

A Critical Examination of the Legal and Institutional Frameworks for Combating Maritime Crimes in Nigeria

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Abstract

Maritime crimes constitute a significant threat to Nigeria's national security, maritime transportation, international trade, energy security and the sustainable development of its blue economy. This article critically examines the adequacy, coherence and effectiveness of the legal and institutional frameworks established to prevent, suppress and prosecute maritime crimes in Nigeria. Adopting a doctrinal research methodology, the study relies principally on primary legal materials, including the Constitution of the Federal Republic of Nigeria 1999 (as amended), the Suppression of Piracy and Other Maritime Offences Act 2019 (SPOMO Act), the Nigerian Maritime Administration and Safety Agency Act 2007, the Merchant Shipping Act 2007, the Coastal and Inland Shipping (Cabotage) Act 2003, and relevant international instruments, particularly the United Nations Convention on the Law of the Sea 1982 (UNCLOS) and the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 1988 (SUA Convention). The study also considers relevant judicial decisions, subsidiary legislation, institutional materials and scholarly literature. UNCLOS provides the principal international framework for the suppression of piracy, including the obligation of States to cooperate in its repression and the exercise of jurisdiction over piracy on the high seas. This appraisal critically examines the effectiveness, strengths, and weaknesses of the legal and institutional frameworks established for combating maritime crimes in Nigeria. In the long run, only good governance and economic development on the hinterland would provide long-term reprieve in Nigeria and Gulf of Guinea as poverty and marine offences go hand in hand. It was recommended that the Niger Delta region which is engulfed with unemployment, poverty, underdevelopment, and environmental degradation brought on by oil exploration. It was recommended that the Nigerian government must provide sufficient funding, extensive training programs, cutting-edge surveillance technologies to maritime enforcement agencies, revamp the maritime institutions and ensure there is adequate political stability in order to enhance the effectiveness of countermeasures and intensify the fight against maritime crimes in the Nigerian Maritime Domain.

Keywords: Maritime Crimes; Piracy; Armed Robbery at Sea; SPOMO Act 2019; Maritime Security; NIMASA; Nigerian Navy; Deep Blue Project; UNCLOS; SUA Convention; Gulf of Guinea.

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1. Introduction

The legal and institutional frameworks for combating maritime crimes in Nigeria is a combination of international conventions, national legislation, and institutional mechanisms. Key laws include the Constitution, the Admiralty Jurisdiction Act, the Merchant Shipping Act, and the Nigerian Maritime and Administration and Safety Agency Act (NIMASA). While the institutional frameworks include the Judiciary, NIMASA, Nigerian Armed Forces, Nigerian Shippers' Council and the Nigerian Ports Authority. The essence of having an effective and proactive institutions and adequate laws to combat maritime crimes cannot be overemphasised given the negative consequences of maritime crimes to the Nigerian economy. This is why the State in accordance with the Constitution of the Federal Republic of Nigeria 1999, as amended (CFRN 1999) must harness the resources of the nation and promote national prosperity and an efficient and dynamic and self-reliant economy.² It is the duty of a State to protect and improve its environment and safeguard the water, air, land, forest and wildlife.³ By so doing, Nigeria as a State would have protected, preserved and promoted her rich cultures which enhance human dignity, and encourage development of technological and scientific studies.⁴ Importantly, every country must uphold the principles of the rule of law and sovereignty in order to prosper. This is why this thesis agreed with the provisions of the constitution that makes its law supreme over and above every person, authorities or government irrespective of class, status or portfolio⁵ and also nullifies or voids any law that is not consistent with the constitution.⁶ By making it mandatory for any treaty, pact or law whether national, regional or international to first undergo the legislative scrutiny of the National Assembly before having any force of law in Nigeria⁷ goes a long way to show the country's sovereign power and zeal to protect her people, resources and territorial integrity.

The enactment of the SPOMO Act marked a significant development in Nigeria's maritime criminal law by providing a specific statutory basis for the criminalisation, investigation and prosecution of piracy, armed robbery at sea, hijacking and other maritime offences. The Act also establishes jurisdictional and enforcement mechanisms and provides stringent penalties for maritime crimes. However, the existence of comprehensive legislation has not, by itself, eliminated the practical challenges associated with maritime insecurity.⁸ The effectiveness of the framework is substantially dependent upon institutional coordination, investigative capacity, maritime surveillance, prosecutorial competence, judicial efficiency, intelligence sharing and adequate funding. The question is what are the roles of principal maritime security institutions like the Nigerian Navy, Nigerian Maritime Administration and Safety Agency (NIMASA), Nigerian Ports Authority, Nigerian Police Force, Nigeria Customs Service and other relevant agencies, as well as the Deep Blue Project as an integrated maritime security initiative? NIMASA operates under several key maritime statutes and performs regulatory and administrative functions within the maritime sector, while the Deep Blue Project provides coordinated land, sea and air security

² CFRN 1999, s16(1).

³ *ibid*, s20.

⁴ *ibid*, s21.

⁵ *ibid*, s1 (1).

⁶ *ibid*, s1(2).

⁷ *ibid*, s12(1).

⁸ P. Kyamet, 'NIMASA DG: SPOMO Act Improving Nigeria's Image,' <https://www.nimasa.gov.ng> accessed 10 June 2026

capabilities for maritime-domain protection.⁹ In spite of this development there are overlapping institutional mandates, jurisdictional uncertainties, deficiencies in enforcement coordination, evidentiary and prosecutorial challenges, resource constraints and weaknesses in inter-agency cooperation as persistent impediments to effective implementation. Existing scholarship has similarly identified concerns surrounding aspects of the SPOMO Act, including uncertainties relating to institutional authority and constitutional questions concerning certain enforcement provisions.¹⁰ It is observed that Nigeria possesses a substantially developed normative framework for combating maritime crimes, but the principal weakness lies in the gap between law and implementation. It is therefore recommended that a clearer delineation of institutional responsibilities, stronger inter-agency coordination, enhanced maritime surveillance and intelligence systems, specialised prosecutorial and judicial capacity, improved funding and logistics, periodic legislative review, and greater regional and international cooperation within the Gulf of Guinea. The study ultimately contends that effective maritime security requires not merely stringent legislation but a coherent institutional architecture capable of translating legal rules into sustained enforcement and successful prosecution.

2. The Legal and Institutional Frameworks for Combating Maritime Crimes in Nigeria.

a. Nigerian Maritime Administration and Safety Agency (NIMASA)

The Nigerian Maritime Administration and Safety Agency Act, 2007 (NIMASA Act), established the agency, NIMASA, which was given the jurisdiction and objectives to regulate and promote maritime safety, security, marine pollution, and maritime labour in the context of environmental protection in the marine environment.¹¹

NIMASA is the organization in charge of ensuring the security of the country's waterways, the safety of ships and the people that travel on them, as well as the preservation of the marine environment. International maritime conventions, port state control, flag state control, and coastline state control are the means by which these obligations are carried out.¹² Because of this, the NIMASA Act requires the Agency to do a number of things, including creating requirements for marine safety and training;¹³ giving instructions and ensuring that the vessel's security procedures are followed;¹⁴ monitoring the air and coast; managing and preventing marine pollution;¹⁵ inspecting ships to ensure that they meet standards for maritime safety, security, maritime labor, and pollution prevention;¹⁶ and performing any additional duties pertaining to maintaining maritime safety and security and everything associated with it.¹⁷ The highest authority in Nigeria for shipping regulations is the Nigerian Maritime Administration and Safety Agency (NIMASA). It was established in 2001 as a result of the Federal Government's merging of the Office of the Government Inspector of Shipping, the Joint Maritime Labour Industrial Council (JOMALIC), and the National Maritime Authority (NMA). Following the merger, the agency was

⁹ NIMASA, 'Maritime Safety and Security Services,' <https://www.nimasa.gov.ng> accessed 11 June 2026

¹⁰ S. Abubakar, 'Law and Policy in Combatting Piracy by Maritime Enforcement Agencies: A Nigerian Perspective,' <https://www.commonswmu.se> accessed 10 June 2026.

¹¹ NIMASA Act, s1(ii).

¹² *ibid*, s1.

¹³ NIMASA Act, s22(1)(d).

¹⁴ *ibid*, s22(1)(g).

¹⁵ *ibid*, s22(1)(h).

¹⁶ NIMASA Act, s22(1)(i).

¹⁷ *ibid*, s22(2)(f).

given authority over rules pertaining to Nigerian maritime labour, coastal waters, and shipping. The agency is also in charge of protecting the marine environment, as well as maritime safety and security.¹⁸ In the course of enforcing the Cabotage Act 2003, the NIMASA under the supervision of the Federal Ministry of Transport synergized with the following federal agencies such as National Inland Waterways Authority (NIWA), the Nigeria Ports Authority (NPA), and the security agencies like Nigerian customs, Police and Navy. Also, in order for effective enforcement of the Cabotage Act 2003, the NIMASA is divided into the following departments or units like the Register of Ships, Cabotage Enforcement Unit, Collecting Agency for Cabotage Vessel Fund and Seafarers Training and Certification Development. The Nigerian Maritime Administration and Safety Agency, NIMASA Act 2007, Merchant Shipping Act 2007 and Cabotage Act 2003 empower NIMASA to monitor, implement and enforce the Cabotage Act 2003.¹⁹

Major sections of the NIMASA Act are particularly relevant to addressing maritime insecurity. Section 2 empowers NIMASA to regulate and promote maritime safety, security, and the protection of the marine environment, which includes combating piracy and armed robbery at sea.²⁰ Additionally, Section 16 provides NIMASA with the authority to enforce compliance with maritime safety regulations,²¹ while Section 18 outlines the Agency's role in coordinating efforts with other maritime security agencies.²² However, despite these provisions, there is often a lack of clarity regarding the extent of NIMASA's authority, particularly in operational contexts where collaboration with the Nigerian Navy, Nigerian Ports Authority and other agencies is necessary for effective law enforcement.

Despite the robust framework provided by the NIMASA Act, several challenges hinder effective implementation in combating piracy. One major issue is the inadequate resources allocated to NIMASA for surveillance and enforcement activities, limiting its operational capacity. Furthermore, inter-agency coordination remains problematic, as overlapping responsibilities among various security agencies can lead to confusion and inefficiencies in responding to piracy incidents. Additionally, there is a persistent challenge of corruption and political interference, which can undermine NIMASA's efforts and deter maritime stakeholders from reporting incidents of maritime crimes. NIMASA is at the heart of the growth and development of the nation's maritime industry, security, safety and otherwise and its failure is the failure of the maritime industry and a disservice to the Nigerian economy. Leadership instability and undue politicization of appointment into the board and top management positions of the agency strongly contribute to the challenges of NIMASA. From May 1999, when the nation returned to democratic governance till date, NIMASA has had more than 10 DGs (Director Generals) with an average tenure of one year-seven months each.²³ The lack of appointment of experts knowledgeable in maritime industry to manage and run the institution also caused the failure of the multimillion dollars Command, Control, Communication, Computer, and Intelligence System (C4i) Centre set up by NIMASA to enhance security and curtail maritime crimes on the waterways.²⁴ Captain Taiwo Akinpelumi who is a member of the steering committee of Nigeria Shipowners Association (NISA), said that plans

¹⁸ *ibid*, s3.

¹⁹ I. Wilson, 'Nigeria Opportunities in Nigeria's Cabotage,' *Daily Independent* (Lagos, 22 July 2005).

²⁰ NIMASA, Act, s2.

²¹ *ibid*, s16

²² *ibid*, s18.

²³ B. Akintola, 'Expert Blame Leadership Instability in NIMASA for Poor Maritime Industry Development,' www.businessday.ng accessed 27 December, 2024.

²⁴ S. Feyuko, 'Piracy: NIMASA C4i Centre Has Failed, Says Shipowner,' *Ships & Ports* (Lagos, 15 February, 2021).

by the European Union to take charge of maritime security in the Gulf of Guinea is a confirmation of the failure of the C4i project.²⁵

b. Nigerian Ports Authority (NPA)

One Federal Government of Nigeria organisation that manages and runs the nation's ports is the NPA.²⁶ It is the responsibility of the NPA to "provide and operate necessary facilities in ports, as well as maintain, improve, and regulate port use; and to provide for matters connected therewith."²⁷

Statutorily, the Nigerian Ports Authority (NPA) is in charge of managing, overseeing, and maintaining seaport facilities, navigational aids, channels, and approaches in Nigeria. Among its responsibilities are the following: identifying and lighting navigational channels; identifying hazards and removing obstructions; enhancing ship pilot services; maintaining and connecting land transport systems; and maintaining cargo storage facilities within the port area.²⁸

The Nigerian Ports Authority Act, serves as the foundational legislation governing the administration and regulation of ports in Nigeria, crucial for the management of maritime activities and trade. Given the increasing incidence of piracy and other maritime crimes, this Act plays a significant role in enhancing port security and facilitating safe navigation for vessels operating in Nigerian waters. By outlining the responsibilities of the Nigerian Ports Authority (NPA), the Act aims to create a secure and efficient port environment that can mitigate the risks associated with maritime insecurity, including piracy and other maritime crimes. The NPA has also played a role in the development of policies and regulations related to port operations.²⁹ Several key sections of the Nigerian Ports Authority Act are pertinent to addressing maritime insecurity.³⁰ Section 7 empowers the NPA to oversee the management and development of ports, including the establishment of security measures to protect port facilities and operations.³¹ Additionally, Section 10 provides the NPA with the authority to regulate access to ports and enforce safety protocols, which are essential for preventing piracy-related activities in and around port areas.³² The Act also emphasizes the importance of collaboration with other security agencies to ensure comprehensive maritime safety. However, while these provisions outline a framework for port security, their effectiveness often relies on proper implementation and coordination with other stakeholders involved in maritime security.

Nonetheless, in spite of the clear provisions of the Nigerian Ports Authority Act, various challenges impede its effective implementation in combating piracy. One significant issue is the inadequate infrastructure and resources allocated for port security, which can lead to vulnerabilities that pirates may exploit. Furthermore, the lack of training and capacity building for port security personnel can result in lapses in the enforcement of security protocols. Additionally, bureaucratic inefficiencies and inter-agency rivalry may hinder effective collaboration among relevant authorities, complicating efforts to create a cohesive security strategy for Nigerian ports.

The NPA has been under fire for its subpar performance in a number of areas, including inefficiency and lack of transparency. It has been said that the NPA operates slowly and

²⁵ E. Abiodun, 'Ship Owners End Four-year Dispute,' *This Day* (Lagos, 16 February, 2021).

²⁶ B. H. Bala, 'The Nigerian Ports Authority: Management and Policy', *The Nation* (Lagos, 18 February 2020).

²⁷ NPA Act, s7.

²⁸ NPA Hand Book – 9, <https://www.nigerianports.gov.ng> accessed 28 December 2024.

²⁹ NIMASA Act, s1-10.

³⁰ NPA Act, s4.

³¹ *ibid*, s7.

³² *ibid*, s10.

inefficiently. For example, it has come under serious criticism for taking too long to clear cargo from the ports, which has resulted in corruption, inefficiency, and higher costs for importers and exporters. In addition, the NPA has been accused of corruption, including alleged kickbacks and other types of bribes. Inefficiency and poor management have also been alleged against it. The region's relatively high port prices are a direct result of NPA's chronic lack of funding to upgrade its maritime security, safety and infrastructure, particularly given its low cost of living and workforce base.³³

The sanctions by means of fines or imprisonment or both stipulated under various laws in Nigeria are ridiculously inadequate. For instance, under the Nigeria Port Authority Act, if a ship enters any port or any approach to the port without an entry notice having been issued by the Authority in respect of the ship or enters any port or any approach to the port otherwise than as permitted by the entry notice, a fine of N10, 000 is prescribed for failure to comply in the case of an individual and N20, 000 for a corporate body. This prescription is not commensurate with what the law seeks to avert and if compared with the situations in other countries, this amount is too low to control pollution. For instance, this is too low to what is imposed under some foreign laws like Clean Air Act³⁴ which impose a fine of \$ 250,000 (two hundred and fifty thousand dollars) per day for individual violators of the law and \$ 500,000 per day for corporate violators. Another problem affecting the NPA is inadequate funding. Regulatory institutions in developing countries usually lack sufficient funding and technical expertise. For instance, Nigerian Ports Authority (NPA), financially depend largely on the grant and allocation from the Federal Government to be able to execute their objectives.³⁵ It is not unusual for an agency to rely on the government for funds but where adequate funds are not provided for the implementation of statutory duties, it hinders the efficiency of an agency.

c. Nigerian Armed Forces

The Nigerian Armed Forces (NAF) are the military forces of Nigeria, and are made up of the Nigerian Army, Nigerian Navy, and Nigerian Air Force.³⁶ The NAF is one of the largest uniformed combat services in Africa, with over 230,000 active personnel. The NAF is considered the fourth-most powerful military in Africa, and 35th in the world.³⁷

The focus in this research will be on the Nigerian Navy (NN) since the Navy's task is to uphold steadfast commitment to safeguarding Nigeria's maritime interests, protecting national assets, and ensuring maritime security. As a critical component of Nigeria's defence architecture, the Nigerian Navy plays a pivotal role in maintaining peace and stability within Nigeria's maritime domain.³⁸ Some of the functions of the Nigerian Navy are protection of Nigeria's maritime domain and littorals, and supports national development initiatives through maritime security and safety operations, combating maritime crimes, armed robbery at sea, piracy, illegal fishing, and trafficking, assisting in coordinating the enforcement of customs laws, including anti-illegal

³³ NPA Act, s15.

³⁴ Clean Air Act, 1990 applicable in the United States of American.

³⁵ A. B. Abdulkadir and A. A. Mashood, 'An Evaluation of the Role of the Nigerian Ports Authority in the Protection of Nigeria's Marine Environment,' <https://www.ajol.info> accessed 28 December, 2025.

³⁶ Armed Forces Act, s1.

³⁷ Ministry of Defence, <https://www.defence.gov.ng> accessed 28 December, 2025.

³⁸ Armed Forces Act, s3.

bunkering, fishery, and immigration laws. The NN undertakes hydrographic surveys, trains in naval duties, uphold the rule of law at sea and is capable of land-based engagements.³⁹

Currently, the Nigerian Navy is actively engaged in over 1,000 ongoing operations across various maritime zones. Its operations span key areas of deployment, including the Gulf of Guinea, Niger Delta, and other strategic maritime corridors. Through strategic partnerships with regional and international naval forces, law enforcement agencies, and maritime stakeholders, the Navy enhances operational effectiveness and maritime domain awareness.⁴⁰ The Navy is empowered by the Nigerian Armed Forces Act to be dedicated in upholding the rule of law at sea, combating maritime crimes such as piracy, illegal fishing, and trafficking, and supporting national development initiatives through maritime security and safety operations.

In spite of this legislation, corruption is like an anchor dragging down the Nigerian Navy's efforts. When resources meant for security are siphoned off, it leads to poorly maintained equipment and compromised operations. Imagine trying to sail a ship with holes in the hull—it's an uphill battle. Also, the Nigerian Navy isn't just dealing with one type of threat. Piracy, militancy, oil theft, illegal fishing and other maritime crimes create a complex web of challenges and threats. Each of these issues requires a unique approach, making it difficult to address them all simultaneously. Another factor setting the Navy backward is lack of infrastructures or outdated facilities. The Navy's ships and facilities are outdated, making it hard to keep up with modern threats. Imagine trying to catch a speedboat with a rowboat—it's a losing game. Upgrading infrastructure is crucial for effective maritime security. Additionally, effective governance is essential for maritime security, but Nigeria has struggled with policy implementation. The Deep Blue Project, aimed at enhancing maritime security, has faced hurdles in execution. It's like having a detailed map but no compass to guide the way.⁴¹

However, the Nigerian Navy has recorded significant results against crude oil theft and other maritime threats in different parts of the Country. Early 2024, the Nigerian Navy Ship (NNS) in conjunction with the Nigerian Security Station (NSS) embarked on military operations in Rivers, Imo and Bayelsa States respectively. During the operations, the Navy was able to recover 4 IRS – Informal Resolution System, 5 ovens, 1 reservoir, 5 dugout pits and 12 wooden boats were appropriately handled during the period under review. Additionally, oil thieves were denied about 1,277.9 barrels (203,200 litres) of product suspected to be stolen crude oil and 19,600 litres of illegally refined Automated Gas Oil (AGO) amounting to the sum of One Hundred and Fifty Million, Seven Hundred and Seventy-Four Thousand, Two Hundred and Fifty-Six Naira Thirty-Two Kobo (₦151,774,256.32) only. A review of Operation DELTA SANITY from inception to date revealed approximately 4,036.7 barrels of crude oil worth \$473,009.589 (₦591,498,491.04) and 270,600 litres of illegally refined AGO worth (₦157,562,542.57). Cumulatively, the sum of One Billion, Fifty-Eight Million, Four Hundred and Forty-Eight Thousand, Three Hundred and Twenty-Six Naira Thirty-Three Kobo (₦1,058,448,326.33) that could have been used to perpetrate acts inimical to national security and prosperity was denied to oil thieves⁴²

³⁹ *ibid*, s4.

⁴⁰ Nigerian Navy, <https://www.navy.mil.ng> accessed 28 December 2024.

⁴¹ A. O. Oniye, 'Navigating the Stormy Sea: Why Nigerian Navy Faces Challenges in Maritime Security,' <https://www.thenewexperience-newspaper.org> accessed 29 December 2025.

⁴² M. Obi, 'Nigeria Navy Records Significant Results Against Crude Oil Theft,' *Voice of Nigeria* (Abuja, 6 February, 2024).

Nigerian Navy, as the guardian of our waters, is the force charged with the seaward defence of the nation, it is vital to make efforts to identify and respond to all scenarios of threats and challenges in the nation's maritime domain. The threats may be political, social and or economic.⁴³ They may be from internal or external sources: interstate, multinational or even extracontinental; from traditional to non-traditional, conventional or asymmetric.

A Danish naval patrol has killed four pirates in an exchange of fire in the Gulf of Guinea, off the coast of Nigeria, Denmark's armed forces said. The incident occurred on Wednesday when the Frigate Esbern Snare, which has been patrolling the area since early November, attempted to board the pirate boat. It was reported that no Danish soldiers were injured, but five pirates were shot. Four of the pirates died. One was injured,' the military said. The authorities in Denmark stressed that the Danish forces fired warning shots, and the pirates immediately fired back. The Danish soldiers acted in self-defence and returned fire. Danish Prime Minister Mette Frederiksen told a news conference that the soldiers' intervention had 'probably prevented concrete pirate attacks against vessels in the region.'⁴⁴ The Nigerian Navy has to take a cue from the developed world where their marine environment is doing well and synergized or collaborate with their naval authority to combat maritime crimes.

The poor rate of civil-military cooperation has been cited in some cases as being amongst the maritime security challenge in the Gulf of Guinea and Nigeria. The concept of civil-military cooperation is relating to the means and processes of enhancing the workability and collaboration of both the civilian actors and military actors in carrying out the security and State functions geared towards the protection of the State against internal insurrection and external aggression, as well as preserving the sovereignty of the State. In most cases, the civilians do have information that may be utilized by the military in combating the maritime security challenges, however, due to poor rate of cooperation between the civilian (especially host communities in creek towns and riverine settlements) and military; they would not give it out, thus maritime security is being frustrated. There are perceived military's poor relations with civilians as well as poor interagency cooperation amongst personnel that should ensure maritime security. This poor state of the relationship between the actors is reckoned as one of the major causes behind the incessant challenges of maritime security in Nigeria.⁴⁵

Observation shows that the military being used to combat the maritime security in Nigeria/Gulf of Guinea is one that is not adequately staffed. In some cases, the security personnel are inadequately-trained and a troop of over-stretched staff. It is reported that the ratio of military personnel when compared to Nigeria's population is poor at a ratio below 1: 1,000; which is relatively low when compared to other developing countries that are neighbours to Nigeria.⁴⁶

d. Nigerian Shippers' Council

The Nigerian Shippers' Council is an agency under the Federal Ministry of Marine and Blue Economy. The enabling Act provides for a Governing Board and an Executive Secretary/Chief Executive Officer, responsible for the day-to-day management and implementation of policies

⁴³ E. Addeh, 'Three Nigerians Among Eight Suspected Pirates Freed in Denmark,' *Thisday* (Abuja, 9 January, 2022).

⁴⁴ The Maritime Executive, Gulf of Guinea Pirates Kidnap Crew from Second Ghanaian Fishing Vessel,' <https://www.maritime-executive.com> accessed 3 January 2025.

⁴⁵ G. Karen, G. 'Civil-Military Relations in Peace-building,' <https://www.jstor.org> accessed 4 March 2026.

⁴⁶ N. Phinos, and C. Ogbu, 'Civil-military Relations and National Security: A Study of the Nigerian Army, 1999-2018,' (2019) (9)(4) *International Journal of Development Strategies in Humanities, Management and Social Science* 4.

approved by the Governing Board. The Executive Secretary/CEO is assisted by Eight (8) Directors who head the departments in the Council. The Departments are complemented by Nine (9) Independent Units reporting to the Office of the Executive Secretary/CEO.⁴⁷

By virtue of section 3 of the Nigerian Shippers' Council Act, the Council is statutorily empowered to provide a forum for the protection of the interest of shippers on matters affecting the shipment of imports and exports to and from Nigeria; provide a forum for consultation between Conference and non-Conference Lines, tramp-owners, the Nigerian Ports Authority and the Government of the Federation on matters of common interest; encourage the formation of shippers' associations all over Nigeria; liaise with the appropriate arms of the Government of the Federation and other organisations in assessing the stability and adequacy of existing services and make appropriate recommendations in that behalf; advise the Government of the Federation through the Minister on matters relating to the structure of freight rates, availability and adequacy of shipping space, frequency of sailings, terms of shipment, class and quality of vessels, port charges and facilities and other related matters; negotiate and enter into agreements with Conference Lines, and non Conference Lines, ship-owners, the' Nigerian Ports Authority and any other bodies on matters affecting the interests of shippers; consider the problems faced by shippers with regards to coastal transport, inland waterways transport and matters relating generally to the transportation of goods by water and advise Government on possible solutions thereto; promote and encourage the study of and research into problems affecting shippers in Nigeria; arrange, from time to time, seminars and conferences on any matter relating to its functions.⁴⁸

The NSC as the port economic regulator of the nation and the enabling law empowers the agency to protect the interest of shippers on matters affecting the shipment of imports and exports to and from Nigeria, it has the burden to ensure that the Nigerian waters are safe and secure places for doing businesses domestically and internationally, hence the need for NSC to partner with other federal government agencies like NPA, NN, NIMASA and the others to end piracy and other crimes on Nigerian territorial waters to improve ease of doing business at the country's sea ports. The NSC job is to commend and compliment the efforts of the Nigerian Navy. This will help to reduce incidences on attacks on ships and at ports. One of the areas is information sharing. NSC need to take the information provided by the Navy into international fora like the Global Shippers Forum, IMO and other international organisations, so that they would know and appreciate the efforts that the Nigerian Navy has made for the protection of ships coming into Nigeria.⁴⁹

However, the institution is faced with bureaucracy and regulatory bottlenecks. The process of moving goods in and out of Nigerian ports can be hampered by layers of bureaucracy. Complex and sometimes overlapping regulatory requirements slow down the clearing process, leading to prolonged turnaround times.⁵⁰ The presence of multiple government agencies at ports and the lack of streamlined processes has often resulted in high compliance costs and logistical delays, which diminish Nigeria's competitiveness.

Also, Security challenges, particularly about piracy in the Gulf of Guinea and cargo theft, add risks and costs to trade operations. Shippers often face increased insurance premiums and additional

⁴⁷ Nigerian Shippers' Council Newsletter, <https://www.shipperscouncil.gov.ng> accessed 29 December, 2025.

⁴⁸ NSC Act, s3.

⁴⁹C. Agabi, 'Shippers' Council, Navy Partner to End Sea Piracy, other Crimes,' *Daily Trust* (Lagos, 27 February 2019).

⁵⁰The Africa Logistics, 'Nigeria Shippers Council's Role in Enhancing Nigeria's Global Trade Competitiveness,' <https://www.theafricalogistics.com> accessed 29 December, 2024.

security costs, further burdening trade operators. The overall cost of shipping goods to and from Nigeria remains one of the highest in Africa, largely due to these logistical inefficiencies, infrastructure deficits, and regulatory complications. These high costs impact both importers and exporters, making Nigerian goods less competitive in global markets.⁵¹

It is imperative to note that digital transformation is at the heart of NSC's strategy to boost Nigeria's trade competitiveness. The NSC has shown success regardless of its setbacks by promoting the use of advanced technologies like blockchain for transparent record-keeping and cargo tracking, as well as data analysis for predicting and managing port congestion. The adoption of a Port Community System (PCS) is a landmark achievement, as it connects stakeholders within the maritime industry on a single platform, facilitating real-time data sharing and coordination.⁵² Also, NSC is tackling piracy, theft, and other maritime crimes by collaborating with the Nigerian Navy and other security agencies to enhance the safety of Nigeria's shipping lanes.⁵³ Programs such as the Deep Blue Project, which aims to protect Nigerian waters from piracy, are central to the Council's security agenda. Additionally, NSC emphasizes the need for secure cargo-handling practices and advocates for security investments at ports and along trade corridors, aiming to provide a safer trade environment that appeals to global shippers. Recognizing that effective policy implementation requires skilled personnel, the NSC invests in capacity-building programs for industry stakeholders. These programs include training on international trade best practices, port management, and regulatory compliance.⁵⁴ The NSC engages regularly with stakeholders, including port operators, shipping lines, freight forwarders, and government agencies, to address challenges and solicit feedback on policy adjustments. This collaborative approach ensures that reforms are well-informed and address the needs of various stakeholders.

One factor that is responsible for the increase in maritime crimes is the negligence of the ship-owners who do not want to report the cases of piracy for fear of losing a large amount of money through rising Protection & Indemnity (P&I) which cost around \$25, 000 per day.⁵⁵

Piracy which is an act of violence against ships or maritime infrastructure that are carried out at sea, including robberies, hijackings, kidnapping crew members for ransom, cargo theft, and sabotage.⁵⁶ This has always been a major problem that has an impact on global trade, marine security, and seafarer safety. Although governments are required to work together to combat piracy, they are not required to domesticate UNCLOS. This implies that the necessary statutory mandate to prevent piracy may not exist for maritime enforcement organisations.⁵⁷

These illicit and illegal acts that occur in the seas, oceans and other waters are not only limited to the Nigerian waters but spread across to other Gulf of Guinea States such as: Liberia, Ivory Coast, Ghana, Togo, Benin, Cameroon, Congo, Gabon, Equatorial Guinea, Sao Tome and Principe and Angola. In recent years, the Gulf of Guinea has been labelled the world's 'hotspot' for piracy and other illicit maritime crimes. Over forty percent of reported piracy incidents occurred in the Gulf

⁵¹H. Bello, 'Challenges Facing Shippers' Council as Port Economic Regulator,' <https://www.mmsplusng.com> accessed 29 December 2024.

⁵² A. Ego, 'Shippers' Council, ITC to Tackle Border Challenges,' *Punchnews* (Lagos, 10 May, 2024).

⁵³ *ibid.*

⁵⁴ T. Kio-Lawson, 'Regulator Challenges Ahead of Us But We Are Ready,' *Businessday* (Lagos, 4 February 2014).

⁵⁵ M. Obi, 'Nigeria Navy Records Significant Results Against Crude Oil Theft,' *Voice of Nigeria* (Abuja, 6 February, 2024).

⁵⁶ G. L. Denton and J. R. Harris, 'The Impact of Illegal Fishing on Maritime Piracy: Evidence from West Africa,' (2019) (44)(11) *Studies in Conflict and Terrorism* 938 – 957.

⁵⁷ UNCLOS 1982, Art 100.

of Guinea (81 incidents out of 195 globally), according to the International Maritime Bureau (IMB).⁵⁸ It has been reported that Nigerian waters remain hotspots for piratical acts, having the highest number of pirate attacks in the world in 2020.⁵⁹

One of the biggest and most difficult threats to maritime security is piracy, which can undermine freedom of navigation. Attacks on commercial ships, such as cargo, oil tanker, fishing, cruise, yacht, and offshore support vessels, are the main focus, and they have a global impact on maritime and international peace and security.⁶⁰ Often, pirates target ships with the intention of taking control of them, stealing valuable cargo, or demanding a ransom to free the crew. Reflecting on the importance of the maritime sector, it is worthy to note that the maritime domain which includes defence, commerce, fishing, seabed mineral resources, laws governing navigation and sea-based transportation constitute the backbone of the globalized world.⁶¹ Disruption of maritime transportation and access can reduce economic investment in particular regions, constrict energy flows, global trade, critical infrastructure, and the protection of marine resources as well as hamper security, law enforcement and humanitarian operations. Maritime security is not only important to import and export shipping, but also crucial to offshore oil installations. On this note, Major Assaf Harel, former Israeli Defence force noted that an attack on an offshore oil or gas platform could not only interrupt a nation's regular supply of energy, but also deprive it of an important source of income.⁶² For instance, in Nigeria, the Bonga Floating Production, Storage and Offloading (FPSO) vessel, has a total production capacity of 225,000 barrels of oil per day and 150 standard cubic feet of gas export per day. Since production began in 2005, Bonga alone had produced over 880 million barrels of oil. The attack in 2008 by militants on this deep-sea installation which lies 120 kilometres off the coast of the country, almost grounded oil business in Nigeria, as it cut the country's oil output by a tenth and raised fears of a new campaign against deepwater installations.⁶³ Added to this, is the attack on the Atlas Clove oil facility in Lagos by militants in 2009, which in no small measure demonstrated the capability of militants to ruin the Nigerian economy.

e. The Judiciary

The Federal High Court of Nigeria has been vested with exclusive jurisdiction to hear and determine any matter under the Suppression of Piracy and Other Maritime Offences Act (SPOMO). The Act provides instances whereby the Court will have jurisdiction to try an offence. It must be committed against or onboard a ship registered in Nigeria or bearing the Nigerian flag at the time the offence was committed, against or onboard a fixed or floating platform located on the continental shelf against a citizen of Nigeria, in Nigerian territorial waters or by a Nigerian citizen.⁶⁴ Other instances where the Court can assume jurisdiction is if the ship is in international waters or sea and has the Convention for the Suppression of Unlawful Acts against the Safety of

⁵⁸ UN Security Council Report 2022, 'Gulf of Guinea Piracy,' <https://www.securitycouncilreport.org> accessed 17 June 2026.

⁵⁹ ICC-IMB Report 2021, <https://www.iccwbo.org> accessed 17 June 2026.

⁶⁰ D. Hassan and S. M. Hasan, 'Origin, Development and Evolution of Maritime Piracy: A Historical Analysis,' (2017) (49) *International Journal of Law, Crime and Justice* 1 – 9.

⁶¹ V. Felbab-Brown, *The Not-So-Jolly-Roger: Dealing with Piracy off the Coast of Somalia and the Gulf of Guinea*, (London: The Brookings Institution Press 2014).

⁶² A. Harel, 'Preventing Terrorist Attacks on Offshore Platforms: Do States Have Sufficient Legal Tools?' (2012) (1)(4) *Harvard National Security Journal* 112-184

⁶³ N. Tattersall, 'Nigeria Attack Stops Shell's Bonga Offshore Oil,' <https://www.reuters.com> accessed 17 June 2026.

⁶⁴ SPOMO Act, s2(1-3).

Maritime Navigation (SUA Convention) element such as the ship bearing the flag of a State party to the SUA or the offender is a national of a State party to the SUA.⁶⁵

In line with the Constitution of the Federal Republic of Nigeria 1999 (as amended), and the Administration of the Criminal Justice Act (ACJA), the prosecution of all offences under the SPOMO Act shall be undertaken by the Attorney General of the Federation (AG Federation), any law officer so designated from the office of the AG Federation, NIMASA with the consent of the AG Federation.⁶⁶ The Constitution is the fundamental, foundational, principal and supreme legislation of Nigeria. It has, several times, been described as the *fons et origo*, of all laws in the Federal Republic of Nigeria. Thus, the validity of all laws in the Republic is tested against the background of the provisions of the Constitution. Section 251 (1)(g) of the Constitution vests exclusive original jurisdiction in the Federal High Court over causes and matters relating to maritime cases. Furthermore, reiterating the exclusivity of the Court's jurisdiction on admiralty matters.⁶⁷ Section 8 (1) of the Federal High Court Act provides that *in so far as jurisdiction is conferred upon the Court in respect of the causes or matters mentioned in the foregoing provisions of this part of the Act, the High Court or any other court of a state or of the federal capital territory Abuja, shall to the extent that jurisdiction is so conferred upon the Court, cease to have jurisdiction in relation to such causes or matters.*⁶⁸ By Section 1 of the Act, the Court is empowered to hear and determine any question, which relates to a proprietary interest in a ship or aircraft or such other maritime claims provided under Section 2, and any other admiralty jurisdiction, which had hitherto been exercised by any other Court in Nigeria.⁶⁹

The former Chief Justice of Nigeria (CJN) and Chairman, Board of Governors of the National Judicial Institute, Hon. Justice Olukayode Ariwoola, GCON had stated that the judiciary has a role to play in all legal forms of fight against piracy and other maritime crimes, noting that a secured maritime domain was vital to economic development and advancement. The CJN stated this while declaring the 3rd edition of the Nigerian Admiralty Law Colloquium for Justices of the Supreme Court and Court of Appeal and Judges of the Federal High Court, Open in Lagos.⁷⁰

There is no doubt that the judiciary in Nigeria is grappling with many corruption allegations. It is hope that the Chief Justice of Nigeria, should do the needful to redeem the image of the judiciary. The place of the judiciary in a democracy cannot be over emphasized. There is no denying the fact that the judiciary plays an important role in the sustenance of democracy, growth and development of the nation's economy. It is the hope of the common man. Therefore, when it is faltered and weakens, it leaves dire consequences. It is important to note that the Chief Justice of Nigeria has the important sacred role and duty to advance the needed reforms in the judiciary. In this regard, he must work with the other arms of government. This is because the inability of the three arms of government to work in harmony will ensure instability of the nation, but not as rubber stamp, the weakness of the judiciary and the masses has robbed the country of the dividends of economic growth and peace in its environments including the Nigerian waters. While the independence of the other three arms of government in accordance with the doctrine of separation of powers is necessary, it should never be at the expense of the harmonious relationships and synergy amongst

⁶⁵ SPOMO Act, s1(1-2).

⁶⁶ *ibid*, s5(1 -3).

⁶⁷ CFRN, s251(1)(g).

⁶⁸ FHC Act, s8(1).

⁶⁹ AJA s1.

⁷⁰ O. Edward, 'NIMASA Fight Against Piracy: We Have a Role to Play - CJN,' *NIMASA Newsletter* (Lagos, 11 May 2023).

them. The working conditions of the judicial officers should be substantially improved because of their peculiar duties in a democracy. Furthermore, the respect of court rulings should be given due consideration by the executive and the legislative arms to enable the rule of the law play its role for the prosperity of the nation.⁷¹ The judiciary has the power to make court decisions that interpret and apply the constitution in case they hear and act upon that can help entrench true democracy in Nigeria. Constitution and other legislations interpretation by the judiciary helps in the shaping of government and its processes in a democratic setting. The judiciary has powers to entrench peaceful, safe and secured international trade and co-operation in Nigeria through judiciary reviews, decisions; as the courts have power to decide if what government does squares with what the constitution provides. The courts have power to determine the constitutionality of government actions to declare illegal, null and void or of no force and effect, especially if the governmental action is found to violate some provisions of maritime laws. The powers of the courts, especially the Federal High Court, Court of Appeal and Supreme Court help to curb maritime crimes like piracy, armed robbery, illegal fishing, oil theft and so on. The Court is duty bound to swiftly deliver judgment that would serve as deterrence to other criminals at sea and Nigerian waters and keep the environment safe and secure.⁷² This would bring and strengthen regional, international and global cooperation amongst nations in the Gulf of Guinea.

The Court of Appeal confirmed the Federal High Court's decision in March 2018, concluding that NOSDRA had overreached itself in fining Mobil Producing Nigeria Unlimited (ExxonMobil) ten million naira. Following its discovery of an oil spill, ExxonMobil conducted a cleanup effort that NOSDRA deemed satisfactory. Later, NOSDRA filed a lawsuit against ExxonMobil, alleging that the company had violated the NOSDRA Act and requesting ten million naira. The court determined that by imposing a fine, NOSDRA had gone beyond its authority and that only a court has the ability to do so. It further concluded that NOSDRA is not a judicial body and that the NOSDRA Act did not specify that NOSDRA may impose fines.⁷³

Despite the robust powers conferred on the FHC by these laws, their maritime domain still faces serious backlog of criminal and tortious cases pending. One of the problems facing the court system is delay occasioned by FHC in deciding or concluding cases. Also, this delay happens as a result of the fact that it is only the FHC that has the jurisdiction to adjudicate maritime cases. This makes the volume of cases too much to handle. There is need to extend the jurisdiction of other High Courts of records to assist in entertaining and determining such admiralty cases. Another factor orchestrating judicial setback in the marine domain is judicial corruption in Nigeria which is a seed that has been planted by the desperate politicians in Nigeria that want to be relevant in the corridors of power and who also sponsor some of these pirates at sea. This factor has been a bane and barrier to the growth of Nigeria's democratic process and safety around the nation's waters. Corrupt politicians often influence the decisions cases before courts.⁷⁴ This has enabled corrupt politicians to steal the mandate of people's resources.

⁷¹ E. Vincent, 'The Role and Challenge of the Judiciary and the Masses on Entrenchment of True Democracy in Contemporary Nigeria,' <https://www.sjjesgs.com> accessed 30 December 2025.

⁷² B. Buzan, 'New Patterns of Global Security in the Twenty-first Century,' (1991) (67)(3) *International Affairs*

⁷³ *NOSDRA v Mobil Producing Nigeria Unlimited* (2008) LPELR – 44210 (CA).

⁷⁴ B. Buzan, (n162).

The study also considers the jurisdiction of the Federal High Court and its position on maritime crimes. In addition, Olayinka Faji, a Justice in the Federal High Court of Nigeria, was noted to have insisted that 95% of world piracy cases now occur in the GoG, and this has impacted not just on the economy but the social well-being of the people.⁷⁵ Piracy is one of the activities constituting maritime security challenges in the Gulf of Guinea. In most of the cases of pirates' attacks at the Gulf of Guinea; their aims are often to kidnap victims for the sake of ransom; capture vessels and commandeer the cargo and crew members to extort money from the owners of the ship and vessels. It is observed that most of the pirates operating in and around the Gulf of Guinea do launch their attacks mainly from Nigeria. These attacks ensure that the pirates seize and steal cargoes, tools or valuable items from a vessel and the crew.⁷⁶

There have been cases where the crew members are kidnapped and held hostage until a ransom is paid and the worse is the fact the pirates at Nigeria/Gulf of Guinea like their colleagues in Somalia, operate with highhandedness and severe levels of violence as they are less concerned with ensuring the welfare, safety and health of hostages. This study examines the rate of piracy attacks and armed robbery at sea in the Gulf of Guinea which is on average the fifth largest of all recorded and known maritime attacks and incidents across the globe counting between 2010 and 2016.⁷⁷

f. Nigeria Police Force

The Nigeria Police Force (NPF) derives its constitutional foundation from section 214 of the Constitution of the Federal Republic of Nigeria 1999 (as amended),⁷⁸ while its statutory functions are principally regulated by the Nigeria Police Act 2020. Section 4 of the Nigeria Police Act 2020 vests the Police Force with responsibility for the prevention and detection of crime, the protection of life and property, the maintenance of public safety and order, the apprehension of offenders, and the enforcement of all laws and regulations with which it is charged.⁷⁹ These functions are particularly relevant to maritime security because several criminal activities occurring within Nigeria's territorial waters, inland waterways, ports and harbours fall within the general policing mandate of the NPF. For purposes of maritime-crime enforcement, particular attention should be paid to the Marine Police Unit, which constitutes a specialised component of the Nigeria Police Force responsible for policing Nigeria's maritime and inland-water environments. Historically, the Marine Police performed operational functions including anti-smuggling patrols, anti-piracy operations, surveillance, escort and guard duties, enforcement of applicable maritime and port regulations, and general crime prevention within territorial waters, ports, harbours, rivers, creeks and other navigable waterways.⁸⁰ Its operational relevance is heightened by the peculiar geographical characteristics of Nigeria, particularly the extensive network of rivers, creeks, coastal communities and inland waterways that may be exploited by pirates, sea robbers, kidnappers, oil thieves, smugglers and other organised criminal groups.

⁷⁵Reuters, 'Nigerian Court Sentences 10 Men to Prison for 2020 Chinese Ship Hijacking,' <https://www.reuters.com> accessed 4 March 2026.

⁷⁶ T. Treves, 'Piracy, Law of the Sea, and Use of Force: Developments off the Coast of Somalia,' (2009) (20)(2) *European Journal of International Law*, 399–414.

⁷⁷ ICC-IMB Reports 2018, 'High Rate of Piracy and Robbery against Ships,' <https://www.icc-ccs.org> accessed 5 March 2026.

⁷⁸ CFRN 1999, s214.

⁷⁹ NPF Act, s4.

⁸⁰ The Marine Police was established in the year 1891 in Lagos, Nigeria and was then styled 'Night Water Patrol' http://www.npf.gov.ng/Marine_police.php accessed 10 July 2026.

The constitutional and statutory mandate of the NPF therefore places the Marine Police within the broader institutional architecture for combating maritime crimes in Nigeria.⁸¹ Its role, however, must be understood in conjunction with the statutory responsibilities of other maritime-security institutions, particularly the Nigerian Navy, Nigerian Maritime Administration and Safety Agency (NIMASA), Nigerian Ports Authority, Nigeria Customs Service and other agencies involved in maritime law enforcement. The existence of multiple agencies with overlapping or complementary responsibilities creates an imperative for effective inter-agency cooperation, intelligence sharing and clearly defined operational jurisdiction. From a doctrinal perspective, the principal question is not merely whether the NPF possesses legal authority to participate in maritime law enforcement, but whether its institutional capacity is sufficient to translate that legal mandate into effective prevention, investigation and prosecution of maritime crimes. The persistent incidence of piracy, sea robbery, kidnapping and other criminal activities along Nigeria's waterways has historically exposed significant deficiencies in policing capacity, particularly with respect to personnel, marine assets, intelligence gathering, surveillance technology, logistics and specialised training. These limitations are particularly consequential in the Niger Delta, where the complex network of creeks and waterways presents substantial operational difficulties for conventional policing.

The effectiveness of the Marine Police must also be assessed against the broader institutional challenges confronting the Nigeria Police Force. Allegations and documented instances of corruption, abuse of power, inadequate accountability and insufficient operational resources have historically undermined public confidence in the Force and raised concerns regarding its capacity to discharge effectively its constitutional responsibility for the protection of life and property.⁸² Human Rights Watch, for example, documented serious allegations of police corruption and extortion in Nigeria, including the practice whereby police officers allegedly demanded payments from members of the public and, in some circumstances, subjected persons who refused to pay to arbitrary arrest, detention and other abuses.⁸³ Such institutional weaknesses are particularly problematic where policing responsibilities extend to economically strategic environments such as ports, harbours and waterways. The problem of corruption is very significant because the effectiveness of a legal framework depends not only upon the existence of substantive offences and enforcement powers but also upon the integrity and institutional capacity of the agencies entrusted with their implementation. Where law-enforcement officers are themselves susceptible to corruption, the enforcement regime may become ineffective or, in extreme circumstances, facilitate the very criminal activities that the institution is established to suppress.⁸⁴ This concern is especially acute in relation to maritime crimes because ports, waterways and coastal routes are susceptible to smuggling, illegal bunkering, oil theft, piracy and other forms of organised criminality involving substantial financial incentives.⁸⁵

Nevertheless, it would be analytically inadequate to attribute the challenges of maritime policing exclusively to corruption within the NPF. The problem is multidimensional and includes inadequate funding, insufficient marine vessels and equipment, poor inter-agency coordination,

⁸¹ NPF Act, s3.

⁸² Sahara Reporters, 'Corruption in The Nigeria Police Force: Putting the Records Straight, August 27, 2010,' <http://saharareporters.com> accessed 20 July 2026.

⁸³ Thisday Newspaper, Police, PHCN Named as Most Corrupt Institutions, 23/3/11.

⁸⁴ BBC News, Nigerian Ex-police Chief Jailed,' <https://www.bbc.co.uk/2/hi/africa/4460740.stm> accessed 19 July 2026

⁸⁵ A. Ibrahim, 'Police Corruption and the State: Prevalence and Consequences,' [2015] (3)(3) *Global Journal of Arts Humanities and Social Sciences*, 19-29.

intelligence deficits, weak investigative capacity and the difficult geographical terrain of Nigeria's maritime environment.⁸⁶ Moreover, the policing of maritime spaces requires specialised skills and technology that differ substantially from conventional land-based policing. Consequently, the effectiveness of the Marine Police should be evaluated within the context of the overall maritime-security architecture rather than in isolation.

Another important issue concerns jurisdictional coordination between the NPF and the Nigerian Navy. While the Police Force has general responsibility for crime prevention and law enforcement, the Nigerian Navy possesses constitutional and statutory responsibilities relating to the defence of Nigeria and the protection of its territorial waters. In practical terms, maritime crime therefore frequently requires joint operations between the Police, Navy and civilian maritime agencies. The absence of clearly coordinated operational procedures may result in duplication of functions, jurisdictional uncertainty or delays in investigation and prosecution. An effective maritime-security regime consequently requires institutional coordination rather than the mere multiplication of enforcement agencies. The Marine Police nevertheless remain indispensable to Nigeria's maritime-security framework. Its proximity to coastal and inland-water communities gives it a potentially important role in community-based intelligence gathering, crime prevention, investigation and the arrest of suspected offenders. Its effectiveness could therefore be enhanced through specialised maritime-crime training, improved marine assets, modern surveillance technology, strengthened forensic and investigative capacity, transparent accountability mechanisms and institutionalised information-sharing arrangements with the Nigerian Navy, NIMASA and other relevant agencies. It is therefore submitted that strengthening the Marine Police should form part of a broader reform of Nigeria's maritime-security architecture. Such reform should emphasise clear delineation of institutional responsibilities, sustainable funding, specialised training, modern maritime surveillance capabilities, anti-corruption safeguards, intelligence-led policing, effective prosecution and institutionalised cooperation among maritime-security agencies. Without these measures, the extensive statutory framework governing maritime security risks remaining substantially normative rather than effectively operational.

3. Cost/Impact of Maritime Insecurity to Nigeria and Gulf of Guinea

Piracy, armed robbery against ships and other maritime crimes impose significant costs on the shipping industry, which in turn are passed on to consumers. The costs of heightened piracy in the GoG includes increase in the premium on risk cover, delays in accepting Nigerian crude oil cargoes in the international market, adverse impact on the market pricing of Nigerian crude related to cargo delivery uncertainty and overall adverse impact on the revenues accruing to the federation account.⁸⁷ Countries of the Gulf of Guinea home to West African waters including Nigeria and trading partners, have lost close to \$3 billion to piracy and other maritime-related crimes in three years, 2016 to 2019.⁸⁸ The non-governmental organization, One Earth Future Foundation, which tracks annual piracy trends, estimated that maritime insecurity in the region cost \$818.1 million in 2017, up from \$793.7 million in 2016. Stolen goods account for only a small fraction of these costs, the majority of which reflect expenses related to deterring armed attacks on ships (through

⁸⁶ K. I. Nwachukwu and Others, 'The Challenges of Implementing Strategic Policing: A Case Study of The Nigeria Police Force,' <https://www.researchgate.net> accessed 1 August 2026.

⁸⁷ F. Ugwoke, 'Impact of Piracy War on Shipping Charges,' <https://www.thisdaylive.com> accessed 6 July 2026

⁸⁸ A Anago-Ewuzie, 'West African Countries Lose \$3bn to Insecurity at Sea in 3 Years,' *BusinessDay* Port Harcourt, 19 April, 25.

governmental naval activities and/or privately contracted vessel protection), hazard pay, and insurance costs for ships and cargo.⁸⁹

Countries bordering the GoG incur additional costs, including some intangible costs such as offshore attacks deterring investment. Also, many GoG countries derive significant revenues from port activities, and are thus heavily affected when shipping firms reroute vessels in response to insecurity. Due to the high risk associated with Nigerian territorial waters, insurance providers now require ships coming to Nigeria to obtain extra cover/security, adding significant cost to shipowners and charterers, which makes Nigerian ports expensive and unattractive.⁹⁰ Both Nautilus, a union representing twenty-five thousand British and Dutch ship officers, and the International Transport Workers' Federation (ITF), which has six hundred thousand members, called on the International Maritime Employers Committee (IMEC) to class Nigerian waters a war zone and to grant crews emergency rights such as war-risk pay bonuses for operating in those waters.⁹¹ Shipowners are now being forced in Nigeria to pay for private armed guards to escort vessels from anchorage into and out of berth. The payments range between thirty thousand dollars and fifty thousand dollars per trip. The payment is apparently necessitated by the insecurity and piracy in the eastern flanks of the nation's waterways. While United Nations Office on Drugs and Crime (UNODC) estimates between seven hundred million dollars to eight hundred million dollars,⁹² Nigeria's former Chief of Naval Staff, Admiral Ibok Ette-Ekwe Ibas, estimates that Nigeria and fifteen other countries within the Gulf of Guinea lose about two billion dollars annually to maritime crime.⁹³ In 2018, the United Nations (UN) Security Council disclosed that Nigeria was losing approximately one billion and five hundred million dollars a month due to piracy, armed robbery at sea, smuggling and fuel supply fraud. 'The absence of an effective maritime governance system, in particular, hampers freedom of movement in the region, disrupts trade and economic growth, and facilitates environmental crimes,' Ambassador Michele J. Sison, the United States' Deputy Representative to the UN, said at the time.⁹⁴ She identified ineffective governance structures, weak rule of law, precarious legal frameworks and inadequate naval, coast guard, and maritime law enforcement as reasons for the challenge.

Nigeria must pay greater attention to the Gulf of Guinea not only because her economy depends on it but also because of its implications for her national security given the quantum of illicit arms that flow through the region. Nigerian Navy has, at various times, embarked on special operations to tackle piracy and criminality on waterways and the cost of these special operations is enormous. NIMASA reportedly spent one hundred and ninety-five million dollars to buy security assets and logistics and training of military forces to fight piracy.⁹⁵ These are funds that would have been applied to social services.

⁸⁹ A. Okon, 'Pirates Attack Port Harcourt-Bound Vessel Off Bonny,' *The Punch* (Port Harcourt, 2 January) 35.

⁹⁰ C. Tokulah-Oshoma, 'Can SUPMO Act Tame Piracy on Nigerian Waters?' *The Punch* (Lagos, 9 January 2020).

⁹¹ O. A. Abdulkadir, 'Maritime Pirates: The Criminal Underworld of the Nigerian Maritime Domain,' (2015) (6)(2) *The Gravitas Review of Business and Property Law*, 74.

⁹² UNODC, 'Crime, Corruption, Maritime Insecurity and the Environment,' <https://www.unodc.org> accessed 7 August 2026.

⁹³ A. Okon, 'Nigeria Loses \$2.7 Billion Annually to Illegal Fishing and Piracy,' *The Punch* (Port Harcourt, 3 October 2019).

⁹⁴ O. Adeniyi, 'GoG and Nigeria's Growing Troubles,' *Thisday* (Lagos, 15 September 2019).

⁹⁵ NIMASA, 'Fight against Piracy: We have a Role to Play – CJN,' <https://www.nimasa.gov.ng> accessed 7 August 2026.

The other costs of piracy and criminality on Nigeria's waterways include stifling regional trade and food price inflation since deep sea fishing has almost been taken over completely by the Chinese whose vessels are heavily fortified. The heavy presence of piracy, armed robbery at sea, oil theft and other heinous maritime crimes in Nigeria's marine territory coupled with militancy onshore, is driving up operating costs of maritime and oil companies.

4. Conclusion and Recommendations

A complex interaction of historical, socioeconomic, and political factors has contributed to the prevalence of maritime crime, as evidenced by the evaluation of the institutional and legal framework for preventing maritime crimes and insecurity in Nigeria's maritime space, especially when viewed through the prism of piracy, armed robbery at sea, IUU, and other maritime offences. The Gulf of Guinea is bordered by several states, creating several legal and regulatory complexities in addressing maritime crimes. The stretching shoreline bordering the Gulf often gives pirates more room to operate and much more time to pillage and transfer stolen cargo or kidnapped persons. The prevalent high risk in the Gulf of Guinea indicates that more work has to be done in coordinating anti-piracy efforts. Increased regional and global cooperation consisting of intelligence and resource sharing is imperative. In addition, there is the need for Gulf of Guinea states to domesticate significant provisions of UNCLOS, the Convention for the Suppression of Unlawful Acts Against Safety of Maritime Navigation (SUA) and other relevant international instruments to enhance effective prosecution of pirates.

It is worthy to note that the issues of incessant neglect of the welfare of creek towns, riverine settlements and oil-rich states in Nigeria have escalated the issues of maritime security challenges in Nigeria/Gulf of Guinea. The neglect and denial of good quality of life have brought about increased rates of militant activities, terrorism, among others, along with the marine environment. The Federal Government should consider the welfare of the people living in the creek towns, riverine and other oil-rich settlements. It is important to mention that efforts to stamp out piracy along the Gulf of Guinea is not a Nigerian affair but regional as other governments in West Africa are working towards tackling the menace. Regional efforts are being undertaken under the Gulf of Guinea (GoG) Commission for the West Coast of Africa. This Commission discusses maritime security issues in the West African sub-region with a view to harnessing and integrating governmental efforts and strategies against pirate activities and other maritime crimes along the coast. The regional effort is being coordinated through the office of the National Security Adviser in Nigeria. This team is meant to patrol around the waters and react to any illicit activities in the GoG. Curbing insecurity would sanitize the coastal nations' waterways of various forms of illegalities such as crude oil theft, illegal oil bunkering, pipeline vandalism and vandalization of other multimillion-dollar government facilities located offshore. This surveillance systems are meant to use an automatic identification system and ground-based radar and sensors to enhance awareness of maritime activities. Blind patrols of the sea are baseless, hence the need for application of the system. Prompt and adequate utilization of the system gives accurate dissemination of information during operations. It will assist Nigerian naval authorities to carry out maritime surveillance and prevent illegal activities within the nation's maritime domain. Also, maritime surveillance in GoG must be highly and adequately funded in order to enable and strengthen the institutional capacity to tackle piracy and sea robbery. It is suggested that training of the Nigerian Navy by their foreign counterparts like the US Navy in order to assist in curbing crimes along Nigeria's waterways is very important.