. Optimally, the Act needs to clarify the powers, duties and responsibility of the respective agencies. Collaboration would be preferred but failing which, it is not impossible for there to be friction between NIMASA and the Nigerian Navy. This is not new to Nigerian Authorities as seen with the Independent Corrupt Practices and Other Related Offences Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC). Furthermore, the presence of the court's remand powers provided for in section 9 is subject to unreasonable abuse and is likely to be a contravention of the provisions of the constitution. While piracy is rampant, its prosecution should not be a justifiable reason to unreasonably derogate from the right to personal liberty guaranteed by the constitution.

6.0. CONCLUSION AND RECOMMENDATIONS

The success or failure of the newly enacted legislation would depend largely on the government's political will and synergy with other sovereign states and international bodies in the enforcement of the Act. While it could indeed prove useful in addressing piracy, it is

[34] Chapter A20, LFN 2004.

dependent on proper enforcement and corporation with the relevant regional and international entities. It is highly recommended that the relevant roles needed in curtailing piracy under the Act be properly defined and understood by the relevant agencies. NIMASA and the Nigerian Navy would need to act in concert rather than in conflict to ensure the Act's success. Furthermore, in prosecuting offenders, less emphasis should be placed on section 3 to prevent the limited definition from allowing offenders to wriggle their way out of punishment. Conclusively, the Act should provide confidence and the right impetus to NIMASA, the Nigerian Navy and other relevant agencies to fight against piracy. The Act indeed represents a huge step in the right direction in the fight against piracy in Nigeria and the Gulf of Guinea.