

United Nations Commission on Crime  
Prevention and Criminal Justice (CCPCJ)



ENMUNC  
IV

UNITED NATIONS COMMISSION  
ON CRIME PREVENTION AND  
CRIMINAL JUSTICE

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# Letter from the Chair

Dear Delegates,

Welcome to ENMUNC IV! My name is Sam Aurora, and I can't wait to see everyone at Emory this March to discuss crucial issues in the Commission on Crime Prevention and Criminal Justice. First I would like to share a little bit about myself: I am from Marietta, Georgia and I'm majoring in Mathematics and International Studies at Emory. This is my sixth year doing model UN. I've enjoyed helping run our conferences in a variety of different ways, as the USG of Finance in our most recent collegiate conference, and before that as an assistant crisis director and co-chair in prior conferences. Outside of Model UN, I work at Emory's Office of LGBT Life and am involved with organizations like the Math Association and Emory Chess Club.

Model UN has helped me develop many skills like public speaking, creative problem-solving, and collaborative writing. I know that each of you have plenty of great ideas so I can't wait to help you express them. My Model UN journey began with many general assembly committees on topics that I was relatively uninformed about, and researching enough to debate about these issues expanded my global awareness and empathy. I hope that researching and discussing issues like the ones in this committee can help you continue to develop the skills that can help you succeed.

These topics are incredibly important and are crucial to the stability of many nations and are life and death for many people. These are crucial issues that have been discussed by various bodies in the United Nations for decades, and are becoming increasingly important as the world becomes more interconnected. I hope that delegates are able to find practical and creative solutions that protect human rights of people in the regions being discussed. Delegates should ensure that their solutions work in the long-run and the short-run, and that they think of the political impact of what their solutions propose.

Best,

Sam Aurora

# Sensitivity Statement

You are expected to retain decorum throughout the committee and treat these issues with the seriousness they call for. Many topics in this committee are sensitive, including religious conflict, colonial legacies, slavery, racism, and drug use, and it is important to maintain considerate behavior and language.

You should treat your fellow delegates with respect. This includes not imitating accents during speaking time. Any appeal to or use of discrimination and harassment will not be tolerated. Delegates should not engage in racism, sexism, homophobia, xenophobia, or any other form of discrimination, under any circumstances. Undiplomatic behavior towards fellow delegates, including bullying, personal insults, and harassment, will also not be tolerated.

ENMUNC seeks to maintain a fair and balanced environment that allows delegates to shine and showcase their talents. As such, using pre-writing or similarly deceptive tactics, such as using AI in writing working papers in our committee, will not be tolerated by the dais or ENMUNC as an organization. Plagiarism of any kind is unacceptable at ENMUNC.

# Committee Information

The Commission on Crime Prevention and Criminal Justice (CCPCJ) was founded in 1992. Its roles include promoting international action to combat crime, promoting the role of criminal law in protecting the environment, crime prevention in urban areas, and improving the efficiency and fairness of criminal justice systems. It also gives Member States a forum for exchanging information. Regional bodies elect countries to the CCPCJ for 3 year terms, with 12 African states, 9 Asian States, 8 Latin American/Caribbean States, 4 Eastern European States, and 7 Western European and Other states.<sup>1</sup> Even before the CCPCJ existed, the UN has held a Congress on Crime Prevention and Criminal Justice every 5 years since 1955. The most recent Congress had Member States adopt a multifaceted resolution that included supporting rehabilitative justice and fighting new forms of crime.

This committee is extremely relevant to Sustainable Development Goal 16: peace, justice, and strong institutions. Many of the goals of the SDG are addressed by the CCPCJ, including addressing violence against women and children, the rule of law, equal justice, reducing illegal trafficking operations, and fighting corruption and terrorism.<sup>2</sup>

As a commission of ECOSOC, this committee is structured like a general assembly committee. Delegates will be expected to work together to write a resolution while in committee which addresses the topic at hand. Prior to the conference, delegates will be required to submit a position paper. Please refer to the ENMUNC website at [munemory.org/delegate-information](http://munemory.org/delegate-information) for more information about position papers, including formatting and examples. Position papers are due by March 10, 2024 to [enmunc.ccpcj@gmail.com](mailto:enmunc.ccpcj@gmail.com).

The following countries are members of the CCPCJ for 2024:

- Africa: Cameroon, Egypt, Ghana, Libya, Madagascar, Morocco, Nigeria, South Africa, Togo, Uganda, Zimbabwe
- Asia: Bahrain, China, India, Indonesia, Iran, Japan, Pakistan, Qatar, Thailand
- Latin America/Caribbean: Brazil, Chile, Cuba, Dominican Republic, Guatemala, Mexico, Paraguay, Uruguay
- Eastern Europe: Armenia, Belarus, Bulgaria, Czechia
- Western European and Other: Austria, Canada, France, Finland, Italy, UK, USA

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<sup>1</sup> [https://www.unodc.org/documents/commissions/CCPCJ/19-10645\\_CCPCJ.pdf](https://www.unodc.org/documents/commissions/CCPCJ/19-10645_CCPCJ.pdf)

<sup>2</sup> <https://sustainabledevelopment.un.org/index.php?page=view&type=30022&nr=1917&menu=3170>

# Topic 1: Addressing Gang Violence in Haiti

## Introduction

Haiti has a unique situation of being one of the first countries to become independent, but still being one of the poorest countries in the Western hemisphere. Not only has it had a poor economy for decades, but the political instability along with COVID-19 and a 7.2 magnitude earthquake in 2021, have made this crisis extreme. The UN Economic and Social Council has an Advisory Group for Haiti, just to help Haiti. Such groups have only existed for two other countries, Burundi and Guinea-Bissau, and both have since terminated their mission.

While the specific crisis of gang violence is new, Haiti has been a topic of UN involvement for many years. After centuries of exploitation, many underlying problems have manifested themselves in this current crisis. Since this topic has been explored thoroughly by the United Nations, delegates are encouraged to conduct research into what has happened in Haiti and what the UN has tried. Delegates will notice how interconnected Haiti's problems are and should strive to come up with *creative* and *realistic* solutions to the crisis at hand in Haiti.

## History

### Brief History of Haiti

Haiti was first colonized by the Spanish in the 15th Century by Christopher Columbus. The indigenous Taíno population was nearly wiped out as a result of colonialism. Following European wars, the influence of the Spanish empire weakened and the French were able to conquer the western half of the Island, known as Saint-Domingue at the time. This half of the island became lucrative for France due to the exploitation of African slave labor on sugar plantations.<sup>3</sup> Saint-Domingue became France's richest colony in the 18th century, and was known as "the Pearl of the Antilles," producing about half of the sugar and coffee consumed in Europe. The colony had a large mixed race population which had fewer rights than the white population, but were able to own slaves themselves. Toussaint Louverture led a successful slave

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<sup>3</sup> <https://www.cnn.com/interactive/2016/04/world/haiti-timeline/haiti-timeline-snippet.html>

rebellion and declared the end of slavery in Saint-Domingue in 1801.<sup>4</sup> On January 1, 1804, the Haitian army declared independence under the name Haiti, based on the Taíno name, Ayiti, or “land of the mountains.” Haiti was declared to be a Black country under their original constitution in an attempt to eliminate the race-based hierarchy in the country between the whites, mulattos (mixed race between black and white), and black populations.

Haiti struggled to become independent economically in the years of the new state. The United States and European nations other than France refused to acknowledge Haiti diplomatically. In 1825, France returned with warships and demanded reparations of 150 million francs, which was later reduced to 90 million francs in 1835, over \$35 billion USD in 2024.<sup>5</sup> Haiti took 122 years to pay the debt, having paid a total of 112 million francs by 1947 after the high interest rates France forced Haiti to pay. In the initial years of the debt, France required Haiti to pay six times their yearly revenue.<sup>6</sup>

Following some contentious years and power struggles, along with Haiti taking the eastern half of the island from Spain, and a revolution creating an independent Dominican Republic, Haiti’s Constitution of 1867 was able to bring a period of stability to the island. In 1910, under United States influence, the National Bank of the Republic of Haiti was created, replacing the National Bank of Haiti, controlling the treasury and finances of the country. The United States occupied Haiti in 1915, forcing Haiti to dissolve the National Assembly and rewrite the constitution, allowing foreign investment into Haiti and forcing Haitians to work on developing roads to avoid paying a new road tax.<sup>7</sup> Sex slavery and violence toward women and children by American soldiers was commonplace. Under American rule, Haiti’s presidents were all members of the wealthy mulatto population. The American National City Bank took control of Haiti’s debts and Haiti was forced to pay 40% of its national income to American banks, leaving Haitian citizens near starvation level.<sup>8</sup>

Following the American control of Haiti, the country had a period of many elections and coups until François Duvalier rose to power in 1957, after a period of three presidents in the two years prior. Duvalier, also known as “Papa Doc,” used threats of voodoo, along with murder and

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<sup>4</sup> <https://www.washingtonpost.com/outlook/2020/07/12/haiti-was-first-nation-permanently-ban-slavery/#>

<sup>5</sup> <https://www.wsj.com/articles/SB107300144534788700>

<sup>6</sup> <https://www.nytimes.com/interactive/2022/05/20/world/americas/enlaved-haiti-debt-timeline.html>

<sup>7</sup>

<https://www.pbs.org/newshour/world/how-haitis-request-for-troops-resurrects-troubled-history-of-foreign-interventions>

<sup>8</sup> <https://www.nytimes.com/interactive/2022/05/20/world/americas/enlaved-haiti-debt-timeline.html>

mass rape to garner control over the country. He appealed to the black middle class to end the control by the mulatto elite. The USA stopped backing Duvalier after he used a Marine Corps mission to strengthen his secret police, the Tonton Macoutes in 1962. Soon after, Papa Doc declared himself “President for Life.”<sup>9</sup> Papa Doc was succeeded by his son, Jean-Claude “Baby Doc” Duvalier, upon his death in 1971. Baby Doc was less repressive than his father, allowing human rights monitoring, but still allowed for other crises like the African swine fever epidemic, which caused the collapse of the large pork industry in Haiti and an AIDS outbreak as a result of prevalence of rape, which was treated as only a minor crime until 2005.<sup>10</sup> Even though the island was split between Vodou religions and Catholicism, Pope John Paul II’s condemnation of the regime along with poor social conditions led the army to overthrow Baby Doc in 1986.

Jean-Bertrand Aristide became president in 1990 in an election that was declared free by outside observers after years of instability from political violence caused by the Haitian National Intelligence service which was installed by the CIA.<sup>11</sup> In 1991 a coup led to military rule, which killed thousands of Haitians and led to a large refugee emigration. The United Nations declared sanctions and an arms embargo on Haiti.<sup>12</sup> Following the United States beginning an invasion into Haiti, the military regime stepped down and Aristide resumed his presidency. Aristide’s ally, René Préal, became president in 1996, Haiti’s first transition in power between two democratically elected leaders. The two allies split and Préal ruled by decree after the 1998 election did not occur. In a controversial election boycotted by the opposition, Aristide became president for the second time in 2001.

Aristide also faced allegations of supporting drug trafficking through Haiti as it had in previous regimes. Aristide also demanded France pay reparations for their colonial legacy and the debt Haiti was forced to pay, causing the USA and EU to withdraw aid from Haiti, and eventually led to a 2004 coup.<sup>13</sup>

In 2004, the United Nations security council deployed its first peacekeeping mission into Haiti, the United Nations Stabilisation Mission in Haiti, or MINUSTAH, which was led by Brazil and backed by Argentina, Canada, Chile, France, Jordan, Morocco, Nepal, Peru, Philippines,

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<sup>9</sup> <https://www.nytimes.com/1971/08/15/archives/us-cautiously-seeking-better-haitian-relations.html>

<sup>10</sup> <https://www.cnn.com/2012/10/18/world/americas/cnnheroes-haiti-rape>

<sup>11</sup>

<https://www.nytimes.com/1993/11/14/world/cia-formed-haitian-unit-later-tied-to-narcotics-trade.html?page-wanted=1>

<sup>12</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N93/354/58/PDF/N9335458.pdf?OpenElement>

<sup>13</sup> <https://www.nytimes.com/2022/05/20/world/americas/haiti-aristide-reparations-france.html>



Spain, Sri Lanka, the United States, and Uruguay.<sup>14</sup> This mission lasted until 2017, when it was replaced by the smaller United Nations Mission for Justice Support in Haiti (MINUJUSTH), which ended in 2019. Préval was reelected in 2006 with 51% of the vote.

Haiti faced a multi-pronged crisis in the following years. In 2008, Haiti faced high inflation and food prices, a 7.0 magnitude earthquake in 2010 that killed hundreds of thousands, and the abuses of the UN peacekeeping forces in the country. Hundreds of peacekeepers engaged in raping civilians, and peacekeepers caused a cholera outbreak that killed thousands.<sup>15</sup> Cuba, assisted by Venezuela, Chile, Spain, Mexico, Colombia and Canada, led with medical support to help Haiti recover from the earthquake.

In 2011, Michel Martelly was elected in a disputed election. He continued brutal policies towards the opposition and was accused of money laundering, but he expanded Haiti's tourism sector and began a variety of social programs that assisted in recovering from the earthquake. Martelly stepped down, and after a few months of a provisional government, Jovenel Moïse was elected in a disputed 2016 election, the most recent election Haiti has had. Major protests regarding fuel prices, and corruption based on Préval, Martelly, and Moïse having engaged in corrupt loans with Venezuela's Petrocaribe program, in which Venezuela supplied oil to various Caribbean nations. In February 2021, Moïse did not step down as his term ended, leading to another large round of protests<sup>16</sup> and his assassination on July 7, 2021. The following interim presidency of Ariel Henry and his refusal to carry out any election in 2023 as he promised, along with a deadline of February 7, 2024 to swear in a new government.<sup>17</sup> The current political instability, along with a Magnitude 7.2 earthquake in 2021 have caused extreme instability in Haiti that is crucial to understanding their current situation and the underlying situation behind the gang crisis.

## Rise of Gangs

The most recent developments in the Haitian crisis began in 2018, when Venezuela stopped shipping oil to Haiti in March. The Moïse government then removed subsidies in July,

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<sup>14</sup> <https://web.archive.org/web/20080926203318/http://www.vivantartcollection.com/history/>

<sup>15</sup> <https://www.aljazeera.com/news/2017/10/6/un-peacekeepers-leave-haiti-what-is-their-legacy>

<sup>16</sup> <https://www.bbc.com/news/world-latin-america-56069575>

<sup>17</sup>

<https://www.haitilibre.com/en/news-38427-haiti-flash-the-pm-signed-a-historic-consensus-for-an-inclusive-transition.html>

leading to mass protests as prices rose. Protests began to gain some attention in the western world after the hashtag #petrocaribechallenge after it was discovered that \$2 billion had been redirected from the trade deal. In October 2018, as the protests continued, a government car lost control and killed 10 protestors in a crowd.<sup>18</sup> In November, the police killed 71 civilians in the La Saline slums of Port-au-Prince, Haiti's capital. Upon a UN investigation, Jimmy Chérizier, the leader of the G9 gang, and two officials in the Moïse regime.

In 2019, economic problems led to continued protests, and the government continued to oppose the protestors. After protestors assisted with a prison break and threw stones at Moïse's home, the police became more violent, firing tear gas at a crowd of 200 people in a funeral procession over a man who died in the protests.<sup>19</sup> In March 2019, Moïse nominated a new prime minister who was never appointed by Parliament, causing Haiti to not have a government, leading to the country losing hundreds of millions in international aid.

As conditions worsened, in October 2019, the mayor of Port-au-Prince called for Moïse to step down. Thousands continued to protest as the election that the Constitution called for in October did not occur. Protests continued into 2020, calling for an end to corruption and a better response to the COVID-19 pandemic. By September 2022, less than 2% of Haitians had received a vaccine for COVID-19.<sup>20</sup>

In 2020, a coalition of gangs called G9, led by Jimmy Chérizier, whose nickname is "Barbeque," fought for greater control in the neighborhoods surrounding Port-au-Prince. G9 was aligned with the ruling party, Haitian Tèt Kale Party (HTKP), and began to plan assaults on Cité Soleil, one of the largest and most impoverished slums in the world.<sup>21</sup> The G9 gangs killed hundreds of civilians as they tried to control more land, and they tended to target neighborhoods where civilians protested against the Moïse regime. In response, the G-Pep gang alliance formed to counter G9 in Cité Soleil.

After Moïse was killed in 2021, G9 began opposing Ariel Henry's new government, suspecting that Henry was associated with the assassination. In October, G9 began to blockade

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<sup>18</sup> <https://www.nytimes.com/2018/11/23/world/americas/haiti-protests-unrest-instability.html>

<sup>19</sup> <https://www.reuters.com/article/us-haiti-protests-idUSKCN1QC01Y/>

<sup>20</sup>

<https://www.paho.org/en/stories/covid-19-increasing-vaccination-coverage-haiti-through-community-outreach>

<sup>21</sup>

<https://www.crisisgroup.org/latin-america-caribbean/haiti/new-gang-battle-lines-scar-haiti-political-deadlock-persists>

the largest oil terminal in Haiti. In 2022, the largest gang in Haiti, 400 Mawozo, joined G-Pep, escalating the gang war. Dozens were killed in the fighting, and fuel depots in the area were forced to stop operating, leading to a fuel shortage. Eventually, the Haitian National Police (PNH) freed the fuel terminal from the gangs to relieve the shortage. Local self-defense groups began as part of the “bwa kale” movement to protect areas from gangs and kill gang members.

In 2023, the UN Security Council approved a new mission, Multinational Security Support Mission in Haiti (MSS), led by Kenya, which is in the process of being approved by the Kenyan courts as of January 2024.<sup>22</sup> G9 announced that the gang would resist foreign intervention if it led to human rights abuses like the previous UN missions, where peacekeeping forces spread malaria and engaged in mass violence and rape.

## Current Situation

As shown, Haiti has been in a state of crisis for many decades, with the situation only worsening. After multiple coups, failures by the United Nations leading to mistrust of international support, two devastating earthquakes, corrupt political leaders, lack of elections, outbreaks of COVID-19 and cholera, and gang violence, Haiti’s situation is extremely dire.

Haiti’s military was disbanded in 1995 after many coups, when Aristide returned to the presidency. The PNH was the only armed force Haiti had until 2017, when the Armed forces were reinstated as MINUSTAH ended, though they have a small force of a few hundred.<sup>23</sup> The PNH are also underfunded and corrupt, facing many allegations of human rights violations and associations with gangs.<sup>24</sup>

Haiti’s judicial system has been overwhelmed by the crisis. In 2022, gangs took over the Supreme Court and destroyed evidence, which is impossible to recover because Haiti does not keep digital backups.<sup>25</sup> Additionally, Haiti’s prisons are at three times their capacity, and 84% of prisoners are yet to have their trials. Furthermore, the prisoners are subject to malnutrition and abuse by prison guards.

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<sup>22</sup> <https://www.aljazeera.com/news/2023/10/3/why-kenya-volunteered-to-lead-un-mission-to-haiti>

<sup>23</sup> <https://www.bbc.com/news/world-latin-america-40576545>

<sup>24</sup> <https://press.un.org/en/2020/sc14218.doc.htm>

<sup>25</sup>

<https://www.hrw.org/world-report/2023/country-chapters/haiti#:~:text=But%20in%20June%2C%20a%20ga ng,have%20digital%20copies%20of%20files.>

A briefing to the Security Council by the Ad Hoc group on Haiti, noted how dire the situation is:<sup>26</sup> Haiti faces over half their population with severe food insecurity, little prospect of a new election soon, the lack of the rule of law, and little safety for civilians, especially women and children. Over 100,000 Haitians tried to flee to America in the first few months of 2023 alone.<sup>27</sup> Despite the large number of refugees, along with domestic politics in many countries like the USA, Peru, and Chile<sup>28</sup> becoming increasingly unwelcoming to Haitian refugees, the UN does not see Haiti as safe enough to repatriate refugees yet.<sup>29</sup> The UN has recently followed China's advice and implemented arms embargoes and sanctions on Haitian gang leaders.

Gang control is at a high in Haiti, with gangs controlling eighty percent of Port-au-Prince, leading to four thousand killings and three thousand kidnappings in 2023.<sup>30</sup> Journalists are also not safe in Haiti, so much of the violence has been difficult to document. Gangs are getting richer as the government becomes more dysfunctional, and are beginning to take control over some services that ordinarily are expected of governments like schools and clinics.<sup>31</sup>

## Committee Directive

Delegates are tasked with attempting to bring stability to Haiti, while protecting their sovereignty and democracy, and returning political order from gangs to the government. Delegates should consider all the nuances needed in dealing with Haiti, considering the multifaceted problems that plague the country.

One of the biggest concerns is the past abuses of UN peacekeeping forces leading to discontent for the intervention of foreign Member States. In the short run, delegates must find a way to make Haiti safe enough for the rule of law to be enforced. There should be ways to limit the drug trafficking and arms trafficking that allow the gangs to maintain and extend their power. Finally, the country needs to have democratic elections that allow for a functioning government,

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<sup>26</sup>

<https://ecosoc.un.org/sites/default/files/2023-07/AHAGH-statement-to-UNSC-meeting-on-BINUH-6-Jul%202023-en.pdf>

<sup>27</sup> <https://www.rollingstone.com/culture/culture-features/haiti-gang-violence-crisis-g9-g-pep-1234871794/>

<sup>28</sup> <https://www.amnesty.org/en/latest/news/2023/04/peru-chile-must-end-militarization-borders/>

<sup>29</sup> <https://www.bbc.com/news/world-latin-america-63509654>

<sup>30</sup> <https://www.aljazeera.com/gallery/2024/1/19/fear-grips-haitis-port-au-prince-amid-gang-violence>

<sup>31</sup>

<https://www.reuters.com/world/americas/haitian-gangs-run-schools-clinics-government-absent-un-report-2023-10-19/>

which can then create social programs that increase trust in the government and decrease the reliance on gangs.

In the long run, delegates need to find a way to ensure stability and that power can shift hands peacefully between future regimes. Delegates should strive to make Haiti as independent as possible and not reliant on foreign intervention or susceptible to unilateral foreign coups. Delegates should also find a way to relieve Haiti's economic situation so they are able to solve the problem of their underfunded police which are able to confront gangs and prevent extralegal violence, and to help with the underlying problems that empower gangs.

Finally, delegates should incorporate criminal justice, a crucial theme in this body, regarding the crimes carried out by gangs in Haiti. Criminals should be justly punished using humane standards, and Haiti needs to have a system that can fairly process detainees, especially considering how many prisoners are awaiting trials and how Haiti's prison systems are over capacity.

## Questions to Consider

- How can delegates present a solution to the crisis of gang violence while respecting the national sovereignty of the country?
- How does the history of foreign or UN intervention in Haiti impact their trust for international intervention and how should international action consider the trust of Haiti's citizens?
- How is your country linked to the success and stability of the rule of law in Haiti?
- How can solutions help prevent crime in the short-run and discourage the formation and growth of gangs in the long-run?
- How can solutions ensure that all the people in Haiti are treated justly and fairly by the legal systems in place?

# Topic 2: Confronting Maritime Crime in the Gulf of Guinea

## Introduction

This topic has some key terms that are core to understanding the legal basis behind the causes and potential solutions to the issue.

- UNCLOS: The United Nations Convention on the Law of the Sea is the global framework for legal activities on the sea, and is ratified by 168 Member States and the EU.<sup>32</sup>
- EEZ: An Exclusive Economic Zone is the 200 nautical miles off the coast of a country where the country has the exclusive right to exploit the resources of the region and conduct marine research. Vessels from countries still have the right to move through an EEZ, unlike the “territorial waters” which can only extend up to 12 nautical miles, but the country has complete sovereignty.
- Piracy: According to UNCLOS, piracy is an act of violence, detention, or depredation committed for private ends outside the jurisdiction of any state or in international waters. While this is the UN definition, many organizations still use the word “piracy” without considering the location of the crime.
- Gulf of Guinea: The broadest definition is the part of the African Coast between Senegal and Angola.<sup>33</sup> Often, the term refers to a more concentrated region towards the center.

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<sup>32</sup> [https://www.un.org/depts/los/convention\\_agreements/convention\\_overview\\_convention.htm](https://www.un.org/depts/los/convention_agreements/convention_overview_convention.htm)

<sup>33</sup> [https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea\\_en](https://www.eeas.europa.eu/eeas/eu-maritime-security-factsheet-gulf-guinea_en)

The following map displays the countries along the Gulf of Guinea.



Image Source: Georgetown Security Studies<sup>34</sup>

This topic addresses maritime crime off the coast of Western Africa, often referred to as piracy. Some of the richest countries in Sub-Saharan Africa, including Nigeria, are victims of crime on the seas. They face resources being stolen, particularly oil, gas, and minerals. Additionally, the region has the highest rates of kidnappings of crew members in the world.

The Gulf of Guinea's piracy crisis is a topic that does not just concern countries that border the Gulf. In an increasingly interconnected world, the international shipping routes to and from the Gulf of Guinea affects states globally. One of the most important features of the Gulf of Guinea is the Niger Delta. In addition to being where the major Niger River connects to the ocean, and being on the coast of Sub-Saharan Africa's wealthiest state, Nigeria, the region holds some of the richest oil and natural gas deposits in the world. However, there is ethnic and political tension between the Nigerian government and the Niger Delta region, since the profits from the growing oil sector of the economy often do not go to the ethnic minorities from the Niger Delta. The Niger Delta frequently has uprisings and several militant organizations began in order to oppose the government and foreign corporations that extracted resources. These organizations frequently kidnap oil company employees and hold them for ransom.<sup>35</sup>

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<sup>34</sup>

<https://georgetownsecuritystudiesreview.org/2020/10/28/achieving-maritime-security-in-the-gulf-of-guinea/>

<sup>35</sup> <https://www.cnn.com/2019/04/29/africa/foreign-oil-workers-nigeria-kidnap-intl/index.html>

# History

## The Rise of Maritime Crime

The Gulf of Guinea is incredibly important to global trade, making up 25% of Africa's maritime trade and about 30% of American oil.<sup>36</sup> Other major powers also rely on the region for oil and gas, especially Western European countries like France, Italy, and the UK. While this region has been historically important for global trade, the importance of the region has only increased over the past years and decades. In addition to the increase of global trade, West Africa has experienced rapid population growth, with the population now being over five times what it was in 1950. This population growth of course led to economic growth and trade, but the rapidly increasing population has also caused high unemployment rates.

Additionally, the Gulf of Guinea has some of the highest rates of illegal, unreported, and unregulated (IUU) fishing, which hurts the local fishing economy.<sup>37</sup> IUU fishing includes overfishing, which greatly harms the economy through environmental damage and hurts fishermen by causing them to lose their livelihoods. Further damage can occur if the European Commission stops trade with Ghana over the prevalence of IUU fishing like it threatened in 2013 and 2021. The combination of high unemployment and a declining fishing sector has created incentives for people to turn to risky activities like piracy to make a living.

Another important cause of piracy is local politics, especially in Nigeria, where 60% of attacks occur.<sup>38</sup> Politicians often fund gangs to suppress their opposition. Around election years, when the gangs are particularly well armed, gangs are able to use the weapons they gain to engage in piracy, since it is very profitable. Furthermore, corruption can incentivize piracy in Nigeria because the coast guard can be easily bribed, allowing pirates to escape.<sup>39</sup>

Piracy is a relatively recent threat in the region, becoming notable around 2010 and only becoming one of the most pressing regions in the mid 2010s, around 2017. Piracy did gradually increase prior to this period, as the number of kidnappings increased each year between 2005 and

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<sup>36</sup> <https://www.gisreportsonline.com/r/piracy-gulf-guinea/>

<sup>37</sup>

<https://globalfishingwatch.org/impacts/stories/analysis-helps-ghanaian-navy-crack-down-on-illegal-fishing/>

<sup>38</sup>

<https://www.cnbc.com/2020/04/27/pirates-are-expanding-in-west-africa-threatening-offshore-oil-storage.html>

<sup>39</sup> <https://www.theyoungdiplomats.com/post/understanding-the-dynamics-of-piracy-in-the-gulf-of-guinea>



2020. Notably, piracy in Somalia had been nearly eradicated as West African piracy was approaching its peak. There were early attempts to stop the spread of piracy in the Gulf of Guinea. In 2011 and 2012, Benin and Nigeria's navies agreed to work together by sharing information and opening their waters to allow for the navies to patrol their seas.<sup>40</sup> By cooperating, the countries were better able to coordinate their responses, in addition to being able to chase pirates even as pirates fled to foreign waters.

Pirates in the Gulf have evolved their strategy over time. Originally, pirates would primarily attack in the territorial waters of Gulf countries. However, in 2021 pirates began to start attacking further from the coast, in international waters as defined by UNCLOS.<sup>41</sup> In international waters, African navies find it even harder to stop pirates since it is further from the coast and individual countries do not have a monopoly on law enforcement where it is clear which country should respond to an attack.

Attacks increased by 50% in 2019 compared to 2018, and the region was home to 90% of global crew kidnappings.<sup>42</sup> Additionally, this region was home to 10 out of 11 vessels worldwide that were fired upon by pirates. (Usually, pirates use threats of violence, intimidation tactics, and warning shots.) The number of kidnappings peaked in 2020, but sharply declined in 2022. Despite this decline, piracy is still dangerous, especially since over 1000 ships cross the Gulf of Guinea daily, with this number expected to increase as the region's economy grows and recovers from COVID, and piracy cost over \$2 billion in 2022.<sup>43</sup>

### Similar Case in Somalia

The situation in the Gulf of Guinea is not unprecedented. From 2007, until the early 2010s, Somalia was the center of global piracy attacks, with high levels of sea traffic passing through the Gulf of Aden. The United Nations was able to coordinate action in order to wipe out piracy in Somalia by 2013. There were key similarities and differences between the two regions that may be applicable to this committee.

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<sup>40</sup> <https://press.un.org/en/2012/sc10558.doc.htm>

<sup>41</sup> <https://www.reuters.com/world/danish-frigate-kills-four-suspected-pirates-gulf-guinea-2021-11-25/>

<sup>42</sup> <https://apnews.com/general-news-4aa8d66ff5af3087cc8cb746db528c14>

<sup>43</sup> <https://press.un.org/en/2022/sc14915.doc.htm>

Due to the conflict in the region of Somaliland, the rule of law is weaker in Somalia, and Somali pirates had more control over the ports on land. This allowed Somali pirates to hold entire ships for ransom. Meanwhile, since West African pirates lack this control, they are unusually unable to steal entire ships and instead must plunder from ships or hold individual crewmates for ransom.<sup>44</sup> This marked difference made pirates in the two regions use different methods, and it is more difficult to find and arrest pirates who do not seize entire vessels and rely on their control of ports. The comparatively weak rule of law in Somalia did decrease risk significantly, however, creating a greater incentive for people to become pirates because it was unlikely the country would be able to catch them.

Despite the methods used by pirates being widely different, the underlying causes in Somalia are incredibly similar to those in Nigeria. The primary sources of piracy are unemployment, income inequality, and environmental destruction.<sup>45</sup> Unemployment and income inequality lead people to desperately seek a livelihood and become vulnerable to recruitment by pirate organizations. Additionally, overfishing by foreign vessels (part of IUU fishing) and dumping materials into the water decrease the supply for fishermen in Somalia. Due to decreasing ability for fishermen to sustain themselves because of local environmental issues and global climate change trends, fishermen were incentivized to engage in piracy, especially when backed by other parties, similar to the Gulf of Guinea case. Additionally, foreign vessels along important trade routes often held many more resources, which could be looted in one attack, than subsistence fishers in Somalia could earn in weeks or months.

One of the most important features in solving the Somalia case was the extreme degree of international cooperation, making it one of the most successful endeavors by the international community. Pirates in Somalia attacked vessels from all P5 states (USA, UK, France, China, and Russia). Due to these attacks, the UN was able to create a plan backed by all P5 states and India to patrol Somalia's waters. In fact, this agreement for external enforcement of Somalia's waters was so successful in deterring pirates, that even two years after the permission for foreign ships to patrol Somalia's territorial waters has expired, there have only been a handful of piracy

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<https://www.cnbc.com/2020/04/27/pirates-are-expanding-in-west-africa-threatening-offshore-oil-storage.html>

<sup>45</sup> <https://press.un.org/en/2022/sc15113.doc.htm>

attacks.<sup>46</sup> This decrease even after permission expired may also be influenced by China's construction of a naval base in bordering Djibouti, also on the Gulf of Aden.<sup>47</sup>

Additionally, the UN was able to help Somalia build its prison system in order to properly handle cases of piracy, because the government was willing to cooperate.<sup>48</sup> But this might be more difficult with dozens of governments in the Gulf of Guinea region, especially with the power imbalance since Nigeria has the most valuable resources and is a regional power. There may also be issues with many unstable governments, frequent changes in regimes, and other peripheral regional powers like Angola, which holds the second highest amount of oil in sub-Saharan Africa.

## Current Situation

Understanding the current situation is crucial to being able to create solutions to help solve the crisis in the Gulf of Guinea. As mentioned, after piracy peaked in 2020, there was a sharp decline in piracy, even though exports increased greatly following the Ukraine War, where Russia stopped supplying oil and gas to Europe, so the Niger River Delta started supplying these resources. In 2022, Nigeria was removed from the International Bargaining Forum's list of countries with unsafe waters, though Liberia, the Ivory Coast, Namibia, and Angola are still on the list as of 2023.<sup>49</sup> Nigeria's removal is despite the fact that Piracy attacks tend to increase prior to elections,<sup>50</sup> like Nigeria's 2023 election, because of the violence and corruption of political officials. However, in a region with so many countries, there are always elections that can increase the frequency of attacks, like the 2024 elections in Togo<sup>51</sup>, Senegal<sup>52</sup>, and Ghana.<sup>53</sup>

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<sup>46</sup>

<https://www.france24.com/en/live-news/20220311-un-authorization-to-fight-piracy-in-somali-waters-ends>

<sup>47</sup> <https://channel16.dryadglobal.com/will-the-gulf-of-guinea-ever-be-free-of-piracy>

<sup>48</sup>

<https://www.unodc.org/unodc/en/frontpage/2019/February/unodc-inaugurates-mogadishu-prison--court-complex-in-latest-support-to-somalia.html>

<sup>49</sup> <https://businessday.ng/news/article/nigeria-sustains-exit-from-unsafe-waters-list-on-195m-project/>

<sup>50</sup> <https://www.reuters.com/article/idUSKCN0HW1DN/>

<sup>51</sup> [Togo announces legislative and regional elections will be ...France 24https://www.france24.com > France 24 > Africa](https://www.france24.com/en/france-24-africa)

<sup>52</sup>

<https://www.africanews.com/2023/12/27/presidential-election-in-senegal-79-candidates-register-their-candidacies/>

<sup>53</sup>

<https://www.ghanaweb.com/GhanaHomePage/NewsArchive/2024-polls-Know-all-the-key-dates-for-upcoming-NPP-primaries-1743263>

The causes of the decline in piracy are multifaceted. One of the most influential programs has been the Yaoundé Code of Conduct (YCOC), which was founded in 2013 in a special session between the Economic Community of West Africa (ECOWAS), the Economic Community of Central African States (ECCAS), and the Gulf of Guinea Commission. While the code is nonbinding, 25 African countries have signed it.<sup>54</sup> YCOC importantly addresses not only piracy, but other underlying maritime crimes like IUU fishing and pollution. YCOC signatories agreed to share information about and prosecute suspected pirates, establish centers for coordination, and create education and training programs to improve the management of the environment. In addition to national coordination centers, YCOC established regional centers in five zones, and two larger centers for ECOWAS states and ECCAS states, along with a central Interregional Coordination Center. All of these organizations created by YCOC communicate to combat piracy.

A more recent undertaking is Nigeria's Deep Blue project in 2021. Nigeria commissioned multiple advanced vessels, both for air and sea, and trained hundreds of military personnel to enforce maritime security. Through a law passed two years earlier, Nigeria created a legal framework for prosecuting maritime crimes which no other country in the Gulf of Guinea has. The law also allows for a forum where maritime corporations can help create policies, like a new framework industry leaders co-chaired with the Interregional Coordination Center in Yaounde.<sup>55</sup>

In 2022 and 2023, Nigeria only had three attacks each year, compared to 86 in 2020 and 32 in 2021. Despite decreases in maritime crime following Deep Blue's implementation, the improvements might not be due to Deep Blue. The Danish and Italian navies were deployed in 2021 to help combat piracy, and the regional still may be reliant on foreign powers to patrol their waters.<sup>56</sup> The EU plays a vital role in limiting the Gulf of Guinea's piracy. Currently five EU countries, Denmark, Italy, Spain, Portugal, and France, are part of the Coordinated Maritime Presence in the Gulf, guaranteeing that at least one of these countries is patrolling the Gulf of Guinea.<sup>57</sup> Since this change took place around the same time as the Deep Blue project, it is difficult to observe which one is responsible for the decrease in piracy.

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<sup>54</sup> <https://www.gogin.eu/en/yaounde-architecture/>

<sup>55</sup> <https://guardian.ng/business-services/deep-blue-project-signed-sealed-and-delivered/>

<sup>56</sup> <https://www.bimco.org/insights-and-information/safety-security-environment/20231218-nigerian-piracy>

<sup>57</sup> [https://www.eeas.europa.eu/eeas/coordinated-maritime-presences\\_en](https://www.eeas.europa.eu/eeas/coordinated-maritime-presences_en)

Another note is that these policies may just be causing a temporary decline in crime. A wanted militant in charge of guerilla groups, who may have ties to sea crime, known by Tompolo, was offered a \$200 million contract to secure Nigeria's oil-rich Niger Delta in 2022, despite the arrest warrant being issued by the same president of Nigeria a few years prior. With a new president beginning his term in May 2023, the status of Tompolo's contract may change and piracy may begin to start again.<sup>58</sup>

Additionally, the actions currently taken are expensive. Nigeria uses Security Escort Vehicles (SEVs) to protect individual commercial ships which pay large sums to the Nigerian government. These vehicles escort ships and protect them as they leave Nigeria's waters. Nigeria does not allow Private Maritime Security Companies (PMSCs) to do this same role.<sup>59</sup> This can lead to corruption and bribery as Nigerian government officials expect payment to protect ships and enforce laws.<sup>60</sup> PMSCs are also often criticized for creating an incentive to promote instability to justify their own existence, since as a private company hired for security, the more unstable a region is, the greater the need for security. However, in Nigeria's case, some countries have deemed PMSCs useful, like the Netherlands, which legalized using PMSCs to protect ships in 2022.<sup>61</sup> However, PMSCs would need Nigeria's permission to operate inside territorial waters.

Lastly, it must be stated that the decrease in piracy does not necessarily mean a decrease in maritime crime. The UN is concerned that crime is still prevalent in the region, but is shifting to oil bunkering, where people tap, redirect, or steal oil directly from pipelines, which is less risky and more lucrative.<sup>62</sup> This is especially concerning considering the Nigerian Navy has been seen engaging in oil bunkering, without authorization, causing over \$2 billion in losses in 2023.<sup>63</sup> The oil bunkering by the Nigerian Navy is another criticism of Nigeria's policy on only allowing SEVs to protect vessels in territorial waters. The Navy can work as a corrupt organization and contribute to the problem of maritime crime, but it is the only organization able to defend the waters legally.

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<sup>58</sup> <https://www.bimco.org/insights-and-information/safety-security-environment/20231218-nigerian-piracy>

<sup>59</sup>

<https://www.riskintelligence.eu/feature-articles/voyage-risk-assessments-must-come-before-engagement-of-pmscs>

<sup>60</sup>

<https://maritime-mutual.com/risk-bulletins/gulf-of-guinea-piracy-and-kidnapping-current-threats-and-security-defence/>

<sup>61</sup> <https://swzmaritime.nl/news/2021/11/30/private-armed-security-on-dutch-ships-from-1-january/>

<sup>62</sup> [https://www.eeas.europa.eu/eeas/coordinated-maritime-presences\\_en](https://www.eeas.europa.eu/eeas/coordinated-maritime-presences_en)

<sup>63</sup> <https://channel16.dryadglobal.com/will-the-gulf-of-guinea-ever-be-free-of-piracy>

## Committee Directive

Delegates are tasked with working to protect the states on the Gulf of Guinea and maritime trade by preventing crime in the region, while noting that governments along the coast may be unstable and balancing the need to protect the national sovereignty of said countries. Delegates should recognize the needs of each of the countries along the coast may be different, and these countries might face different histories of international intervention, or may have more internal tension than other countries. Furthermore, delegates can use the example of Somalia as a guide, but must clearly see the differences between Somalia and the Gulf of Guinea.

In the short run, delegates need to focus on a way to end maritime crime as quickly as possible in the Gulf of Guinea. Delegates should come up with solutions to promote security and cooperation among Member States that allows for the capture of pirates and the protection of ships. The frameworks made to protect from piracy should also extend to helping West African states prevent the newer crime of oil bunkering.

In the long run, delegates must focus on crime prevention. Delegates need to help alleviate the underlying causes of maritime crime in the region, including solutions for other crimes like IUU fishing, or solutions to unemployment, corruption, and income inequality that drive people to take the risks to engage in costly maritime crime like piracy or oil bunkering.

Lastly, but certainly not least, delegates must incorporate criminal justice. Delegates must center the rule of law in their solutions and assist countries with being able to quickly and fairly process maritime criminals and suspected maritime criminals in the Gulf of Guinea, both within territorial waters, and outside of territorial waters. These systems also should assist with the longer term goals of preventing crime through adding stability and helping young people get legal jobs which are protected from illegal activities.

## Questions to Consider

- How can delegates consider the differences between different states in the Gulf of Guinea in presenting solutions?
- What are the shortcomings of previous actions taken and how can delegates improve upon previous solutions?
- What can delegates learn from the actions taken in Somalia, and what differences and similarities can they incorporate?
- How do solutions to the Gulf of Guinea's maritime crime crisis affect each delegate's Member State?
- How can solutions ensure that they address evolving methods of crime like the movement from territorial to international waters and the shift from piracy to oil bunkering?