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Piracy in the Southern Gulf of Mexico: Upcoming Piracy Cluster or Outlier?

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In recent years there has been a spike in maritime piracy attacks in the Southern Gulf of Mexico (SGoM). A string of attacks in April 2020 — consisting of 4 reported attacks in a span of 11 days — caused concern regarding maritime security in the region (MARAD, 2020a, p. 35). Shortly after, the government of the United States (US) announced that it was aware of “at least 20 fishing vessels and 35 oil platforms and offshore supply vessels that have been targeted by pirates and armed robbers since January 2018” in the Bay of Campeche which lies in the SGoM (MARAD, 2020b). Consequently, the threat prompted the US government to issue a security alert regarding the danger in Mexican waters of the Gulf in June 2020 (Semple, 2020). Attacks involved crew injuries, hostage-taking, theft, and discharge of firearms. Furthermore, the report stated that significant underreporting of attacks in the region is suspected (MARAD, 2020b). Similar alerts by maritime administrations around the world followed, inter alia by the Marshall Islands (2020) and Panama (2020). All vessels within the region were urged to “continue to keep the utmost vigilance and increase security conditions aboard” (Panama, 2020).

The evolving situation in the SGoM raises the question if the area has potential to become a piracy hotspot to the likes of the Gulf of Aden (GoA) or Gulf of Guinea (GoG). Such a cluster could have considerable influence on the safety of crews at sea, global maritime trade, and the oil industry. However, modern piracy brings with it large costs that go beyond security of crews, trade, and the oil industry. Increasing insurance premiums, while originally paid by shipping industry, are ultimately pushed onto local consumers (Hansen, 2014, p. 175). If one considers that piracy is concentrated in poorer regions of the world, it is ultimately people who have little money to begin with who have to bear the cost of piracy. For instance, right around the peak of Somali piracy in 2011, prices for goods — food and other essential commodities — imported via sea in Kenya were on average 10% more expensive than before (Otto, 2011, p. 49).

In this paper the author will analyse — on the basis of existing literature regarding the causes and factors of modern piracy clusters — if the concerns about rising number of piracy attacks in the area are justified and if there is a possibility that a cluster will emerge in the near future. Thus, the research question is as follows: *To what extent does the Southern Gulf of Mexico have the potential to become a modern piracy cluster?*

To the best of the authors knowledge, there has been no academical analysis to identify the possibility for the region to become a cluster as of yet, which leaves open a research gap. As the rapid rise of Somali piracy cluster between 2005-2010 has shown, maritime security threats can escalate rather quickly, and thus it is important to have both early warning and early response mechanisms in place to prevent escalation of the situation (Bueger, 2015, p. 7). The findings of this paper could assist in early detection of a high risk area, which in turn could prompt faster reaction of relevant stakeholders, and lead to the implementation of early response mechanisms that range beyond security alerts and heightened vigilance.

Analytical Framework

As framework for the analysis, causes of modern piracy predominantly highlighted in the academic literature will be utilized to explore the regions cluster potential. There are a number of drivers that are emphasized as root causes

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conducive to the emergence of clusters. However, it is important to underline that piracy is a multidimensional phenomenon, and causes are not stand-alone drivers but are interconnected with one another. Rather than any isolated cause, it is a combination of a multitude of factors that make the rise of piracy possible (Mejia, 2012, p. 12).

Poverty, relative deprivation & social exclusion

Poverty is often described as a central root cause of piracy. Academics such as Liss (2014) and Frécon (2005) emphasize the substantial role that poverty plays in the rise of piracy within a region. While this assertion does hold some significant insights, especially the fact that piracy is, rightfully, identified as an activity that is primarily economically motivated (Bueger, 2015, p. 3), there are some problems with this simplistic argument. Elmi et al. (2015, p. 155) argue that, while poverty can be considered as a contributing factor, it is not a dominant cause of piracy. The relationship between piracy and poverty is complex (Hansen, 2014, p. 179) and “empirical results are inconclusive” (Jablonski and Oliver, 2013, p. 686). No direct causal link between pirate activity and poverty has been constructed. Rather than poverty per se, the key factor seems to be economic dislocation, since communities that engage with piracy have been economically marginalized (Bueger, 2015, p. 3). Hansen (2014, p. 179) adds to the discussion that instead of looking at poverty in the absolute sense as a root cause, one should consider relative poverty — through feelings of relative deprivation — instead. Relative deprivation describes individuals feeling like they are receiving less benefits than they deserve (Hansen, 2014, p. 179). Another associated factor which relates to relative deprivation is social exclusion (Hansen, 2008b).

Geography

The geography of an area effects the probability for piracy, however this goes beyond the “obvious fact that regions with close proximity to waterways tend to have piracy” (Bueger, 2015, p. 2). Murphy (2007, p. 14) contends that piracy is sustainable only in places which offer a certain combination of rewarding hunting grounds and close safe havens. He further adds that when ships are underway, piracy attacks largely happen in “straits, bays, estuaries and archipelagos” and that narrow seas in general are more crowded than high seas, which leads to more potential targets (Murphy, 2007, p. 14). Moreover, the existence of hideouts — either coastal strips or islands that are hard to reach and/or control — is significant for preparing piracy operations (Bueger, 2015, p. 2). Especially maritime choke points should be emphasized when discussing narrow seas. Choke points — such as the Suez Canal or Straits of Malacca — are crucial waterways for traffic on sea while simultaneously being prone to congestion and ambushes. For ships it is necessary to transit using these waterways, as there are no viable alternatives (Chalk, 2009, p. 2), which increases opportunity for attacks and the lucrateness of a region. Hence, the proximity to choke points does correlate with piracy attacks (Daxecker and Prins, 2021, p. 37). Increases in coastline length further raises the probability of piracy (Daxecker and Prins, 2013). To conclude, longer shorelines, the presence of hideouts and the proximity to maritime choke points create favourable geography, which can be considered as a driver for contemporary piracy.

Culture and skills

Scholars such as Vagg (1995) and Bueger (2015) argue that piracy does have cultural dimensions as well. For “piracy to prevail it requires some sense of legitimacy” (Bueger, 2015, p. 4), which is important for the recruitment of foot soldiers. Furthermore, most piracy operations are to a certain extent dependent on support from local communities, who provide them with food, shelter and supplies (Bueger, 2015, p. 4). Vagg (1995, p. 63) indicates that the “recognition of piracy as an available cultural or subcultural possibility” is one of the central factors that allows contemporary piracy to rise. The raiding of ships at sea has to be culturally thinkable to a certain extent (Vagg, 1995, p. 67), and in cases when piracy has existed long enough it can thus become accepted and integrated into local culture (Murphy, 2009, p. 43). One can conclude that according to the cultural acceptability argument, there has to be “cultural or subcultural tolerance of violence for economic ends” within the region (Vagg, 1995, p. 68). Hansen (2014, pp. 180-81) identifies a number of weaknesses in this argument, such as the difficulty to show cultural continuity, and disruptions of maritime crime tradition, as it occurred in Somalia during the colonial era. Bueger (2015) on the other hand highlights the availability of required skills as another cultural dimension of maritime piracy. Skills include inter alia navigation and boarding of a vessel, the handling of weapons and for attacks that involve

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hijacking and hostage taking, negotiation skills (Bueger, 2015, p. 4). These skills might be available in different coastal communities, and areas that experience various forms of conflict.

Governance & corruption

The relationship between weak governing institutions and piracy is emphasized in much of the academic literature (Daxecker and Prins, 2015, De Groot et al., 2011, Hansen, 2009, Murphy, 2009). As reported by Chalk and Hansen (2012, p. 502) “governance voids lie at the heart of piracy.” State weakness consistently raises the incidence of piracy events of all sorts since it provides “an environment that allows pirate groups to flourish as it reduces the capacity of states to combat piracy” (Daxecker and Prins, 2013, p. 960). Furthermore, the government lacks effective control over its territory. The existence of such a permissive institutional environment through governance weakness is essential in providing the pirate groups with safe havens where they plan their attacks and shield themselves from capture by the authorities. Consequently, improving governance overwhelmingly reduces the risk of piracy attacks (Daxecker and Prins, 2013, p. 942). Another dimension is that weak governments and their institutions are more prone to corruption, especially on the local level. Within weak government structures, officials are more susceptible to bribes. Large-scale, professional piracy generally implies the presence of official corruption within the government (Vagg, 1995, p. 68). While low-scale, subsistence piracy might be able to operate without purchased protection, more sophisticated operations are likely not. To conclude, weak governance and piracy are associated with one another in two significant ways. On the one hand, state officials do not have enough resources to fight piracy and are lacking sufficient control over their territory. On the other side, within weak governance institutions, state officials are often complicit within the business of piracy through corruption.

Literature Review

Classical Piracy

The phenomenon of “(p)iracy is as old as the maritime trade on which it preys” (Earl, 2006, p. 35). However, piracy reached its pinnacle during a period that is referred to as the “Golden Age of Piracy”, which lasted from around 1695 to 1725 (Bialuschewski, 2004, p. 167). By that time, England and other European states had exploited the practice of privateering^[1] for multiple centuries. Within the inter-imperial cycle of war and peace (Benton, 2005, p. 707), the utilization of privateering led to an influx in piracy each time conflicts ceased, and this reached its climax during the Golden Age. Until then, countries like England and France had considered piracy as both “a minor nuisance” and a “useful tactic” to attack enemy ships and acquire territorial footholds. Nonetheless, the Crown’s attitude began to shift at a time “when overseas trade became a primary source of the British Empire’s wealth.” Once piracy became more than just a nuisance to England, the imperial power decided to suppress it. Britain and other countries began to take various measures to protect the seas during the so-called pirate wars, stretching approximately from 1650 to 1850. Some of the measures included fighting corruption, commissioning private pirate hunters, offering pardons, increasing the amount of naval ships, blockading pirate ports and dismantling pirate lairs (Boot, 2009, pp. 102-3). These resolute actions led to the almost complete eradication of classical piracy.

Modern Maritime Piracy

For the purpose of this paper, the definition of piracy expands beyond what laid out in the 1982 United Nations Convention on the Law of the Sea (UNCLOS), which only includes acts on the high seas or in places outside of the jurisdiction of any state (UN, 1982, p. 61). The definition applied is the following: “An act of boarding or attempting to board any ship with the apparent intent to commit theft or any other crime and with the apparent intent or capability to use force in the furtherance of that act” (Hansen, 2008a, p. 75). The phenomenon of piracy — under the assumption that it was an occurrence of the past — disappeared from the public eye, until attacks started to rise again in the 1980s (Daxecker and Prins, 2015, p. 25). It should be mentioned that piracy did not in fact completely vanish between the 19th century and the 1980s, but it existed sporadically on low levels (Lehr, 2006, p. vii). There are different contributing factors attributed to the re-emergence of piracy. Daxecker and Prins (2015, p. 25) discussed how “the end of the Cold War weakened the political control of states previously supported by the superpowers, which reduced the states’ ability to provide maritime security.” This coincided with a substantial increase in

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international trade, resulting from globalization (Lehr, 2006, p. viii).

While the piracy attacks in the 1980s were sporadic and lacked sophistication, the incidents increased in frequency and intensity over the 1990s and 2000s (Daxecker and Prins, 2021, p. 21). When pirate attacks in the GoA near Somalia reached unprecedented dimensions at the end of the 2000s, the phenomenon “emerged as a growing and increasingly visible threat to national and international security” (Chalk and Hansen, 2012, p. 498). 80% of global trade is carried by cargo ships across the world’s oceans, which emphasizes the seriousness of the threat to the international economy (Daxecker and Prins, 2015, p. 23). However it is not only international commerce and maritime trade generally that are at risk, but also the global energy supply through oil and gas (Chalk and Hansen, 2012, p. 498).

The dangers of modern maritime piracy are manifold and go beyond monetary dimensions. Pirate attacks are direct threats to the lives and wellbeing of people employed at sea. Furthermore, modern piracy results in direct economic costs for the shipping industry, through inter alia rising insurance premiums, stolen cargos, the payment of ransom, delayed trips or the re-routing of ships (Chalk and Hansen, 2012, p. 500). These costs however are ultimately pushed onto the local consumer (Hansen, 2014, p. 175), as the higher operating costs are compensated through increasing freight charges. Hence, these costs disproportionately affect the world’s poor who have to incur the elevation of commodity prices. Another aspect that has to be considered is the direct costs through mitigation measures and naval deployments that are undertaken by states (Chalk and Hansen, 2012, p. 500). Another potential danger of piracy for global security is the possibility of an environmental catastrophe. Scenarios like target vessels being left to drift rouge without a crew, or pirates threatening to use ships “as a floating machination aimed at causing environmental catastrophe” to extract ransom are feared (Herbig and Fouché, 2013, p. 45). In conclusion, modern piracy comes with a multitude of dangers, ranging from threatening the safety of the crew to rising commodity prices and possible environmental disasters. Hence it is of interest for relevant stakeholders to recognize new hotspots in a timely manner and to start mitigation measures early to suppress the situation from escalating.

Piracy Clusters

To help analyse the probability of the SGoM to emerge as a piracy cluster it is not only valuable to look at the drivers of piracy, but to look at these drivers being applied in already existing clusters. Two of the most infamous clusters were chosen to do so, namely the GoA and the GoG. Their background and modus operandi will be shortly discussed, followed by an examination of root causes. When piracy in the GoA reached unprecedented dimensions, it began making international headlines, unlike modern piracy had before. The GoA — infamous for hijackings and large ransom payments^[2] — was the “region with the highest number of reported piracy attacks in the world,” until 2011 (Osinowo, 2015, p. 1). In 2021 the Gulf of Guinea was the world’s number one piracy hotspot. 43% of reported piracy incidents in the first three months of 2021 occurred in the GoG (ICC, 2021). Furthermore, the cluster has significant oil wealth, a trait which is shared by the Gulf of Mexico (Sönnichsen, 2021). It is important to emphasize that each cluster has distinctive regional trades that play a role in the emergence, and that not every root cause will necessarily be identified in each of the existing, and future, clusters.

Gulf of Aden

Piracy in the GoA and Somali waters first exploded in 2004-2005, which put Somalia on the “international maritime security map.” It experienced a decline in 2006, just to blow up again in 2008 (Hansen, 2009, p. 19). The hotspot disrupted “the flow of goods and commodities through one of the world’s most important trade gateways,” the Suez canal (Mandanda and Ping, 2016, p. 44). In addition to that, it led to heavily increased insurance premiums, expenses due to evasive shipping routes, and expenses for naval deployments from multiple states. Hence, piracy in the GoA and Somalia cost the global economy billions of dollars each year (Mandanda and Ping, 2016, p. 44). The modus operandi of Somali piracy during its proliferous years was focused on hijacking vessels and holding ships and crew for ransom, during negotiations that could take from weeks to months. Considering that the wellbeing of the crew was of some importance, Somali pirates were largely non-violent in their approach (Mandanda and Ping, 2016, p. 45). After 2012, there was no successful hijacking attempt off the coast of Somalia, thus it appears as large scale, sophisticated piracy in the region was over (Bueger, 2015) for the time being.

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It is often argued that poverty — and the presence of a large youth unemployment rate — in Somalia are the main drivers of piracy in the GoA (Elmi et al., 2015, p. 154). As discussed previously, this explanation is simplistic and insufficient. The coastal regions of neighbouring states — Tanzania or Kenya — while similarly destitute do not experience considerable levels of piracy (Hansen, 2012, p. 525). Piracy is largely concentrated to central and north-eastern regions of Somalia, which are not poorer than other parts of the country. Furthermore, the numbers of youth that joined piracy are minuscule compared to those who did not (Elmi et al., 2015, p. 155). Moreover, there have been drastic fluctuation of piracy attacks over time, while absolute levels of poverty have been steady (Hansen, 2012, p. 525). In Somalia, coastal communities are marginalized. While owning cattle implies prestige, coastal populations who rely on subsistence fishing have a lower status within society (Bueger, 2015, p. 3). Thus, one could argue that social exclusion of coastal communities could play a contributing role.

Somalia's coastline stretches over an impressive 3,333 km, making it the second longest coastline on the African continent (Kirui, 2018). According to Daxecker and Prins (2013), the longer the coastline of a country the higher the probability for piracy attacks to occur, hence Somalia's coastline length can be considered an asset for piracy operations. More significantly, the GoA is "the southern gateway to the Suez Canal" (Bueger, 2015, p. 2) — a major choke point — and therefore "is one of the most heavily trafficked maritime" area in the world (Sörenson, 2008, p. 8). Yearly, more than 20,000 ships navigate through the trading route, which includes a significant number of the planet's crude oil (Bueger, 2015, p. 2). The proximity to a significant choke point increases opportunity for pirates to find potential target vessels. Lastly, remote coastal villages of Somalia provide pirate dens as well as sufficient infrastructure for the pirates to hijack vessels and hold them for ransom (Bueger, 2015, p. 2).

Within the Somali piracy cluster, cultural acceptability has been attained through "a narrative which justifies piracy as a legitimate response to maritime insecurity" (Bueger, 2015, p. 4). The narrative that Somali piracy started as a response to illegal fishing within its Exclusive Economic Zone (EEZ) is often repeated by pirates. They claimed that their aim was first and foremost to protect Somalia's waters by acting as a sort of coast guard, rather than to gain profit (Hansen, 2011, p. 26). Said narrative was used to gain support from local communities (Bueger, 2015, p. 4). Simultaneously, the illegal fishing argument is sometimes connected with pirates supposed feelings of relative deprivation — through watching foreign ships taking advantage of Somali waters — and social exclusion of fishermen (Hansen, 2009, p. 8). While the myth has been debunked by exploring the type of vessels that are attacked (Hansen, 2011, p. 27), it nonetheless has been a "crucial factor in recruitment" and ensured "the support of local communities (Bueger, 2015, p. 4). Moreover, many of the skills that are needed to successfully perform piracy are widespread in Somalia and "form part of a traditional cultural repertoire" (Bueger, 2013, p. 1815). Navigation skills of fishermen are common within the coastal communities (Bueger, 2013, p. 1815). Decades of civil war has taught the skills of how to handle weapons. Boarding skills of vessels and the use of navigation devices were trained when attempting to set up coast guards (Bueger, 2015, p. 4). Negotiation skills — which are vital in ransom negotiations — developed through Somalia's society governed by customary law and informal governance (Menkhaus, 2004). Lastly, (land based) kidnappings and ransom taking was a common practice in Somalia before piracy rose, and the skills likely transferred to piracy (Bueger, 2015, p. 4).

The Somali state collapsed in 1991, a fact that is by some authors claimed to be the main driver of piracy within the region. However, statelessness — which is hastily attributed to every problem in Somalia — is too simple of an argument to stand alone. If the state collapse would be the reason for the emergence of piracy, why were there such few cases of piracy attacks recorded in the beginning of the 1990s? Piracy only really emerged in the late 90s, more than half a decade after the state collapsed (Elmi et al., 2015, p. 154). De Groot et al. (2011) argue that complete state failure, anarchy, is not conducive for establishing any business, including criminal enterprises. "Sophisticated" pirates are in need of "some minimal level of law and order," and functioning markets to conduct business (De Groot et al., 2011, p. 2). In spite of the collapse of the central state, local governance does exist in parts of Somalia. However, the local authorities and institutions are too weak to enforce maritime law which gives them a degree of impunity (Elmi et al., 2015, p. 154). Puntland has an existing local government administration, with active, though in certain areas weak, security forces. It also recorded the highest numbers of piracy attacks within Somalia in the years before 2011. In this instance, the weak state seemed to be conducive for running pirate operations (Maouche, 2011, p. 27). This would confirm De Groot et al. (2011) hypothesis that criminals need law and order to properly operate. Maouche (2011) identifies two significant ways in which the weak state is conducive to piracy. On the one

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hand, pirates use the relative weakness of the state to run their operations in areas where security forces cannot keep a strong presence, or the pirates “benefit from the support of members of the security forces to carry on with their activities in exchange for bribes” (Maouche, 2011, p. 28).

Gulf of Guinea

In the 1990s, “coastal communities of the delta regularly attacked passing boats on an ad hoc basis” (Montclos, 2012, p. 534), though this was not properly organized and largely mounted to petty theft. However, since then the modus operandi has changed significantly, and piracy became more sophisticated (Montclos, 2012, p. 534). It has evolved to the “violent targeting of oil tankers for their cargo” in the search of crude oil and petroleum to resell on the black market[3] (Onuoha, 2013, p. 268). Since in many of the attacks the objective is theft of cargo rather than holding hostages for ransom, the potential for violence is higher, as there is less regard for the safety of the crew (Chalk and Hansen, 2012, p. 498). The region’s pirates’ actions involve beatings, torture, assault and killings (Mandanda and Ping, 2016, p. 44). While the focus of the pirates is habitually on oil, there are some instances of kidnapping, where employees of transnational corporations are taken for ransom purposes (Montclos, 2012, p. 534).

The GoG is one of the world’s poorest regions (Bell et al., 2021, p. 4). Nonetheless, if one would consider poverty as a standalone cause for the piracy cluster, why would countries such as Mozambique or the Democratic Republic of Congo not experience similar levels of piracy attacks? Hence, Montclos (2012, p. 535) argues that poverty does not explain maritime piracy within the Delta, but that both political corruption and oil wealth are central causes to the emergence of the cluster.

Onuoha (2012, p. 30) argues that the dynamics of maritime piracy were largely related to “the upsurge in the activities of local Militias in Nigeria’s oil-rich Niger Delta”, who were protesting “perceived marginalisation and deprivation of oil benefits by successive governments in Nigeria”. Montclos (2012, p. 535) confirms this by adding that the “struggle for a regional control of oil resources” is a significant dimension of the situation. Thus, piracy was driven by political conflicts, unrest and insurgency inter alia by the Movement for the Emancipation of Niger Delta (MEND) (Mandanda and Ping, 2016, p. 50). A decade ago, most of the attacks occurred in Nigerian waters (Onuoha, 2012, p. 30), however the incidents “are no longer concentrated in the waters near the Niger Delta” (Bell et al., 2021, p. 3). One could argue that the local population is experiencing social exclusion from the oil resources and wealth of their country, which contributes to people’s willingness to fight for regional access to the hydrocarbon resources, and to get involved with illegal activities such as piracy.

The significant oil wealth of the region — Nigeria alone is number 15 of the world’s leading oil-producing countries and Angola number 17 (Sönnichsen, 2021) — further plays a considerable role in the piracy of the region. There have been significant investments in oil extraction spurred by the hydrocarbon potential of the area hence seaborne oil trade expanded, resulting in a high volume of sea traffic (Onuoha, 2013, p. 271). While geography as a significant root driver mostly focuses on shoreline length, hideouts, and proximity to choke points, one could argue that another consideration could be the resource richness of a region. The Gulf of Guinea’s oil-wealth has considerably influenced the prevalence of piracy in the area, which makes it a relevant factor to consider in future analysis.

Despite the enormous oil wealth, most states within the GoG are stifled under the weight of corruption from officials (Onuoha, 2012, p. 33). Piracy there has been directly linked to corruption especially in the oil sector. The population depends on oil revenue, however only a small portion of it actually reaches local inhabitants (Mandanda and Ping, 2016, p. 50) as the oil wealth has mostly benefitted central government, local elites and oil companies (Onuoha, 2012, p. 33). Since the governance institutions are weak, powerful state actors are able to influence and block investigations and prosecutions of pirates (Onuoha, 2012, p. 33). Hence, both corruption and complicity are crucial factors which contribute considerably to the occurrence of piracy within the Gulf (Jacobsen and Nordby, 2015, p. 17), on top of weak governance.

Analysis: Piracy within the Southern Gulf of Mexico

Piracy attacks in the SGoM have significantly increased in the last three years (Nordfjeld and Dalaklis, 2021). In

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2020 a distinct rise in maritime piracy incidents was registered, including a “concerning trend emerging in the Gulf of Mexico which could become a new hunting ground for modern pirates” (Klein, 2021). This trend emerges specifically in states located in the SGoM, namely Campeche, Tabasco and Veracruz (Goldman, 2021, p. 35). In its special security alert, the US stated it was aware of 55 attacks — 35 on oil platforms and 20 on fishing crafts — since the beginning of 2018, though significant underreporting of pirate attacks in the region is presumed (MARAD, 2020b), inter alia through a lack of coordinated and formalised reporting structures. While the US government officials spoke of 55 cases since 2018, local news media agencies in Mexico are referring to hundreds of incidents, however these are not verified (Goldman, 2021, p. 36). Piracy statistics in the modern age are likely underplayed, “maybe by as much as 50 percent” (Chalk and Hansen, 2012, p. 499).

The pirates operate typically in small groups, between five and 15 individuals, aboard multiple boats, pursuing offshore infrastructure and vessels. Normally, small fiberglass hulled crafts are employed, which are similar to local artisanal fishing boats. To enable the crafts to travel faster to oil fields, usually located anywhere between five and 95 NM offshore, they are equipped with high-powered outboard motors. Reports reveal that pirates are armed with a range of weapons — assault rifles, pistols, shotguns, machetes, knives and other tools — and thus are demonstrating both capability and intent to employ violence (Goldman, 2021, p. 36). The focus of the pirates has been the siphoning of oil and fuel from platforms and vessels (Drake, 2021). Moreover, the pirates have stolen electronics and valuables from the crew, but also big-ticket items such as communication and navigation equipment, oxygen tanks or motors (Semple, 2020), so types of infrastructure that were easily dismantlable.

Poverty, relative deprivation & social exclusion

At the end of 2020, Mexico's poverty rate was almost 44% — which amounted to around 56 million people — of the total population. The consequences of the COVID-19 pandemic — from inter alia budget cuts, business closures, layoffs — worsened pre-existing challenges within the developing nation. Nevertheless, poverty was on the rise in Mexico before the pandemic broke out. 8.5 % of the population – almost 11 million people – are living in extreme poverty⁽⁴⁾(Reuters, 2021), which amounts to a growth of 24.1% between 2018 and 2020 (Ling and Serrano, 2021). Thus, one can conclude that Mexico does have considerable levels of poverty within its borders. However, as argued above, while poverty can be considered a contributing factor to maritime piracy within a region, it is not merely absolute poverty that should be considered as an indicator, but also relative deprivation and social exclusion of people.

While Mexico is experiencing significant levels of poverty, the country is simultaneously the 15th largest economy in the world (World Bank, 2021a). This economic power seems to translate poorly to the country's general populace, considering that almost half is living in poverty. A comparison can be drawn with Nigeria, which is currently ranked as the 25th largest economy (World Bank, 2021a, p. 1), while experiencing similar levels of poverty, with 39.1 % of Nigerians living below the poverty line (World Bank, 2021b). This situation — where the economy in the country is doing well, but the economic power does not actually translate to the country's population leaving many in poverty and extreme poverty — can lead to feelings of relative deprivation. Individuals feel like they are worse off than they should be, in consideration of the country's economy. Furthermore, they might experience feelings of social exclusion since the countries overall progress does not translate to their living conditions and lives, making them feel excluded from growth. There is a probability that these feelings will only be heightened by the ripple-effects of the pandemic. Mexico suffered its worst annual contraction since the 1930s its GDP fell by 8.5% — which is “likely to enhance pre-existing economic deprivation amongst coastal communities” (Goldman, 2021, p. 37).

Geography

The Gulf of Mexico (GoM) is the largest gulf in the world and is bordered by the US — namely the states Florida, Alabama, Mississippi, Louisiana, Texas — and by Mexico. The Mexican states that lie along the gulf are Tamaulipas, Veracruz, Tabasco, Campeche, Yucatan & Quintana Roo, and it spans around 2,805 km of the Mexican coast (Ghosh, 2021). Lastly, in the southeast of the oceanic basin lies the island of Cuba. Reported piracy incidents have occurred predominantly in the SGoM, specifically in the area of Veracruz, Tabasco and Campeche (Goldman, 2021, p. 35).

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The SGoM lies near the Panama canal, which is one of the key maritime choke points globally, and it offers a shortcut for vessels travelling between the Atlantic and Pacific oceans (Khodjet et al., 2020, p. 1). In the fiscal year 2020 the number of transits in the Panama canal was 13,369 (Palcek, 2021a), and 255.7 million tons of cargo were transported (Palcek, 2021b). There have not been any disruptions to the Panama canal due to maritime piracy until this point. While current low-scale piracy does not have any effect on the canal, there might be the possibility that professional, large-scale piracy operation within the Gulf — maybe with connections to Mexican cartels — could lead to disruptions of goods, such as piracy around Somalia did for the Suez canal. Furthermore, the SGoM is close to a secondary maritime choke point, namely the Yucatan Channel (Khodjet et al., 2020, p. 1), which lies between Mexico and Cuba (Ghosh, 2021). If there were any disruptions to this secondary choke point, it might be possible for ships to reroute through the straits of Florida and try to enter the Panama canal through a different route. Nonetheless, vessels that experience disruptions in the Panama canal could not easily be re-routed.

When comparing the coastlines of Mexico and Nigeria — but also the wider GoG area — it appears as if the latter has more and larger estuaries, which are favourable conditions for piracy groups, as they offer hideouts and potential safe havens for the pirates (ESA, 2012, UN, 2014). Nonetheless, the SGoM also has a number of smaller estuaries that can offer some protection for pirate lairs (UN, 2009).

As earlier suggested, resource richness of a geographical area can influence the prevalence of piracy, and thus it is considered in this paper for the analysis of geographical properties. The GoM has considerable oil-wealth, and houses around 2400 offshore oil production platforms, according to the Dryad Global annual report (Goldman, 2021, p. 35). The US produces the most oil barrels worldwide, and Mexico is ranked twelfth (Sönnichsen, 2021). In the Bay of Campeche, there are over 200 oil platforms, which are the source of most of Mexico's oil (Semple, 2020), making it an attractive area for oil piracy. Current conditions induced by the pandemic could further be of interest when discussing the hydrocarbon resources, and subsequently attractiveness for piracy in the SGoM, namely the energy crisis. The price crash that was witnessed by producers and consumers worldwide in the early pandemic has been replaced by rapidly increasing prices for oil in recent months. This has led to fuel shortages and in some countries, such as China and Britain, to panic buying (Krauss and Eavis, 2021). When the prices for oil climb, they will also rise on the black market, which makes oil piracy a more attractive and lucrative business model for pirates and organized crime.

When piracy incidents occur in the EEZ of a coastal state, vessels under different flag states would technically be able to intervene in piracy (Nordfeld and Dalaklis, 2021, p. 70), but often refrain from taking action, due to the complexity of prosecuting pirates (Guilfoyle, 2012). Hence, when incidents occur in the EEZ of Mexico, it is uncertain if the US as neighbour would intervene on its own accord. However, the possibility for the violence and attacks to spill over into the US's EEZ, especially its territorial waters is rather unlikely, considering that the US is global maritime hegemon (Okamoto, 2020, p. 593). History has shown during the Golden Age of Piracy that the maritime hegemon — at the time Britain — played a significant role in combating piracy (Benton, 2005, p. 719). Thus, even if a spill over would occur, the US would likely be able to bring the situation under control swiftly, considering its naval capabilities.

Culture & skills

It appears that in Mexico there is no specific culture for maritime piracy. Nonetheless, following Vagg's (1995, p. 68) argument, a "cultural or subcultural tolerance of violence for economic ends" can lead to broader cultural acceptability. This condition is met in Mexico, a country long suffering under cartel violence and the war on drugs. There are related traditions and skills in the area that could be beneficial for sophisticated piracy. Firstly, waging battle and skills to handle different assortments of weapons have been forged through cartel violence, and the militarized war on drugs, that has ravaged the country for one and a half decades (Correa-Cabrera, 2020, p. 41). Over time, it is not only members of organized crime and military that used weapons in the war, but also civilians. Some civilians, who had become tired of criminal and institutional violence, "took up arms to defend themselves" (Aranda, 2018, p. 148). Hence, such skills are present among the population, and not necessarily limited to cartels, police and the military.

So far, the modus operandi of pirates within the SGoM has not included forms of hijacking or ransom taking, tactics

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which were infamously applied by Somali pirates, and on occasion, Nigerian pirates. Nonetheless, as the analysis of previous clusters have shown, maritime piracy tends to start as subsistence, low-scale piracy and then over time potentially develops to large-scale, sophisticated piracy (Daxecker and Prins, 2021, Montclos, 2012). Considering the large sums of ransom that Somali pirates were able to secure during hijackings and ransom negotiations, it is conceivable that such profitable business model could become of interest to pirates in the GoM. Should such ventures be taken on, there is existing experience in land-based kidnappings for ransom (K&R), and subsequently negotiation skills, in the region. K&R has become a lucrative business, and Mexico is considered to be the “kidnapping capital of the world”, where cartel violence, drug trafficking and the government’s inability to curtail crime, especially organized crime, seems to produce an epidemic of K&R (Pires and Guerette, 2019, pp. 92-3). These experiences and skills could likely transfer to maritime piracy operations. Lastly, cartel members do have experience in sea-based drug trafficking — cocaine is typically trafficked by sea from Colombia to Mexico (UNODC, s.a.) — thus they will have maritime skills at their disposal, such as navigation, or maritime tracking.

In his “Four Circles Model”, Hansen (2008a, p. 74) discussed organized crime syndicates like cartels, pirates, insurgents and terrorists. The model revealed that much of modern maritime crime is carried out by organized crime rather than traditional pirates. The author emphasized that piracy can be “a tactic to obtain financing employed by organizations with other aims” such as organized crime syndicates (Hansen, 2008a, p. 75). Organized crime groups — such as Bhudil Senil — are engaged in piracy operations that include hijacking, K&R and cargo theft. They are “dynamic and highly adaptable “ organizations, which can change the types of crimes they commit, and are flexible to conduct several types of illegal activities. Moreover, subsistence pirates could be hired by organized crime to carry out the “dirty work” for them (Hansen, 2008a, pp. 78-80), hence piracy can be identified as a growth opportunity. Cartels could invest in sophisticated piracy operations, either through large scale financial investments, or having cartel members with relevant skills support the operations. As of now, there is little evidence that would point to an association between offshore piracy incidents and onshore cartel activity (Goldman, 2021, p. 35). Nonetheless, this does not mean that there is no existing collaboration, nor that there will not be a partnership between cartel and sophisticated pirate operations in the future, especially considering how profitable the business model of K&R offshore has been in the past.

Governance & corruption

The rise in piracy attacks coincides with the Mexican government’s focus on reducing cartel violence on the mainland, however this has had little success so far (Semple, 2020). In addition, the COVID-19 pandemic has also contributed to a reduction of security personnel in the offshore area (Drake, 2021). Hence, Mexico’s security services are overstretched, and criminals are well aware of the reaction time of the Mexican Navy. The strained resources make offshore especially vulnerable (Semple, 2020). Moreover, spending cuts on diesel fuel have influenced the Navy’s response capabilities and operational footprint (Goldman, 2021, p. 36). Part of the Navy’s response was launching “Operacion Refuerzo” to improve maritime security, especially in Campeche bay (Nordfjeld and Dalaklis, 2021, p. 70). The strengthening of antipiracy capabilities seems to have had an effect on the reported incidents. Nonetheless, it is too early to tell if that will be a sustainable change, and the issue of underreporting should not be disregarded (Semple, 2020). In a recent study, Nordfjeld and Dalaklis (2021, p. 67) have identified that the Maritime Authority of Mexico has “a rather poor response” to the security threats in the region. The Mexican Navy is not executing the required investigation after incidents, the response time is two hours — by which time the pirates have left the vessel — and the port security level has not been increased even during attacks that left people injured. Furthermore, their research has shown that in a certain time period there were a total of 14 attacks, while only three of these were actually reported, which supports the thesis of serious underreporting in the area (Nordfjeld and Dalaklis, 2021, p. 67). Few arrests have been made, and that combined with the conditions previously stated give the pirates a sense of impunity (Semple, 2020). Conditions mentioned above emphasize that the Mexican government has applied weak governance to the maritime space and has not had the appropriate response to the increasing piracy incidents.

Organized crime and drug trafficking are prevalent within Mexico “as a consequence of (..) weak and insufficient” government institutions (Aguirre and Herrera, 2013, p. 221). It is argued that the institutional weakness of the country can be seen as a “consequence of an unfinished democratic transition that has not consolidated solid institutions that

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are the instruments of an efficient government” (Aguirre and Herrera, 2013, p. 223). There is an urgent necessity to strengthen government, both on the state and municipal levels, to prevent the continuation of delinquency and impunity. Hence, organized crime groups are able to flourish because of the prevalent weakness of political institutions within Mexico (Aguirre and Herrera, 2013, pp. 221-2). This is not solely limited to organized crime groups, such as cartels, but can also extend to piracy groups, both on the subsistence and the professional level.

As previously discussed, weak governance and institutions can encourage or facilitate corruption. Mexico was ranked 124 out of 179 on the Corruption Perception Index (CPI) in 2020[5] (Transparency International, 2021). Corruption on all levels — from mayors to presidents — has long been imbedded in the Mexican state. It is seen by most Mexicans as “one of the nation’s most pressing problems (..) but its severity and frequency have continued unabated for several decades” (Warf, 2019, p. 30). In the case of rising piracy incidents, Mexico’s navy minister has in fact accused the crew members of collusion with pirates, an assertion which enraged mariners. As a reaction, representatives of different maritime organization have accused the Mexican government of corruption, arguing that the Navy’s response time to emergency calls is too long and that they fail to patrol the zone properly (Semple, 2020).

Conclusion

In the analysis of this paper, the author applied commonly stated drivers of modern piracy to the current situation in the SGoM, to determine if the area could become the next piracy cluster. To that extent, poverty, relative deprivation, social exclusion, but also geography, culture, skills, governance, and corruption were considered. The analysis has shown that the conditions are largely met. The SGoM possesses geographical properties conducive to piracy, such as a long shoreline with estuaries offering potential hideouts, proximity to key maritime choke points and considerable resource richness, making it an attractive hunting ground for oil piracy. Mexico is experiencing high levels of poverty, and while being a large economy, said economic power is not translating to the people, leading to feelings of relative deprivation and social exclusion. A broader cultural acceptability of violence for economic ends is met, and instrumental skills present, such as arms handling, K&R, and maritime skills. Mexico’s government, putting its focus on curbing violence on land, and also experiencing reductions in its capacities due to the pandemic, has not been able to apply proper governance in the maritime space. The country is still facing institutional weakness in general, a condition that is enabling corruption on all levels.

Until now, the incidents have indicated low-scale piracy in the region. However, as previous cases have shown, it is common that piracy starts on low-levels, before developing into more advanced attacks, a change which could occur with hardly any notice. Especially the current conditions in Mexico with organized crime groups in form of cartels being rampant, should be regarded. Should cartels, who have substantial power and influence in Mexico, decide to venture into professional piracy — something that has in the past occurred within other organized crime syndicates — the situation could quickly escalate.

One of the central regional traits that distinguish the SGoM from the GoA and GoG is its location. While the piracy clusters are situated in the poorer regions of the world, the SGoM is located in North America, and is bordering the US. The proximity to the global naval hegemon is not insignificant when hypothesising over a large-scale piracy outbreak. Should piracy evolve into a cluster within the territorial waters of Mexico, there would be the possibility for an accord or a shared initiative between Mexico and the US, at the expense of Mexico’s sovereignty. This would likely lead to a swift disruption and end of a cluster.

The analysis has shown that the conditions for the SGoM to become a piracy cluster — especially with an involvement by cartels — is given. Due to the proximity to the US, there is a lower risk, but the possibility is nonetheless present. Now, how long such a cluster would be able to sustain itself, considering its proximity to the US is debatable. Nonetheless, this does not imply that the situation and area should not be closely monitored and that preparations to counteract an outbreak before it actually occurs, should not be undertaken.

Modern maritime piracy is a multifaceted phenomenon, arising out of a complex interaction of economic and social factors. It has wide-reaching consequences, for crews, oil/shipping industry, and ultimately the end consumer. Hence, Mexico should implement early response mechanisms to counter the emergence of sophisticated piracy

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operations.

Notes

[1] Privateering was a form of state-authorized non-state violence THOMSON, J. E. 1996. *Mercenaries, pirates, and sovereigns*, Princeton University Press. which European states created and used as part of their colonialist ventures of economic expansion. In this practice, private individuals were commissioned by the state to raid on enemy ships during war time BENTON, L. 2005. Legal spaces of empire: Piracy and the origins of ocean regionalism. *Comparative Studies in Society and History*, 47, 700-724..

[2] From 2005 to 2021, the ransom demands of Somali pirates “increased a staggering thirty-six fold, from an average of \$150.000 (..) to \$5.4 million” KARPATEAS, G. 2013. What impact has Somalia Piracy had on marine insurance? *The Journal of Risk Management and Insurance*, 17, 46-58.. The highest individual ransom payment on record is \$13.5 million for the Greek vessel Irene SL GIKONYO, C. 2018. Rationalising the use of the anti-money laundering regime in tackling Somalia’s piracy for ransoms. *International Journal of Law, Crime and Justice*, 52, 155-164..

[3] This form of piracy has been labelled as “oil piracy” ONUOHA, F. C. 2012. Oil piracy in the Gulf of Guinea. *conflict trends*, 2012, 28-35..

[4] In Mexico, extreme poverty is defined as having less than \$63 in rural and \$88 in urban in monthly earnings REUTERS. 2021. *Ranks of Mexican poor swell to reach nearly half the population* [Online]. Available: <https://www.reuters.com/world/americas/ranks-mexican-poor-swell-reach-nearly-half-population-2021-08-05/> [Accessed 05.01.2022]..

[5] In comparison, Nigeria is on rank 149, whereas Somalia is ranked 179 TRANSPARENCY INTERNATIONAL 2021. Corruption Perception Index 2020. Berlin, Germany..

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