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The Legal Framework For The Nigerian Maritime Vis-À-Vis The Illicit Activities In The Sector

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ABSTRACT

The maritime sector has overtime been of strategic significance for national economic development. Validly, two third of the Earth's surface is classified as marine environment, and this is made up of coastal reefs, deep oceans, estuaries, creeks, seas and other water bodies. The maritime space unarguably is not only a source of food and natural resources, but a source for promoting international, regional and local trade among countries. Once more, the magnitude of progress and growth of many great states today are firmly interwoven with their level of involvement in international maritime activities. Since the pre-colonial era, the Nigerian maritime ecosystem has played a crucial role in the economic development of Nigeria. Aside being the contemporary hub of the oil sector, it is the main doorway for international trade. Through the sea-ways, Nigeria has survived different period of intercontinental economic relations. There was the period of the voyage of discovery, the slave trade era, which witnessed the shipping of Africans overseas, the legitimate trade in Nigerian palm oil and other resources used in European industrial manufactures, were the main articles of maritime trade. Today, the sale of crude oil, petroleum products and other mineral as well as non-mineral resources are essentially done through shipping on the maritime domain. Applying analytical historical method to investigate the issues in contention through in-depth examination of secondary sources, the article explored the nature, dynamics, causes and responses to the worrisome activities in the Nigerian maritime space. Particular attention was paid to the affliction of oil theft and piracy, unregulated and unreported illegal fishing, oil pollution,

militancy and other maritime security challenges. The study revealed that fragile institutional frameworks and overlapping directives and the penetrable nature of the maritime environment have facilitated the expansion of criminal syndicates that have international appeal. The article concluded by exploring policy recommendations for the re-establishment of peace and tranquillity to the maritime environment.

Keywords: *Legal framework, illicit activities, Nigerian Maritime.*

1.0 Introduction

The marine environment historically, has been of vital relevance for national economic growth. Apparently, 60 percent of the Earth's surface is categorised as marine ecosystem, and this encompasses deep oceans, coastal reefs, seas, estuaries, streams and other water bodies.¹ The marine sector is not only an unquestionable supply of resources as well as food, but a source for fostering local, regional and worldwide commerce among states.² Again, the degree of development and advancement of many powerful countries today are tightly intertwined with their level of engagement in international marine operations.³ The Nigerian marine ecosystem has had unprecedented importance in the commercial history of Nigeria from the pre-colonial era. Besides being the current heart of the oil sector, it is the key portal for foreign commerce.

Nigeria has weathered several periods of international commercial interactions through the ocean. There was the period of the voyage of discovery, the slave trade era, which saw the transportation of Africans abroad, the lawful commerce in Nigerian palm oil and other resources employed in European industrial manufacturing, were the major commodities of marine trade. Today, the sale of crude oil, petroleum products and other mineral as well as non-mineral resources are largely done via shipping on the marine realm.

Again, Nigeria is endowed with vast deposits of crude oil and gas, and most of it is extracted offshore. Expectedly, this move from agro-allied based economy to export-import dependent economy has in no little measure, produced an extended marine engagement for the

¹ UNEP, 'Environmental Assessment of Ogoniland' (2011). Retrieved from www.wedocs.unep.org/bitstream/handle/20.500.11822/25282/ogoniland > Accessed 5th December, 2022.

² *ibid*

³ E. Lopez-Lucia, *Fragility, violence and criminality in the Gulf of Guinea (Rapid Literature Review)* (United Kingdom: GSDRC, University of Birmingham, 2015) 45.

nation.⁴ Be that as it may, notwithstanding the aforementioned potential of maritime space, the blooming phenomena of maritime crimes has remained a substantial concern and a highly complicated contemporary problem to Nigeria in particular and the worldwide community in general

Illicit marine operations have gradually expanded into a global market spanning many countries with Nigeria being the hub of such activities in the vicinity of the Gulf of Guinea.⁵ It is crucial to mention that the history and incidence of marine crimes may vary in pattern and severity, their repercussions are worldwide. Since the 18th century, the strategic significance associated to the water-ways and their resources, heightened the susceptibility of most European littoral states to maritime security conflicts and threats from piracy and other related maritime crimes.⁶ By the 20th century, piracy which supposedly was the famous sea crime at the time was prohibited by the worldwide community as a gesture towards fostering maritime security and unrestricted international commerce.⁷

While marine crimes are prohibited, illicit activities continue to dominate the maritime sector and have taken on a lethal and unsettling component in Nigerian sea bodies. Whilst commercial and spatial significance of this swath of marine environment inside the Gulf of Guinea is undeniable, a network of clandestine and unlawful operations within Nigerian coastal jurisdiction has disrupted the free movement of trade and maritime activity.⁸

Deploying critical/analytical historical technique to probe the topics in dispute via content analysis of secondary sources, the article analysed the origins, nature, dynamics and reactions to the adverse activities in the Nigerian maritime domain. Particular focus was dedicated to piracy and the problem of oil theft, illicit, unreported and unregulated fishing, militancy, oil pollution and other marine security concerns. From the facts adduced from the research, we discovered that weak institutional frameworks and overlapping mandates and the porous character of the marine environment have fostered the expansion of criminal syndicates

⁴ C. Ezeozue, 'Piratical Challenges in the Nigeria Ocean Space: Implication for National Security', (2019) 4(10) *International Journal of Research and Innovation in Applied Science*, 57.

⁵ W.A Balogun, 'Crude Oil Theft, Petro-Piracy and Illegal Trade in Fuel: An Enterprise-Value Chain Perspective of Energy-Maritime Crime in the Gulf of Guinea' (A dissertation submitted to the Department of Politics, Philosophy and Religion, Lancaster University, Lancaster, United Kingdom, 2018)

⁶ International Maritime Bureau, *Piracy and Armed Robbery against Ships: Annual Report for the period of 1 January to 30 September 2009* (London: International Maritime Bureau)

⁷ ibid

⁸ Ezeozue (n 4)

that have global appeal. We finished by considering policy possibilities for the restoration of peace and tranquillity to the marine environment.

2.0 Brief Overview: Nigeria's Maritime Ecosystem

Arguably, Nigeria is a coastal state with a reputation for possessing the third longest river in Africa, the River Niger. Nigeria's entire landmass is 923,768 sq. km, while the coastline is 853km. The beach spans from Seme border in Badagry to Ikang in Cross River State.⁹ With 12 nautical miles of territorial seas, Nigeria is endowed with interior waterways resource estimated at 4,000kms. It is additionally provided with 24 nautical miles of contiguous zone as well as 200 nautical miles of Exclusive Economic Zone.¹⁰ Nigeria is advantageously located to profit optimally from national, regional and global marine commerce and interactions.

The Niger Delta area whose waters remain one of the world's richest ecology, might properly be referred to as the epicentre of Nigeria's marine environment.¹¹ The area containing around 20,000 square kilometres and spreading across a coastline of roughly 450km finishing at the Imo river entry, is the biggest coastal region of Nigeria, with 2,370 square kilometres of the delta consisting of rivers, creeks and estuaries.¹² Amadi recognised the 36 estuaries that make up the wide coastline of Nigeria are classified into four geomorphic groupings.¹³ Specifically, Niger Delta unit alone possesses 21 of the 36 estuaries.¹⁴ It is thus not unexpected that the region is designated the third biggest delta in the world.¹⁵ In addition, the Nigerian waterways are in no little measure rich in resources ranging from fisheries, aquaculture, oil and mineral resources whose trade and commercial values have considerable influence on tourist and foreign currency potentials for Nigeria.¹⁶ The worldwide commercial values of these resources no doubt have played vital roles in up-scaling Nigeria's utilisation of the water-ways so unquestionably generating an expanding marine sector for the country throughout the years.

⁹ N. Zabbey, F.D Giadom & B.B Babatunde, 'Nigerian Coastal Environments' (2019). In: C. Sheppard (Ed), *World seas: An environmental evaluation* (United Kingdom: Elsevier Academic Press) 64.

¹⁰ O. Adeaga, 'Morphology Analysis of Niger Delta Shoreline and Estuaries for Ecotourism Potentials' (2014). In: C. Descamps, Jean -Paul Barousseau, and S. Diop (Eds), *The Land/Ocean Interactions in the Coastal Zone of West and Central Africa* (Berlin: Springer International Publishing) 108-118

¹¹ Balogun (n 5)

¹² *ibid*

¹³ A.A Amadi, 'The coastal and marine environment of Nigeria: Aspect of ecology and management' (1991) *Nigeria Institute for Oceanography and Marine Research (NIOMR)*, Technical Paper No. 76

¹⁴ *ibid*

¹⁵ *ibid*

¹⁶ Adeaga (n 10)

3.0 Illicit Activities in Nigeria's Maritime Sector

Illicit activities, as defined by the World Economic Forum's Global Agenda Council, are acts related to finances, products, or any asset obtained through illicit operations.¹⁷ In the maritime context, illicit activities are acts or conducts committed by individuals or organised groups of people that subvert or prevent formed local and global rules of conduct and ethics of business and industrial operations in the maritime or ocean space, typically for personal or group economic gain or for other reasons. It includes, among other things, people and drugs trafficking, militancy, illegal and unreported fishing, marine pollution, sea piracy, illegal trade in natural resources and armament, smuggling, and illicit money flows via sea-ways.

Piracy is one of the persistent criminal activities in the territorial seas of Nigerian. As the case with many concepts within scholarly circles, piracy suffers definitional pluralism. Orakwusi remarked that combatting piracy is always difficult due to the lack of agreement on its definition and architecture. This is not unrelated to the fact that not only does piracy have a national, regional, and global scope, and is not limited to a certain territorial area, but it has also evolved into a more complex and dangerous form in recent years.¹⁸ Notwithstanding, Section 101 of the United Nations Convention on the Law of the Sea (UNCLOS) recognizes piracy as 'any unlawful acts of violence or imprisonment, or any act of depredation perpetrated for private interests by the crew or the passengers of a private ship or a private aircraft, and directed.'¹⁹

Undoubtedly, piracy is an immoral practise that hinders legal economic activities in the marine area. While the argument may be held to a significant degree that piracy is an age-long worldwide maritime concern, which originated with the history of shipping, the danger in the recent past has become a topic with renewed character, trend and pattern along the coast of Nigeria.²⁰ Hence, Okoronkwo *et al* asserts that piracy began hitting the Nigerian coast and waterways considerably from the early an expanded oil exporting and accompanying significant rise in import of foreign products via vessels arriving at key sea ports in Nigeria.²¹

¹⁷ World Economic Forum, 'State of the Illicit Economy' (Global Agenda, 2015)

¹⁸ M. Orakwusi, 'Legal Tools for Combating Piracy in Nigerian Waters' (2010). Being a paper presented at the 25th Annual Conference of the Fisheries Society of Nigeria held between 25th and 29th October in Lagos, Nigeria.

¹⁹ Section 101 of the United Nations Convention on the Law of the Sea (UNCLOS)

²⁰ Orakwusi (n 18)

²¹ U.L Okoronkwo, E.N Okpara and C.E Onyinyechi, 'National Security and Maritime Piracy in Nigeria: A Sociological Discourse' (2014) 2(1) *Humanities and Social Sciences Letters*, 60.

One consequence among others, of this boom in maritime traffic on Nigerian waterways, is the ‘opportunity’ it presented for criminally-minded people and organisations, generally with specialised and international connections to mount piratical assaults on ships to dispossess crew of cash and cargo.

Pirates may easily elude security forces by hiding in the creeks and swamps where they assault ships and commit other illegal maritime crimes since they are familiar with the dangerous and forbidden terrain of the Niger delta.²² They accomplish this with the aid of dishonest and corrupt marine employees as well as duped security personnel, and as a result, they spread terror and violence, seize ships by force, pillage their cargo, and rob the crew—usually of foreign currency and other valuables on board—as well as the crew. They frequently abduct and hold hostage marine and oil employees for ransom because to their insatiable desire for money, and they also seize oil tankers that are afterwards sold on the black market.²³ Records show that instances of piratical attacks along Nigerian waterways continue to be remarkably common in the Gulf of Guinea countries.

The International Maritime Bureau (IMB) has collected information about attacks that occurred between 2003 and 2011 between states in the Gulf of Guinea. Out of the total of 369 cases of attacks in the countries within the Gulf of Guinea states between 2003 and 2011, Nigeria alone accounted for 235 of the 369 attacks that occurred in the Gulf of Guinea states between 2003 and 2011 according to the table. Nigerian territorial waters are undoubtedly a significant centre for piracy and other illegal activities given the unenviable number of instances of pirate attacks.²⁴

The grant of amnesty to militants in the Niger Delta and the concerted effort of the Nigerian Navy and other agencies who took the bull by the horns to tame the improper activities of criminal elements may once again not be unrelated to the lowest incidence of 10 in 2011.²⁵ According to Ezeozue, the country recorded 58 of these pirate attacks in 2012 alone, more than double the number of attacks seen in recent years. These attacks were concentrated in the oil-rich Niger Delta and the commercial seaways surrounding Lagos, where piracy is a problem

²² *ibid*

²³ *ibid*

²⁴ International Maritime Bureau, ‘Piracy and Armed Robbery against Ships: Annual Report for 2009-2014’ (London: International Maritime Bureau 2014)

²⁵ *ibid*

that has been made worse by a rise in militant activity.²⁶

In any case, the Nigerian ocean space, particularly in the Niger Delta area and around the ports of Lagos and Apapa, has seen the disruption of maritime trade and endangered the lives of seafarers and naval personnel. Due to the fact that sea pirates' illegal activities frequently involve ships, cargo, and crews from other countries, these crimes have global repercussions. The unquestionable threats to human life, national security, international peace, and significant local, national, and international economic losses are all effects of piracy attacks and armed robberies on Nigerian waterways.²⁷ For families, communities, and maritime nations, as well as for international peace, these have created implications for human rights, economic, social, environmental, and governance.

According to Nigerian Watch, violence related to piracy claimed 18, 009 lives in Nigeria between 2006 and 2014. If all death incidents along the maritime domain, including militant engagements with naval forces, attacks on oil offshore facilities, and clashes among cult groups operating on the sea ways, are factored into the processed figures, the above figures may not adequately capture the enormity of the detrimental impact of pirate attacks.²⁸ However, piracy is a very serious problem that has a significant negative impact on Nigeria's socioeconomic and even political situation. It has had multiplier effects on the rise in the criminal dimension of the so-called "freedom fighters," who are made up of pirates, sea robbers, and mafia-like "cultists," and has significantly contributed to increased household poverty and environmental degradation in the Niger Delta.²⁹

With piracy having a direct negative impact on Nigeria's economy, its escalation and continued occurrence in Nigerian waters over the years without abatement raises serious questions about the strength and effectiveness of national and international forces in battling the despicable trend. There is ample proof that Nigeria is the violence epicentre from which criminal activity is spreading to other nations in the Gulf of Guinea. The International Maritime Bureau believes that the Gulf of Guinea has replaced Somalia as the new global hub of oil theft and related crimes because of the unrest in Nigerian seas, which is considered the epicentre of

²⁶ Ezeozue (n 4)

²⁷ O. Godwin & A. Onyegbadue, 'Nigeria, Indonesia others Rank high in Piracy' (2013). Retrieved from www.vanguardngr.com/2013/10/nigeria-indonesia-others-rank-high-piracy/ Accessed 5th December 2022.

²⁸ A. Jimoh, 'Maritime Piracy and Lethal Violence Offshore in Nigeria' (2015) *IFRA-Nigeria working paper series*, no, 15

²⁹ Okoronkwo (n 21)

maritime crimes.³⁰ The agency's data also shows, for instance, that between 1991 and 2012, there were 663 registered marine crimes and attacks, including piracy and armed robberies, of which 335 occurred in Nigeria. Out of the 31 real and attempted cases of piracy in the entire Gulf of Guinea in 2012, the IMB, revealed that 22 cases, including the hijacking of four ships, were registered in Nigerian waterways.³¹

The Nigerian Navy report revealed that the monthly recorded piracy assaults in Nigeria are between 10-15 incidents on its stretch of the Gulf of Guinea, supporting these indications of a maritime scourge in the country. It is even more tragic to note that this phenomenon of crimes and illegal activities involving waterways will likely continue to rise in the years to come given the frailty of the current security framework and maritime management measures by the international community, in particular the Nigerian state, which have failed to address the marine issues.³²

The illegal trade in small arms and light weapons, as well as other deadly weaponry, is a complication of piracy and is linked to the risky criminal activity in Nigerian bodies of water. The avenue for the importation of a stockpile of weapons for various criminal tendencies is the marine route.³³ This was demonstrated by the seizure of 13 containers filled with rocket launchers, grenades, and other ammunition by Nigerian Customs in 2010, the seizure of 2,761 pump-action rifles from Turkey in 2017, and the seizure of an additional 661 pump-action rifles from Turkey in 2018.³⁴

Different levels of insurgency in Nigeria have continued to be fueled by the spread of small and light weaponry in the country's coastal areas. Unreported and illegal fishing is another area of influence for the continuation of unlawful activities in the Nigerian marine environment. It must be emphasised that Nigeria's fishing sector is essential to the country's

³⁰ IMB 2014 (n 24)

³¹ *ibid*

³² G. Nicoloso, 'Increase of Piracy Activities in the Gulf of Guinea: First attack in 2019 off the Coasts of Benin' (2019). Retrieved from <https://criticalmaritimeroutes.eu/2019/01/07/increase-of-piracy>> Accessed 7th December, 2022.

³³ S.O Aghalino and O.S James 'Mapping the Security, Environmental and Economic Costs of Pipeline Vandalisation in the Niger Delta, Nigeria.' (2014). In: U.M Nwankwo *et al* (eds.) *Towards Peace, Security and Sustainable Development in Africa* (Berlin Mediateam IT Educational Publishers) 35-51

³⁴ Okafor-Yarwood and Pigeon, 'Stable Seas: Gulf of Guinea. In: One Earth Future.' (2020). Retrieved from <https://safety4sea.com/wp.content/uploads/2020/04/gulf-guinea-executive-summary>> Accessed on 6th December, 2022.

economic development and the welfare of its people.³⁵ It is a sector that, by creating jobs and revenue, especially for fishing villages, can meet Nigerians' demand for fish and contribute to their socioeconomic development. The Nigerian maritime environment is undoubtedly one of the most diverse and productive fishing areas in the world, home to over 104 freshwater and saltwater marine fish species.³⁶

Nevertheless, domestic fish production in Nigeria falls far short of the country's population's demand for fish, despite the country's enormous fish resources. As a result, the nation is heavily dependent on fish imports to meet its annual domestic fish consumption needs, which total around 2.66 million tonnes.³⁷ Therefore, it makes sense that Nigeria has not yet fully reaped the rewards of its marine fish resources, in large part because of the problem of illicit and unreported fishing activities along its maritime environment. While it is known that Nigeria spends more than 125 billion per year on the importation of 1.90 million metric tonnes of fish, in 2015 alone. Nigeria is now the unpleasant title of the world's top fish importer due to the increase in fish imports.³⁸

An additional problem to the one mentioned above is that foreigners who engage in illicit fishing, especially with large trawlers and sophisticated weapons, often cause mayhem for local fishermen.³⁹ As a result, the number of artisanal fishermen, who are supposed to meet the fishing needs of their communities and the country as a whole, has dramatically decreased over time. Due to the loss of the fishing enterprise to the threat of illegal and unreported fishing in the area, illegal fishing has significantly contributed to a perceptible increase in hardship among the people in Nigeria's coastal regions, particularly in the Niger Delta where fishing is one of the major traditional occupations of the people.⁴⁰ The sharp decline in fish population that results from this tendency also causes fish to become unaffordably expensive in common markets, which reduces the amount of people who need protein and, as a result, causes health problems, frustrations, and general dissatisfaction in the afflicted communities.⁴¹

³⁵ J.O Olalekan & W.G Ojebiyi, 'Marine Fisheries in Nigeria: A Review' (2018) *Marine Ecology - Biotic and Abiotic Interactions*. Available at <www.intechopen.com/books/marine-ecology-biotic-and-abiotic->. Accessed 4th December, 2022.

³⁶ *ibid*

³⁷ Zabbey (n 9)

³⁸ A.A Adewumi, 'Aquaculture in Nigeria: Sustainability Issues and Challenges' (2015) 3(12) *Direct Research Journal of Agriculture and Food Science Research*, 223.

³⁹ *ibid*

⁴⁰ *ibid*

⁴¹ *ibid*

The intensification of inter-group contacts among the communities in the Niger Delta is a corollary to the multiplier of the decline in fish stock. The constant competition and disputes between the various villages over the accessible marshes and fishing grounds have, in most cases, resulted in the devastation of lives and property.⁴² In the oceans of coastal nations, illegal fishing is a common occurrence that is understandably unreported and illegally trafficked. One of the biggest obstacles to current international fisheries legislation is the phenomenon's worldwide and complicated nature.⁴³ To escape the sharp eyes of security officials, the practise and the agents involved in it are carried out in Nigeria on remote high seas.⁴⁴

As a result, estimates used in formal fisheries stock management are used to calculate such unreported catches. These estimates are frequently challenged by under- or overestimations, making it difficult for anti-illegal fishing forces to determine the precise quantity of fish that is even caught in this way.⁴⁵ According to data that is currently available and published by the European Union and the Organization for Economic Co-operation and Development (OECD), between 15% and 30% of all annual fishing around the world is illegal or unreported.⁴⁶ The problem of international trafficking is closely tied to the harm caused by unreported and illegal fishing. The Nigerian marine sector is heavily populated by trafficking in various goods. Multifaceted transnational trafficking exists. Human trafficking is viewed by the United Nations Convention against Transnational Organized Crime (2000) as:

‘the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation’.⁴⁷

⁴² S.O Aghalino, ‘Oil Exploitation and the Accentuation of Intergroup Conflicts in the Niger Delta, Nigeria’ (2009) 28(3) *Journal of Human Ecology*, 153

⁴³ *ibid*

⁴⁴ *ibid*

⁴⁵ *ibid*

⁴⁶ H.N Scheiber, ‘Economic Uses of the Oceans and the Impacts on Marine Environments: Past Trends and Challenges Ahead’ (2011). In: D. Vidas and P. J. Schei (Eds.), *The World Ocean in Globalization: Climate Change, Sustainable Fisheries, Biodiversity, Shipping, Regional Issues* (Leiden/Boston: Martinus Nijhoff Publishers) 53.

⁴⁷ United Nations Convention against Transnational Organized Crime 2000, Art 3.

Human trafficking is not a recent phenomenon. But in recent years, it has assumed a multifaceted dimension. Human trafficking now has many different aspects as a result of globalisation. It has grown into a multi-billion-dollar industry that is centred on the need for cheap labour and sex commercialization. There are strong indications that Nigeria is a major player in internal human trafficking, just like in the area of piracy and piratical attacks. Nigeria is regarded as a place of origin, transit, and destination for victims of trafficking, according to report.⁴⁸ In other words, the nation has developed a reputation for being one of the top countries for human trafficking, making it a place where the crime is committed and victims are sought out, a route for traffickers to travel through, as well as a final destination for those who have been the victims of external trafficking from nearby nations like Cameroon, Chad, Liberia, and Mali.⁴⁹

According to Serge, victims of human trafficking in Nigeria are primarily recruited from the Niger Delta and other parts of the country before being transported primarily by sea to Gabon, Cameroon, and Guinea to work menial jobs and make money for both themselves and their traffickers.⁵⁰ The proliferation of the drug trade in Nigeria's waterways is another issue, in addition to human trafficking. Drug traffickers from South America use Nigerian waterways as transit points for their nefarious trade in part because of the porous nature and insufficient policing of the country's maritime space.⁵¹ A significant problem in the Nigerian maritime environment is illegal oil bunkering. The important thing to remember is that legitimate oil bunkering is a part of maritime shipping activities by licenced agents to deliver fuels, water, or lubricants as needed. When bunkering is done without a legal permit or against Nigerian maritime laws, it becomes illegal. So, stealing oil from pipelines, flow stations, and export terminals constitutes illegal oil bunkering.

According to of the Constitution, the federal government is expressly granted ownership and management of all minerals in Nigeria.⁵² Through a well-oiled network of local and international criminal gangs, illegal oil bunkering is carried out. According to Asuni, the presence of armed ethnic militias, incompetent and corrupt business employees, an established

⁴⁸ Pathfinders Justice Initiatives, 'Nigeria: Human Trafficking Factsheet' (2022). Retrieved from <https://pathfindersji.org/nigeria-human-trafficking-factsheet/>> accessed 15th December, 2022.

⁴⁹ ibid

⁵⁰ R. Serge, 'Piracy and Maritime in the Gulf of Guinea: Experience –Based Analysis of the Situation and Policy Recommendations' (Kiel: Institut für Sicherheits Politik an der Christian, Albrechts-Universität zu, kiel, 2015) 12

⁵¹ ibid

⁵² Constitution of the Federal Republic of Nigeria, 1999 (as amended), s. 44(3)

worldwide market for stolen crude, and chronic corruption in Nigeria all contribute to the growth of oil bunkering in the Niger Delta.⁵³ What should be highlighted is that there are solid signs that the criminal organisation, foreign middlemen, and local security agents are involved in this nefarious economic sabotage.⁵⁴ According to reports, "Nigerian crude is stolen on an industrial scale" and the earnings of the illegally bunkered crude oil are laundered both inside and outside of Nigeria.⁵⁵ Indeed, oil bunkering has enormously detrimental effects in Nigeria's territorial waters. The marine ecosystem suffers numerous effects when stolen crude is transported through the Nigerian waterways in barges, canoes, ships, and other boats that are not seaworthy.

The same holds true for illicit artisanal oil refineries, whose unethical waste disposal practises harm ground water and destroy aquatic habitats.⁵⁶ Nigeria has suffered a huge economic loss as a result of illegal oil bunkering. There are several estimations by academics on the volume and amount of oil that is stolen through illicit bunkering in Nigeria because statistics concerning the oil business are difficult to come by due to its opaque nature. Between 40,000 and 100,000 barrels per day are stolen, according to Osinowo, and the Nigeria Extractive Industries Transparency Initiative (NEITI) shows that stolen refined and unrefined oil totaled \$41.9 billion between 2009 and 2018.⁵⁷ According to estimates made by some academics and observers, Nigerian oil may have been missing or outright stolen to the tune of \$1.7 billion.⁵⁸ The Nigerian economy is on a knife-edge due to the presence of illicit refineries and oil thieves, which also compromises the ability of the government to raise funds to implement state policies.

4.0 Causes of Illicit Activities in Nigerian

⁵³ J. Asuni, *Blood Oil in the Niger Delta*, (USIP Special Report, 229, Washington DC: United States, 2009)

⁵⁴ International Crisis Group (ICG) *African Report*. *The Gulf of Guinea: The New Danger Zone?* (2012). Retrieved from www.crisisgroup.org/media/files/central-africa/195-the-gulf-of-guinea> Accessed 10th December 2022

⁵⁵ F. Christina and A. Sayne, *Nigeria's Criminal Crude: International Options to Combat the Export of Stolen Crude* (London: Chatham House, 2013) 1.

⁵⁶ Bolaji, B.B.; Nenibarini, Z., Ijeoma F.V.A., and Gabriel O.M.2018. Bunkering Activities in Nigerian Waters and Their Eco-Economic Consequences. In: Emeka Ndimele (ed). *The Political Ecology of Oil and Gas Activities in the Nigerian Aquatic Ecosystem*, (Cambridge, Massachusetts, Elsevier) 439-446

⁵⁷ A.A. Osinowo, 'Combating Piracy in the Gulf of Guinea' (2015) 30 *Africa Security Brief*; Nigeria Extractive Industries Transparency Initiative (NEITI) '\$42 billion Lost to Crude Oil Theft in Ten Years', (2020). Retrieved from <https://neiti.gov.ng/index.php/media-centre-news/487-net-neiti-42b-lost-to-crude-oil-and-products-theft-in-ten-years>> Accessed 10th December, 2022.

⁵⁸ NEITI, *ibid*

Maritime Sector

The dynamics and aetiology of illegal activity in Nigerian territorial waters are hotly debated. Some academics have focused on greed and complaints,⁵⁹ whereas others have examined the crisis from a cost-benefit analysis perspective.⁶⁰ However, because the problems have both local and global implications, it would be more beneficial to take a comprehensive approach to understanding what motivates illegal activity in the maritime sector.⁶¹ One key concern is Nigeria's geographic proximity to her neighbours, which has effectively functioned as a recipe for maritime instability on Nigeria.

Geographically, there is general agreement among historians, especially those who focus on Africa, that European colonialism in Africa was responsible for the arbitrary and indiscriminate division of African lands into "splinter states" across many ethnic groups. Geographical and artificial boundary issues have undoubtedly been brought about by this in the area.⁶² The Bakassi Peninsula between Nigeria and Cameroon is an example of this unfavourable geographic divide's numerous land and water border disputes, which have increased since the years of oil discoveries and transportation across the region.⁶³ The point here is that the disputed areas, particularly the waterways, suffer from an increased lack of cooperation among the security forces of the participating states, leading to porous maritime borders and the challenge of ineffective policing, making the water bodies vulnerable and a hangout for criminals.

The overwhelming security issues in Nigeria, such as piracy, kidnapping, drug trafficking, and human trafficking, are not unrelated to the failure of succeeding governments. If the deprivation and degradation of the region by successive governments had been sufficiently addressed, the question of militancy, arms proliferation, and insurgency, which have turned the region into a conflict-ridden environment, would not have arisen.⁶⁴ As a result, the Niger Delta's residents' economic situation foreshadows a crucial issue in the conversation

⁵⁹ M. Watts and S. Ibaba, 'Turbulent Oil: Conflict and Insecurity in the Niger Delta', (2011) 4(1) *African Security*, 1.

⁶⁰ P.A Igbinovia, *Oil Thefts and Pipeline Vandalisation in Nigeria*, (Ibadan: Safari Books Ltd, 2014) 143

⁶¹ *ibid*

⁶² *ibid*

⁶³ *ibid*

⁶⁴ C. Ukeje & W. Mvomo-Ela, *African Approach to Maritime Security; The Gulf of Guinea*. (Abuja: Friedrich – Ebert-Stiftung, 2013) 76.

about the security of Nigeria's waterways.⁶⁵ The fact that coastal residents' poverty rates are comprehensibly higher than those in the hinterland makes the former particularly susceptible to expected gains from illegal activities like oil theft, illegal fishing, piracy, and human and drug trafficking.⁶⁶

With these indicators of underdevelopment firmly established, the cost of living, for example, is among the highest in the nation in the oil-rich Niger Delta region, which has exacerbated its residents' poverty and level of resentment, creating a "perfect storm" for maritime crime. One obvious result of this is that people are easily persuaded to participate in illegal activities as victims. On the other hand, according to ICG, the level of crime, such as piracy, committed by coastal residents is a sign of radicalization and willingness.⁶⁷ Therefore, it is not surprising that the pattern and years of resource and human exploitation in the area are inextricably linked with the history of agitations, violence, and political demands in the oil-bearing enclave of the Niger Delta.

Some Niger Deltans, and in fact the entire nation, have made themselves available to be used as tools and cannon fodder by powerful maritime crime syndicates to carry out all manner of illicit activities in Nigeria's maritime space in the absence of the Nigerian state and oil companies offering workable alternatives. According to Amnesty International, this institutional issue is a catalyst for the escalation of criminal activity in Nigeria's maritime sector. As a result, the ability of the maritime security authorities to effectively combat prevalent criminal acts that constitute maritime insecurity on the country's waterways has been adversely affected or compromised. Criminals on ships are not particularly well-researched and prosecuted.⁶⁸

There exist rules prohibiting unlawful behaviour, such as fishing, but the crime has grown in breadth due to the inability to deter it effectively and credibly by using the force of the law against those who engage in it. Due to a number of interconnected issues, including inadequate financing, outdated weaponry and ships, and a lack of naval staff motivation, the Nigerian Navy, a vital agency in providing marine security, is hindered by the size of the

⁶⁵ ibid

⁶⁶ Ibid

⁶⁷ ICG (n 53)

⁶⁸ Amnesty International, *Clean it up: Shell's False Claims about Oil Spill Response in the Niger Delta* (London: Amnesty International, 2015)

country's maritime territory.⁶⁹ Due to a lack of monitoring and the ability to actively guard and monitor the waterways, the overall effect is reflected in the rise in maritime criminal activities.

5.0 Some Selected Legal Framework for Maritime Law in Nigeria

These laws are required for a thorough knowledge of the set of laws and procedural norms that govern the movement of goods and persons, the utilisation of mineral wealth, trade, and movement in Nigerian waterways.

5.1 The Constitution

Minerals, mineral oils, and natural gas are by virtue of the Constitution owned by the federal government. This transcend resources situated on land to those situated in the territorial waters, including Nigeria's Exclusive Economic Zone.⁷⁰ The state is also charged by the Constitution with improving and protecting Nigeria's environment and biolife.⁷¹ The Constitution gives the Federal High Court exclusive jurisdiction in civil cases and matters relating to admiralty jurisdiction.⁷²

5.2 Admiralty Jurisdiction Act

In addition to the earlier constitutional provisions regarding the jurisdiction of the Federal High Court, the Admiralty Authority Act specifies the scope of the court's jurisdiction. The court's admiralty jurisdiction over transportation and delivery of goods extends from the moment the products are loaded onto a ship for shipping until the time the merchandise is delivered to the buyer or whoever is to receive them, regardless if the commodities were moved on land throughout the process.⁷³ Any arrangement or putative contract, pecuniary or otherwise, linked with or pertaining to the transport of goods by water, irrespective of whether the contract of carriage is signed, is subject to the court's admiralty jurisdiction.⁷⁴

⁶⁹ C. Barrio, *Fighting piracy in the Gulf of Guinea Offshore and Onshore*. (Paris: EUISS 2013) Available online at <www.library.fes.de/pdf-files/bueros/nigeria/08607pdf>. Accessed 7th December, 2022

⁷⁰ Constitution of the Federal Republic of Nigeria, 1999 as amended, s. 44(3)

⁷¹ *ibid*, s. 20

⁷² *ibid*, s. 251(1)(g)

⁷³ Admiralty Jurisdiction Act, s. 1(1)

⁷⁴ *ibid*, s. 1(3)

5.3 Merchant Shipping Act

The Merchant Shipping Act of 2007 governs most aspects of merchant shipping and other labor-related issues.⁷⁵ The Act created the Agency for Marine Safety Administration, which is in charge of marine safety, administration, and security.⁷⁶ Under the Act, all ships operating commercially in or from Nigerian waters must acquire a certificate of licence.⁷⁷ The Minister may, by notice, exclude a licenced Nigeria ship or a class of Nigerian ship from registration under this Act when operating beyond Nigerian waters.⁷⁸ The Merchant Shipping Act is the primary legislation governing collisions in Nigeria addressing culpability in accident instances.⁷⁹

The Merchant Shipping Act also restricts procedures in Nigeria for maritime claims or liens against a ship or its owners for any damage or loss. Proceedings for such damage or loss must be initiated within two years of the date the damage, loss, or injury occurred or the salvage services were completed.⁸⁰

5.4 Nigerian Maritime Administration and Safety Agency Act

The Nigerian Maritime Administration and Safety Agency (NIMASA) Act 2007 establishes the Nigerian Maritime Administration and Safety Agency and provides for the promotion of maritime safety and security, marine environment protection, shipping registration and commercial shipping, maritime labour, and other related matters. Its goal is to promote indigenous commercial shipping in international and maritime trade.⁸¹

The NIMASA Act applies to all ships registered in Nigeria, whether small ships or crafts, as well as any other ships flying a foreign flag in the country's Exclusive Economic Zone, territorial and inland seas, inland waterways, and ports.⁸² The Act gives NIMASA the authority to make regulations governing the disposal of ship or manufactured rubbish into Nigerian

⁷⁵ S.C Dike and P.G Gininwa 'An Appraisal of the Nigerian Legislation and Institutions Governing Maritime Environment' (2019) *SSRN Electronic Journal* 10.2139/ssrn.3514479

⁷⁶ Merchant Shipping Act 2007, s. 2

⁷⁷ *ibid*, s. 5(1)

⁷⁸ *ibid*, s. 5(2)

⁷⁹ *ibid*, ss. 338–344

⁸⁰ *ibid*, s. 343

⁸¹ Dike (n 75)

⁸² *ibid*

waterways with the Minister's approval.⁸³

The NIMASA's powers and duties are outlined in Section 22 of the Act. These functions and duties include: regulating and administering seafarer certification; pursuing the development of shipping and regulatory matters relating to merchant shipping and seafarers; establishing maritime training and safety standards; regulating the safety of shipping in terms of ship construction and navigation; providing directions and ensuring compliance with vessel security measures.

5.5 Coastal and Inland Shipping ('Cabotage') Act 2003

The Cabotage Act of 2003 oversees marine shipping activities. The purpose of the Act is to: limit the use of foreign ships in domestic coastal trade; foster the growth of indigenous tonnage; establish a carriage of goods vessel funding facility; and for other related purposes. The Act's primary goal is to increase Nigerian ship ownership and limit the honour and use of foreign vessels in Nigerian marine trade while also bolstering the country's economy through ship ownership and involvement in the business of carriage of goods and services on the Nigeria inland waterways domain.⁸⁴ The Act permits Nigerians who are interested in marine operations to invest primarily in local coastal trade, but it also allows them to operate boats in collaboration with overseas partners.⁸⁵

6.0 Responses of the Nigerian State to the Challenges of Illicit Activities in the Maritime Environment

Nigeria's independence and territorial integrity are under threat due to the frequency and severity of maritime crimes in its territorial seas. There is no question that the country is exposed from her maritime flank. This may have affected the numerous government and international initiatives to combat crime and illicit activity on Nigeria's waterways.⁸⁶ The Nigerian Navy has attempted to secure the country's waterways while working within the constraints of its available resources in an effort to reduce the prevalence of crime in the country's marine environment and to protect Nigerian citizens and all other users of our

⁸³ *ibid*

⁸⁴ *ibid*

⁸⁵ *ibid*

⁸⁶ E.E Gerald, 'Oil Crimes, National Security, and the Nigerian State, 1999-2015', (2018) 19(1) *Japanese Journal of Political Science*, 80.

maritime space from the plethora of criminal elements who have turned the Niger Delta into insurgent swamps.

As it were, Section 1(4) of the Armed Forces Act of 1993 outlined in explicit terms the Navy's responsibilities in protecting the maritime environment as follows:

the Navy shall, in particular, be further charged with (i) enforcing and assisting in coordinating the enforcement of all customs laws, including anti-bunkering, fishery and immigration laws of Nigeria at sea; (ii) enforcing and assisting in coordinating the enforcement of national and international maritime laws ascribed or ceded to by Nigeria...

There is little doubt that, as can be seen above, the Navy is weighed down by onerous responsibilities. In actuality, the Navy has fulfilled its duty in collaboration with NIMASA and other security organisations. In order to secure ships and vessels anchored in designated areas of the Port of Lagos, the Nigeria Navy established the Secure Anchorage Area (SAA) in 2013 in partnership with two private security companies.

In addition, Nigeria has worked with her neighbours to establish a regional security zone.⁸⁷ In an effort to strengthen its operations aimed at eradicating sea piracy and other criminalities endangering marine activities in Nigeria, the Nigerian Navy also launched the Operations and Tsare Teku (OTT) and Calm Waters in Warri, Delta State in 2017.⁸⁸ Operation Calm Waters concentrated on operations ashore outside of Nigeria. Operation River Sweep was launched by the Nigerian Navy to counter the activities of those who run unauthorised refineries in the Niger Delta.⁸⁹ In 2022, the military destroyed 23 illegal refineries and arrested 42 persons suspected of oil bunkering.⁹⁰

Information and communication technology has been used by the Navy to combat criminality in the maritime sector. To enable real-time monitoring of all ships in Nigeria's

⁸⁷ Osinowo (n 56)

⁸⁸ C. Okafor & K. Tsokar, 'Navy launches Operation Tsare Teku to end Piracy in the Niger Delta' (2017) *The Guardian News*.

⁸⁹ *ibid*

⁹⁰ Premium Times, 'Military destroys 23 illegal refineries, apprehends 42 oil thieves in N/Delta' (2022). Retrieved from <https://www.premiumtimesng.com/news/more-news/560697-military-destroys-23-illegal-refineries-apprehends-42-oil-thieves-in-n-delta.html>> accessed 12th December, 2022.

territorial waters, the Navy set up 24 Maritime Domain Awareness Sensor stations along the country's coastline.⁹¹ The Navy detained 40 vessels and 25 barges after the sensors revealed they had violated the SPOMO Act of 2019.⁹² Additionally, the Navy joined other special joint military special purpose vehicles to fight crime in coastal areas.

It is crucial to mention that the Operation Pulo Shield (OPS) was founded in 2012 as a complex security strategy to combat insurgency in the Niger Delta. However, the OPS was reformed, bringing in members from sister security organisations, based on the actors and operational ties between militancy and marine illegal activity in the region.⁹³ These organisations, which comprise the Nigerian Army, Navy, Air Force, and Police, are responsible for policing Nigeria's marine space and battling piracy, oil theft, and other illicit acts. The Navy has undergone considerable fleet renewal through the purchase of various platforms to aid the police of Nigeria's territorial waters in order to stay on top of the fight against criminals. In order to maximise local content, local ship builders were prioritised when making these deals.⁹⁴

Under the direction of Vice Admiral Ibok-Ete Ibas, the Chief of Naval Staff, the Nigerian Navy has conducted 38 operations over the past five years. During this time, 364 vessels allegedly in violation of maritime laws have been seized, 13 of which have been taken by the federal government while the offenders have been turned over to the appropriate agencies for prosecution.⁹⁵ To prosecute oil thieves, the Navy typically worked closely with the Nigerian Maritime Administration and Safety Agency (NIMASA) and Economic and Financial Crimes Commission (EFCC). For instance, the EFCC was able to successfully prosecute seven Nigerians and two Ghanaians who were detained in Forcados in May 2010 on board the ship MT TROICA when it was carrying 83 metric tonnes of stolen petroleum product, and they were found guilty in October 2011.⁹⁶ The patrol mandate also applies to the Nigerian Security and Civil Defense Corps (NSCD). It is important to remember that on August 1, 2006, the National Maritime Authority and Joint Maritime Labor Industrial Council merged to form

⁹¹ E. Usman, 'Maritime Security: Nigerian Navy in Five Years' (2020). Retrieved from <https://www.vanguardngr.com/2021/01/nigerian-navy-score-card-2020-arrests-87-vessels-43-barges-57speed-boats-393-others/> Accessed 15th December, 2022.

⁹² Usman (n 91)

⁹³ ibid

⁹⁴ ibid

⁹⁵ ibid

⁹⁶ ibid

the Nigeria Maritime Administration and Safety Agency (NIMASA).⁹⁷

Section 22(1) of the NIMASA Act gives the organisation the authority to do things like administer ship registration and licencing, oversee seafarer certification, set maritime and safety standards, and conduct search and rescue operations, among other things. In addition, NIMASA is anticipated to conduct patrols and law enforcement.⁹⁸ The Regional Maritime Awareness Capability programme, which is backed by the United States of America and the United Kingdom, is only one example of the flurry of other collaboration and cooperation that goes on. West Africa's ongoing ECOWAS Integrated Maritime Strategy, which aims to coordinate regional security, is now in effect. The merchant ship MT TOMMI RITSCHER was rescued in Benin Republic seas thanks to the teamwork between the Nigerian and Benin Republic Navies. Nigeria has also made an effort to stop oil theft using cutting-edge technologies.⁹⁹

This is accomplished by using Fingerprinting Technology to recognise Nigerian crude that has been stolen. This method is not very novel because it was also employed to address "blood diamonds." Ex-militants were also hired by the Nigerian government to help defend oil infrastructure and pipelines that were under risk. Oil pipeline security contractor Mujahhid Dokubo Asari received a \$9 million annually contract, while Government Ekpemupolo (Tompolo) received a \$22.9 million yearly security contract.¹⁰⁰ The Goodluck Ebele Jonathan administration ended these contracts once it took office, and the Buhari administration did the same because they lacked transparency.

The Suppression of Piracy and Other Maritime Crimes (SPOMO) Act's 2019 implementation is the cherry on top of the government's endeavour to combat maritime crimes. The Act is a courageous effort to address marine insecurity. The legal ramifications of maritime offences were explicitly laid out in the new statute.¹⁰¹ Three of the nine people who admitted guilt to hijacking the MV ELOBEY VI, a ship flying the flag of Equatorial Guinea, off the coast of Equatorial Guinea on March 21, 2020, were found guilty under the new law and each

⁹⁷ *ibid*

⁹⁸ NIMASA Act, s. 22(1)

⁹⁹ Usman (n 91)

¹⁰⁰ *ibid*

¹⁰¹ Y. Babalola, 'Anti-Piracy: As NIMASA Triumphs Against 10 Pirates' (2020). Retrieved from www.leadership.ng/2020/05/22/anti-piracy-as-nimasa-triumphs-against-10-pirates/. Accessed 17th December, 2022

received a punishment of (N20 million) twenty million Naira.¹⁰² It is hoped that using a legal strategy will dissuade potential criminals from continuing their nefarious activities in the Nigerian maritime. Given the scale of illegal activity in Nigeria's territorial seas, the nation was eager to get in touch with key players in order to address the problem head-on.

As a result, the Nigerian government has made an admirable effort to work with other countries to combat marine crimes in the Gulf of Guinea. One example is the Nigeria-Benin Operation Prosperity, which was established for the purpose of patrolling respective waterways since 2011.¹⁰³ West African defence chiefs established a maritime security subcommittee in 2011 in Abuja under the auspices of the ECOWAS Committee of Chiefs of Staff to boost regional response to security challenges posed by illicit maritime activities on regional waterways.¹⁰⁴

Nigeria is collaborating with several Western nations including the United States of America and the European Union as donor states to improve the competencies of the maritime security agencies in Nigeria.¹⁰⁵ This is again due to Nigeria's low capacity and resources. The majority of the cooperation have been in the area of capacity building and training.¹⁰⁶ Similar to past interventions by industrialised nations, aid to Nigeria in dealing with her marine crisis is subject to strict conditions and is tightly related to the financial interests of the donors. The Nigerian Navy faces another difficulty in holding her own in these collaborative efforts to combat illegal marine offences due to a lack of resources. A significant issue is the lack of necessary resources to patrol the shore lines. The number of Nigeria's frigates, large patrol boats, small patrol crafts, and four maritime patrol aircraft is again limited.¹⁰⁷

The Navy's capacity to conduct routine patrols, monitoring, and surveillance will unquestionably be hampered by these resource constraints. When operations are infrequent, pirates and other sea criminals can act without worrying about getting caught. The issue of low

¹⁰² I. Emewu, 'Anti-Piracy War: Nigerian Court Convicts 3 under SPOMO Act.' (2020). Retrieved from <https://africachinapresscentre.org/2020/08/anipiracy-war-nigeria>. Accessed 17th December, 2022.

¹⁰³ F.C Onuoha, 'Report on Piracy and Maritime Security in the Gulf of Guinea: Nigeria as a Microcosm' (2012) *Aljazeera Center for Studies*. Available at www.studies.aljazeera.net/report.>Accessed 20th December, 2022.

¹⁰⁴ T. Hastrup & E. Lopez-Lucia, *Nigeria and Regional Security* (Badia, Fiesolana : European University Institute, 2014) 87.

¹⁰⁵ *ibid*

¹⁰⁶ *ibid*

¹⁰⁷ Africa Centre for Strategic Studies (2015). *Fundamental Security Challenges Nigeria Must Face, Part 7: Maritime Security*. (2015). Retrieved from <https://africacenter.org/spotlight/fundamental-security-challenges-n> accessed 18th December, 2022.

levels of engagement and a lack of cooperation with communities and civil society organisations also exists. The coastal communities, for instance, are crucial stakeholders in protecting the maritime environment since they are familiar with the area and can provide highly helpful information and counsel. This suggests that it is unhealthy for the establishment and maintenance of marine space security in Nigeria for security services and other stakeholders to undermine the communities' capacity for effective collaboration with them. The profusion of organisations with overlapping powers and duties restricts the ability to police Nigeria's maritime environment. The delivery of services is hampered by a lack of clarity regarding the roles played by the Navy, NIMASA, Inland Waters, the Ports Authority, and several task teams.

7.0 Conclusion

The aforementioned makes it clear that the Nigerian state continues to face tough security concerns caused by illegal activities that threaten its marine domain. Numerous criminal operations take place in the Nigerian maritime environment, as has been well illustrated in the pages preceding this one. While there is minimal distinction between one type of crime and another, there is a wide range of aetiologies for the many types of crimes. The root causes of illegal activity in Nigerian waters are complex and time-consuming, it should be underlined. Although the Nigerian Navy, NIMASA, and other government organisations have so far shown a commitment to tackling the marine difficulties head-on, there are clear signs that their efforts fall short of what is required.

Weak institutional frameworks, lax enforcement of existing laws, and the porous nature of the maritime environment, according to the study so far, have made it easier for the spread of criminal syndicates with a global appeal, which has made the task of securing the maritime environment so difficult. Because of the vast resources in her maritime surroundings, Nigeria is underutilizing her potential. Nigeria's troubled seas are now extremely unsafe due to the onslaught of illegal activities in the marine sector, which has a detrimental impact on both domestic and international trade. On the other hand, we recommend the following political alternatives to rein in illegal activity in the maritime environment.

1. Nigeria's 459 nautical mile coastline and waters up to 200 nautical miles are expected to be patrolled, observed, and surveilled by the Nigerian Navy. Due to this, the Navy needs to be properly equipped with cutting-edge patrol boats and frigates in addition to

being kept motivated through appropriate training and retraining. To fully carry out its constitutional obligations, adequate provisions must also be made for the maintenance of their ships, vessels, and boats.

2. It is clear that underdevelopment and extreme poverty, especially among coastal residents, contribute to Nigeria's high rate of illicit maritime activity. This suggests that state measures should target long-standing underdevelopment and poverty, notably in the Niger Delta, and go beyond military strikes on pirates and other criminal organisations. For the best fulfilment of statutory obligations, targeted strategies aimed at establishing alternative and sustainable means of subsistence are important.
3. Harmonizing marine policy and bridging overlapping mandates among Nigeria's maritime security agencies and apparatus will strengthen inadequate institutional frameworks.
4. The Local Content Act must once again be strictly enforced by the government if oil companies and other players in the industry are to make use of the vast majority of the idle hands that criminal organisations utilise as canon filers.
5. There is a chance that the Nigerian maritime environment will be at peace if some of the aforementioned proposals are taken into account by the appropriate authorities.

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