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WORLD MARITIME UNIVERSITY

Malmö, Sweden

**MARITIME LAW ENFORCEMENT IN
NIGERIA: THE CHALLENGES OF
COMBATTING PIRACY AND ARMED
ROBBERY AT SEA**

By

BRUME-ERUAGBERE OMOVIGHO CYNTHIA

Nigeria

A dissertation submitted to the World Maritime University in partial fulfilment of
the requirements for the award of the degree of

MASTERS OF SCIENCE

In

MARITIME AFFAIRS

(MARITIME LAW & POLICY)

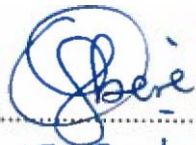
2017

DECLARATION

I certify that all the material in this dissertation that is not my own work has been identified, and that no material is included for which a degree has previously been conferred on me.

The contents of this dissertation reflect my own personal views, and are not necessarily endorsed by the University.

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ABSTRACT

Title of Dissertation: Maritime Law Enforcement in Nigeria: The Challenges of Combatting Piracy and Armed Robbery at Sea

Degree: **MSc**

This dissertation is a study of maritime law enforcement against piracy and armed robbery at sea in Nigeria. It identifies the challenges of combatting the offences by examining national and regional law enforcement measures.

The research examines the trends in piracy and the causes of piracy. The international, national and regional legal framework in place to combat piracy and armed robbery at sea are further outlined and analysed with emphasis on their applicability and their gaps. Law enforcement measures carried out by national maritime institutions are evaluated in order to identify gaps in the measures and to explore the reasons for the gaps. The research examines cooperative response against piracy and armed robbery at sea at the regional level in order to assess their effectiveness and shortcomings.

The challenges of combatting piracy and armed robbery at sea in Nigeria and at the regional level are identified as well as the efforts made by the Nigerian government to reduce the challenges. The conclusion of this research is that, although efforts are in place to combat piracy and armed robbery at sea both in Nigeria and at the regional level, more effort is needed especially in the aspect of provision of laws at the national level and coordination between regional initiatives.

Key Words – Enforcement, Combatting, Measures, Trends, Causes, Gaps, Challenges, Efforts

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LIST OF ABBREVIATIONS

AFA	Armed Forces Act
COPAX	Peace and Security Council of the Central Africa
CRESMAC	Regional Centre for Maritime Security in Central Africa
ECCAS	Economic Community of Central African States
ECOWAS	Economic Community of West African States
EFCC	Economic Community of West African States
FGN	Federal Government of Nigeria
GISIS	Global Integrated Shipping Information System
GGC	Gulf of Guinea Commission
HSOP	Harmonized Standard Operating Procedure
ICC	International Chamber of Commerce
ICJ	International Court of Justice
IMB	International Maritime Bureau
LFN	Laws of the Federation of Nigeria
ISMS	Integrated Strategy for Maritime Security
MACN	Maritime Anti-Corruption Network
MEND	Movement for the Emancipation of the Niger Delta
MOU	Memorandum of Understanding

MOWCA	Maritime Organization of West and Central Africa
MRCC	Maritime Rescue Coordination Centres
NIMASA	Nigeria Maritime Administration and Safety Agency
NPF	Nigeria Police Force
PMSC	Private Military Security Company
SUA	Suppression of Unlawful Acts
UAV	Unmanned Aerial Vehicles
UNDP	United Nations Development Program
UNCLOS	United Nations Convention on the Law of the Seas
UNCTAD	United Nations Conference on Trade and Development

1 INTRODUCTION

Piracy is one of the most significant and direct threats to maritime security (Hassan & Hassan, 2016). According to Murphy (2010), piracy is a slippery concept which can rarely be applied without some form of caveat or exemption that changes its meaning. Though not a political crime, it has often been linked to politics, state power or state weakness. Piracy has been in existence for decades; it has taken several forms and has been perpetuated for different reasons. The current state of piratical attacks in Nigeria reinforces the urgency of effective law enforcement. The success of law enforcement both at the national and regional levels depends on a sound knowledge of the international law requirements regarding piracy and armed robbery at sea, knowledge of the operational environment, awareness of the actors and understanding of the nature of piracy in Nigeria and in the Gulf of Guinea (Ali, 2015).

1.1 Hypothesis

The hypothesis underlying this research is that the law enforcement against piratical activities in Nigeria is inadequate and suffers multiple limitations.

The central issue discussed in this research is that piratical attacks in Nigeria and in the Gulf of Guinea region have increased because of inadequate law enforcement at the national and regional levels. The research argues that the current laws in Nigeria do not comprehensively address the issues of piracy and armed robbery at sea. It argues that the current regional processes have failed to yield a well-defined platform for cooperation between states in the Gulf of Guinea region. The research demonstrates that, although there are gaps in the international legal framework on piracy, it is capable of working successfully to ensure acts of piracy are punished if implemented by states.

1.2 Aims and Objectives of the Study

The aim of this research is to provide a comprehensive analysis of the law enforcement measures against piratical activities in Nigeria. The objective of the research is to identify the gaps in the law enforcement and the challenges of combating piracy and armed robbery in Nigeria.

To achieve the above objective, the dissertation will answer the following questions: How adequate are international laws on piracy and armed robbery at sea? What are the maritime law enforcement measures available to punish piracy and armed robbery at sea in Nigeria and at the regional level? To what extent is Nigerian law on piracy in conformity with international laws? How effective are the national and regional efforts against piracy and armed robbery at sea in Nigeria? What are the gaps in law enforcement measures against piratical activities? What are the challenges that create the gaps in law enforcement against piracy and armed robbery at sea in Nigeria?

1.3 Research Structure

The research is divided into six chapters. Chapter one will briefly describe the concept of piracy. It will further discuss the objectives of the research in detail, outline the structure of the study and describe the methodology of the research.

A general overview of the trends and the nature of piracy and armed robbery at sea in Somalia, the Gulf of Guinea and Nigeria is provided in chapter two of this research. The factors that contribute to increased piracy and armed robbery at sea are further analysed in line with piratical activities in Nigeria.

Chapter three of this research will analyse international, regional and national legal frameworks on piracy and armed robbery at sea, institutional frameworks and their gaps therein. The international legal frameworks that are analysed in this dissertation are the United Nations Convention on the Law of the Seas 1982 (UNCLOS), the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 1988 (SUA Convention) and its Protocols.

International records of piracy attacks in Nigeria and in the Gulf of Guinea are highlighted in chapter four. Records of law enforcement measures against piratical

attacks at the national level are critically analysed in order to evaluate and identify the gaps in law enforcement and the challenges causing the gaps.

Chapter five summarizes the research and provides details of efforts made by Nigeria both at the national and regional levels to combat piracy and armed robbery at sea. It also highlights the way forward to improve maritime law enforcement in Nigeria.

Chapter six provides the conclusion of the research.

1.4 Research Methodology

To achieve the objective of this dissertation, the qualitative research method is used. An evaluation is made regarding the current anti-piracy arrangements in Nigeria and in the Gulf of Guinea. The research studies the nature of piracy and armed robbery at sea along with existing legal and institutional frameworks directed towards combating the offences. A pure legal analysis of the strengths and weaknesses of relevant international, regional and national legal frameworks is undertaken to determine the extent of their effectiveness. The research provides a descriptive and logical analysis of secondary data, such as national and international organizational reports and records, journals, previous research, existing literature, newspapers, and online publications.

1.5 Significance of the Study

This topic was selected because of the dramatic increase in piracy in Nigeria since 2016. The dissertation is important because it provides the needed intellectual input for understanding the difficulties faced by maritime law enforcement institutions at national and regional levels, and how the difficulties limit their efforts to combat piracy and armed robbery at sea.

The research also makes a unique contribution to the growing literature on maritime law enforcement against piracy in Nigeria and it lays a foundation for further research in this area.

2 OVERVIEW OF PIRACY AND ARMED ROBBERY AT SEA

Piracy has always been described in an unrealistic fashion by writers, filmmakers and people who fantasize about sailing the seas of endless blue. The truth is that piracy of today is a violent, bloody and ruthless practice and it is a major cause for concern (Abhyankar, 2007). In the past, the deployment of multinational forces around the Horn of Africa, particularly off the east coast of Somalia, made it seem like piracy was a Somali problem. Just as piracy is not a new issue to shipping, it is also not a problem of only one or two states. It is not just a Somali problem but an international affliction on maritime trade, a global problem that requires international support and cooperation amongst sovereign states. It exists in places like Indonesia, the South China Sea, Malacca straits, South America and West Africa and the trends in piracy are quite different (Baker, 2013). Modern piracy is usually carried out by a highly sophisticated criminal organization that is equipped with fast boats and communication equipment. These experienced criminal organizations attack and rob ships, kidnap crew and sometimes engage in ‘phantom shipping’, which involves, taking the entire ship and its cargo, changing the colour of the ship and obtaining fake registration documents for the vessel which may be sold or used by the pirates for their shipping needs (Gagain, 2010). This chapter, therefore, seeks to give an overview of the trends of piracy and armed robbery at sea, particularly in the eastern and western parts of Africa; the nature of piracy in Nigeria; as well as factors that contribute to increased piracy and armed robbery at sea.

2.1 Trends of Piracy and Armed Robbery at Sea: Somalia, Gulf of Guinea and Nigeria

The term piracy tends to imply uniformity in the way the offence is carried out. However, this is not the case because the behaviour and strategies of pirates throughout the world vary. In other words, while piracy as an act remains fundamentally the same,

the trends in various regions are not the same (Haywood & Spivak, 2012). This section will therefore analyse trends of piracy and armed robbery at sea in Somalia, Nigeria and the Gulf of Guinea.

2.1.1 Somalia piracy

In Somalia, the majority of the piratical attacks occur on the high seas and are generally carried out by persons known as foot soldiers who are mostly juveniles. The foot soldiers are the lower level pirates that are financed by certain persons known as the financiers. These financiers of piracy in Somalia are not involved in the acts but they are known to exist and profit greatly from the piracy business (Hodgkinson, 2013). Initially, Somali pirate groups were loosely organized; they had little equipment and scant membership, but, with time, they transformed into a well-resourced efficient and heavily armed syndicate which employs hundreds of people (Geib & Petrig, 2011). Specific trends in Somali piracy include the geographic expansion of piracy activities, increased cost of ransom, increased length of captivity of hostages and increased violence towards hostages. Somali piracy developed from the use of small boats to attack large vessels, to the hijacking of certain vessels, particularly fishing vessels. The hijacked vessel is operated far off the coast as a mother ship to launch faster and readily manoeuvrable smaller crafts which are used to attack large vessels, and transport proceeds of attacks as well as hostages to the mother ship. In this way, the pirates extend their operational range and also avoid near shore enforcements (Haywood & Spivak, 2012). Another trend in Somali piracy is the rate at which ransom cost increased. In 2010 – 2011 when Somalia piracy was at its peak, piratical attacks were reported to have caused significant losses for shipping companies and boosted the sale of kidnap and ransom policies for insurance companies (Hodgkinson, 2013). As a result of the high ransom cost, the negotiation time also increased, thereby leaving hostages to endure longer captivity and increased violence from pirates. In recent years, the number of Somali piracy attacks has reduced significantly due to the law enforcement measures carried out by international, national and regional players and, today, the piracy problem in Africa has shifted to the west coast off Nigeria, in the Gulf of Guinea (Baker, 2013).

2.1.2 Piracy in the Gulf of Guinea

The Gulf of Guinea region is part of the Atlantic Ocean off the Western African Coast, as shown in Figure 1 below. Generally, states in West Africa are referred to as the Gulf of Guinea states, but sometimes the Gulf of Guinea is used to refer to an area that includes several west and central African countries (Tepp, 2012).

Figure 1: Map of Gulf of Guinea



Source: Adapted from (Seidou, 2017)

The region's geostrategic and maritime potential is quite attractive because it is endowed with enormous mineral and marine resources. Nearly 70 percent of Africa's oil production is concentrated in the west coast of the Gulf of Guinea (Onuoha, 2012). The Gulf of Guinea is also one of the most important shipping lanes in the world, serving as free transit for international and regional trade and an alternative route for shipping when the Suez Canal is closed. (Hassan & Hassan, 2016). Its maritime affluence, however, coexists with many maritime afflictions, of which piracy and armed robbery at sea is growing in nature and frequency (Onuoha, 2012). Recently, the Gulf of Guinea has become the leading hot spot for piracy in Africa due to the increased number of attacks within the region (Onuoha, 2013).

Piracy in the Gulf of Guinea has been in existence for a long time but it started developing rapidly in the 1990's when pirates were focused on attacking high value assets at sea. The trend in piracy attacks in the past was more traditional because it involved hijacking the vessel, forcing it to sail to an unknown destination where the cargo was siphoned into the pirate's vessel, and releasing the hijacked vessel after the

transfer of cargo (Tepp, 2012). Pirates were more focused on stealing ships and cargo rather than hostage taking. In recent years, however, piracy in the Gulf of Guinea has shifted from the traditional type of piracy to a modern day piracy involving kidnapping of the passengers and crew of ships for ransom (Hodgkinson, 2013).

2.1.3 Nigeria piracy and armed robbery at sea

Contemporary piracy in the Gulf of Guinea, is a Nigeria- centric problem. Unlike the Somali piracy, which occurs mostly in the high seas, much of the piracy in the Gulf of Guinea occurs in Nigerian territorial waters (Ashiru, 2016). According to Kamal-Deen Ali (2015), Nigeria accounts for 80 percent of reported piracy incidents in the Gulf of Guinea and it stands out as the epicentre of Gulf of Guinea piracy.

In Nigeria, there is a complex relationship between piracy and the legacy of oil and one could say the two issues are interwoven because piracy in Nigeria occurs mainly in the resource rich Niger Delta region (Otto, 2014). Piracy in Nigeria started from small scale petty robbery of personal effects of crew and ship equipment onshore, but quickly became more organized and pirates began to operate in larger numbers and with faster crafts. Due to the oil production and trade in the Niger Delta region, oil theft, attacks on offshore installations as well as attacks on vessels carrying petroleum products became bigger targets (Otto, 2014)

With the establishment of the Movement for the Emancipation of the Niger Delta (MEND), piracy took a new turn in Nigerian waters and off its coast. The MEND, according to experts, is an organized group which is a loose coalition of armed militias who are motivated by local grievances. They were involved in kidnapping of oil workers, theft of crude oil, raids on ships and constant attacks on installations (Watts, 2008). Their activities increased instability in the Niger Delta region of Nigeria and this in turn led to increased attacks on ships at sea, river crafts and oil platforms. Today piracy and armed robbery attacks at sea have moved from violent armed robbery attacks to theft of whole ships, kidnap and ransom and sometimes sabotage (Murphy, 2010).

2.2 Factors that Contribute to Increased Piracy and Armed Robbery at Sea

The circumstances that give rise to piracy and armed robbery at sea are complex and have many sides. There is no conclusive or universally accepted list of factors responsible for piracy and armed robbery at sea, but some of the most consistent factors include weak law enforcement, weak security, poverty, economic hardship and socio-political instability. A state may not necessarily have all these factors; however, where all or most of the factors are available, there is a likelihood for piracy to emerge and flourish. Martin Murphy (2010) proposed seven major factors that motivate piracy, lessen the risk of capture or detention and help protect pirates. The factors include: legal and jurisdictional opportunities, favourable geography, conflict and disorder, underfunded law enforcement, permissive political environment, cultural acceptability and reward. This section will, therefore, analyse the seven factors accordingly.

2.2.1 Legal and jurisdictional opportunities

This factor exists not only in Nigeria or in Africa but across the world. Even before the existence of international laws of the sea, piracy was a crime of universal jurisdiction and even when pirates were regarded as enemies of all mankind, they were subject to prosecution under domestic laws (Murphy, 2011). Today the shipping industry is highly industrialized in the sense that a ship may have a particular nationality, the crew may have different nationalities, and the insurance company, different still. In such a case, finding a state that is willing to take up jurisdiction may be difficult. The state would usually consider the fact that the evidence trail can be easily corrupted, the need to bring witnesses from their home countries when the proceedings commence, the cost of a trial, and the fact that chances of conviction are often low. Issues of arrest made at sea are likely to result in persons being held longer than the required time specified by domestic laws, thereby giving the defendants the right to claim human rights breaches. Additionally, a person convicted for piracy may, upon release, seek asylum in the prosecuting country, particularly in developed nations. Due to these reasons most states may be unwilling to take up jurisdiction, hence enforcement measures frequently end up in a catch and release situation (Murphy, 2011).

2.2.2 Favourable geography

Pirates consistently carry out attacks in places that they find rewarding, places with an acceptable level of risk and places where they can easily find a place of refuge. The most favourable location where piracy occurs is in seas that are narrowed due to the presence of straits, bays, estuaries and archipelagos, whereby, for navigation or commercial reasons, ships are forced to sail slowly and closer to shore (Murphy, 2010). As a result of the slow movement of vessels in these geographic locations, it becomes easier for pirates to board the vessels and more difficult for the vessels to take evasive action.

Although most countries in Africa do not have these geographic conditions, some ships sailing into Nigeria, especially tankers, are subject to similar conditions. Nigeria ranks amongst the largest oil exporters in the world and the majority of its oil is produced in the Niger Delta region. Due to the volatile nature of the region and constant attacks on oil installations offshore, extracted oil is usually channelled to inshore terminals. In order for vessels to load oil from the inshore terminals, the tankers, supply ships and tugboats are required to navigate close to shore and sail in constrained waters. This usually makes the vessels targets for pirates (Tepp, 2012).

2.2.3 Conflict and disorder

Piracy, like other crimes, usually thrives when there is any form of turbulence created by violent turmoil. In regions where there are weak or non-existent governing authorities, anarchy and predation increases and results in a wide scale of criminal activities including piracy (Tepp, 2012). An example of such a situation is the case of Somalia. The collapse of its central government during the war in the 1990's, and the resulting absence of governing authority in the coastal area, led to the rise of piracy in the Gulf of Aden. Another example of such conflict is that between the MEND and the Nigerian government. The MEND's constant fight with the Nigerian government and its declaration to attack all government facilities, personnel, vessels and infrastructures of foreign companies paved the way for pirates who use the cloak of insurgency to cover their predation (Tepp, 2012).

2.2.4 Underfunded law enforcement and inadequate security

Inadequate state funding and training of law enforcement personnel is a factor that contributes to increased piracy because many states cannot afford to employ a considerable number of law enforcement officers, nor can they afford the equipment required to carry out law enforcement (Murphy, 2010). Sometimes underfunding occurs because some states give priority to land based forces, particularly the Army, while they neglect the Navy, Air force and Coast guard. This results in ill-equipped and underfunded maritime law enforcement agencies, thereby making them unable or unwilling to perform their assigned responsibilities (Onuoha, 2013). A state that has weak institutions and law enforcement due to funding of law enforcement agencies or training of personnel may find it difficult to apprehend pirates. Even where it does apprehend pirates, prosecuting the few arrested is less likely, and securing a conviction may be difficult (Onuoha, 2013).

Inadequate security by shipping companies has also been identified as a contributing factor to piracy. It is the responsibility of shipping companies to establish best management practices to protect its ship, especially when the vessel is navigating through piracy hotspots (Murphy, 2010). According to Murphy, the precautions could be to assign extra watches that would lookout for possible pirate vessels in order for the vessel to send distress calls on time. The vessel could also prime fire hoses to be used against small crafts if they get close to the vessel. The company could also fit secure locks to doors and install sophisticated equipment, such as high voltage fences, to scare off pirates.

2.2.5 Permissive political environment

For piracy to thrive, it requires not just weak law enforcement, but also lax law enforcement. Most often, the laxity of law enforcement develops as a result of corruption of law enforcement officials or governing authorities. When this is the case, piracy increases, especially in areas where there is insufficient security and abundant targets (Tepp, 2012)

2.2.6 Cultural acceptability

According to Martin Murphy (2010), piracy is most likely to have roots in areas with a maritime tradition and skills that go with it. In areas such as Southeast Asia, piracy may have deeper roots because important trading routes have divided the archipelagos in the region for centuries, making piracy a way of life that has been established for generations on a clan or family basis. An example of such maritime tradition and skills is the Tausug communities of the Sulu archipelago, which stretches between the southern Philippines and Borneo. In the communities, piracy was encouraged among the men and was associated with highly regarded virtue (Murphy, 2010). While it is possible for piracy to have roots in countries with maritime tradition and skills, this may not be the case for some countries such as Nigeria, which has no cultural affinity with the sea. In this case, piracy can take root in established social practices or contemporary imperatives (Murphy, 2011). Although Nigeria does not have a culture of piracy, the crime thrives due to social acceptance by the riverine communities of the Niger Delta, where many of the people suffer from poverty and unemployment because their economic activities have been affected by oil pollution (Tepp, 2012).

2.2.7 The promise of reward

No matter how great an opportunity is, it would not be exploited without the promise of enrichment. This is evident from the Niger Delta region where the villagers of the riverine communities are unable to earn a living from small scale fishing as a result of pollution of community waters by oil companies. The high level of unemployment and poverty has led to the crime being perceived as a career option, especially in the communities where pirates stand out as the richest people and role models to young persons (Tepp, 2012).

In summary, piracy could be referred to as a crime of opportunity, a crime that would flourish where there is low risk to pirates either because of suitable geography, a busy seaway, conflict and disorder in a state and most of all poor counter piracy measures. It is evident from the discussion on the nature and trends of piracy in Nigeria that the counter-piracy measures adopted have been largely ineffective. This is premised on

the fact that, just as some of the factors responsible for increased piracy are present in Nigeria, the same factors apply in Somalia. Regardless of the factors, however, piracy has reduced off the coast of Somalia. It follows, therefore, that adequate strategies could repel piracy regardless of the presence of certain factors which would naturally be responsible for increased piracy. To determine the challenges faced by Nigeria in adopting positive strategies to repel piracy and armed robbery at sea, it is important to look into the measures in place to combat the offences. The next chapter will, therefore, analyse the law enforcement measures available in Nigeria to combat piracy and armed robbery at sea.

3 LEGAL AND INSTITUTIONAL FRAMEWORK FOR COMBATTING PIRACY AND ARMED ROBBERY AT SEA IN NIGERIA

In discussing the law enforcement measures available to combat piracy and armed robbery at sea in Nigeria, this chapter will analyse the existing international, national and regional legal frameworks and their gaps. It will further discuss the available institutions responsible for maritime law enforcement at the national and regional levels and their various roles in the fight against piracy and armed robbery at sea.

3.1 International Legal Framework

Currently the international legal framework on piracy is the UNCLOS and the principle of customary international law finds its most lucid expression in Articles 100 -107 of UNCLOS (Ali, 2015).

The United Nations Security Council Resolution 2039, in line with the Security Council Resolution 2018 relating to the fight against piracy and armed robbery at sea in the Gulf of Guinea, reaffirms “that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 (UNCLOS) in particular its Articles 100, 101 and 105 sets out the legal framework applicable to countering piracy and armed robbery at sea as well as other oceans activities.” While the UNCLOS is clear about piracy, it has nothing to say about armed robbery at sea. As a result of this, a range of other rules have evolved from treaties drafted to address violence at sea in various forms (Geib & Petrig, 2011).

Armed robbery at sea is not a standing legal term but a notion commonly used to designate activities that occur in a state’s territorial sea. In 1986, the Council of the International Maritime Organization (IMO) decided that armed robbery at sea required its urgent attention; therefore, in order not to delay, it set up an Ad Hoc committee which was opened to all states to prepare, on priority basis, a draft convention. The

committee agreed on a draft convention in 1987 and in 1988 the SUA Convention was adopted by a diplomatic conference convened in Rome (Geib & Petrig, 2011). The Convention did not specifically define armed robbery at sea but it is a treaty which deals with violent acts against ships and persons on board (Murphy, 2007); hence, its provisions cover any violent acts at sea which could be piracy or armed robbery at sea.

In discussing the international legal framework, this section will focus on UNCLOS, particularly the requirements in Articles 100, 101 and 105, and the SUA frameworks.

3.1.1 The requirement of the UNCLOS

Article 100 UNCLOS provides for a general obligation of states to cooperate in the repression of piracy when encountered at the high seas or in any other place outside the jurisdiction of a state. This duty to cooperate is the first provision on piracy in UNCLOS and it provides an appropriate benchmark as a framework for the substantive provisions that follow. The provision serves as a guiding principle in identifying the specific obligation imposed on states. An example of the obligation on states to cooperate is the duty to share relevant information that can help prevent piracy attacks and facilitate prosecution of suspected pirates. For emphasis on the importance of cooperation, Article 100 UNCLOS expressly provides that all states shall cooperate “to the fullest possible extent” (Gottlieb, 2013)

While states have the obligation to cooperate in repressing piracy, a state must first ascertain what constitutes the act of piracy in order to effectively combat the offence. The definition of piracy can be found in Article 101 UNCLOS which provides that piracy consists of any of the following acts:

- (a) ‘Any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
 - (i) On the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;

- (ii) Against a ship, aircraft, persons or property in a place outside the jurisdiction of any state;
- (b) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate-ship or aircraft;
- (c) Any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).’

The above definition appears simple and straightforward at first glance; however, when it is examined closely it becomes clear that the wording contains certain complex requirements which must be carried out for an act to be referred to as piracy (Ali, 2015). Identifying these requirements to determine what constitutes piracy and what does not is the first major step to combatting piracy. Article 101 of UNCLOS demands that for an act to be deemed as piratical, it must have the following features;

3.1.1.1 The acts of piracy must be committed on the high seas

This requirement is fundamental to the exercise of jurisdiction over piracy because it has to do with the place of offence. The UNCLOS definition limits piracy to acts that occur on the high seas or a place outside the jurisdiction of any state. In line with articles 55, 58 and 88- 115 of the UNCLOS, the high seas in this context include all waters beyond the territorial sea of a state, such as the contiguous zone and the exclusive economic zone (EEZ). This means that acts of violence against ships in territorial waters or internal waters of a state are not regarded as piracy under international law (Ali, 2015).

3.1.1.2 The violent acts must be solely for private ends

Another issue which seems to be a very complex requirement of the crime is that the act must be committed for “private ends”. From this requirement, piracy may be motivated as a result of hatred or revenge; however, politically motivated acts cannot be said to fall under the international law definition of piracy (UNCTAD, 2014). This requirement tends to be very problematic, especially because of the need to prove the private motive of a crime. It restricts the scope of piracy such that a person may escape conviction if it can be proved that the acts were committed for public ends (Ali, 2015).

This feature shifts the definition of piracy away from acts which are political in nature, thus setting aside acts of insurgency and terrorism which are major problems in Nigeria, especially in the Niger delta where the militants are seen to engage in piratical activities in order to increase their influence and funding (Best, 2015).

3.1.1.3 The act must have involved two vessels

The third requirement provided by Article 101 of the UNCLOS is that, for an act to be called piracy, more than one vessel must be involved. This means that the act must be committed by the crew or passengers of a private ship against another ship. Under this requirement, attacks against some platforms at sea, or internal hijack of vessels by ship's crew, resulting in kidnap and ransom cases, do not fall under the UNCLOS definition of piracy (UNCTAD, 2014).

On one hand, it is important to understand what constitutes the offence of piracy; however, understanding what constitutes piracy is not sufficient enough to counter the offence. Enforcement measures are key to combatting piracy and for a state to enforce its laws on suspected pirates, it needs to understand the jurisdictional aspect of the offence in order to criminalize it.

International law regards piracy as universally cognizable; hence, any nation could try pirates it has caught regardless of the location on the high seas in which they were apprehended, or the nationality of the pirates (Kontorovich, 2004). Article 105 UNCLOS places a universal jurisdiction on states and authorizes all states to take enforcement measures against pirate ships or ships taken by piracy and under the control of pirates. This right is an exception to the exclusivity of a flag state's jurisdiction over vessels flying its flag as provided for in Articles 92 and 94 of the UNCLOS (Geib & Petrig, 2011). Since piracy provides an independent basis for jurisdiction under international law, there need not be any jurisdictional link between the state exercising jurisdiction and the suspected pirates. By Article 105, states can criminalize piracy in their national legislation and set out relevant sentences for those convicted of piracy (UNCTAD, 2014). Thus, pirates may be prosecuted by the legal system of any state regardless of the flag of the vessel attacked, the flag of the vessel

used to commit the offence or the nationality of the pirates (Ali, 2015). In practice, however, a state may be reluctant in taking counter-piracy measures as a result of certain constraints which may include logistics or inadequacy of the domestic legal framework to prosecute the offence (Ali, 2015). As a result, pirates may use this to their own advantage by moving between jurisdictions to avoid capture, bearing in mind the states that give priority to the suppression of the offence and the resources they allocate to it (Murphy, 2007)

3.1.2 The SUA framework

The SUA framework originated as a result of the hijack of the Achille Lauro in 1985. The Achille Lauro was an Italian cruise ship which was hijacked by an armed group who claimed to be members of the Palestinian Liberation Front. The group held the passengers and crew of the ship hostage and demanded the release of 50 Palestinians that were in prison in Israel. The hijacked ship had passengers and crew from different nationalities; hence, there was a need for the states to cooperate. Cooperation failed and, as a result of this, each government tried to solve the case separately. The problem with the case was that it was not regarded as piracy because the armed group who hijacked the vessel hid illegally within the ship and, after the hijack, they made political demands. For these reasons, their act could not be brought under Article 101 of the UNCLOS (Monji, 2014).

This incident revealed some important gaps in the piracy rules contained in the UNCLOS; therefore, it necessitated the adoption of the SUA Convention (Geib & Petrig, 2011). The purpose of the convention was to ensure that there is an instrument which would fill the gaps in international law relating to illegal acts against merchant shipping. Therefore, the convention was made applicable to any act that could have an adverse effect on the safety of navigation at sea whether or not such acts falls within the definition of piracy under conventional or customary law of the sea (Mensah, 2011).

Article 3 of the convention prohibits attacks on ships and attempted attacks. It provides for a long list of unlawful acts that threaten the safety of maritime navigation without

specifically mentioning piracy or armed robbery at sea; however, the offences listed in the provision may be fulfilled by pirates and armed robbers at sea (Geib & Petrig, 2011).

Pursuant to Article 3, a prohibited offence is an act by anyone who unlawfully or intentionally:

- (a) “seizes or exercises control over a ship by force or threat or any other form of intimidation; or
- (b) performs any act of violence against any person on board a ship if the act is likely to endanger the safe navigation of that ship.”

Unlawful acts in the above provision could be piracy or armed robbery at sea and such acts constitute an offence whether or not it comes from within or outside the ship or regardless of the motive of the actors (Ali, 2015). This Article is aimed towards ensuring that politically motivated attacks could be prosecuted by states (Dutton, 2012). An important feature of the SUA Convention is its uniqueness in defining offences and the requirement for states to provide penalties according to the severity of the offence. Article 5 provides that state parties must appropriate penalties for enumerated offences according to the gravity of each offence. This, therefore, means that states must ensure that, in their national laws, the sanction is adequate for the offence (Mukherjee, 2002).

Another requirement of the SUA Convention is the extended geographical jurisdiction available to state parties against unlawful acts. Unlike the UNCLOS, which limits piracy to the high seas, by Article 4 of the SUA Convention, states parties have the right to prosecute acts of piracy carried out on a ship navigating or scheduled to navigate to or from the territorial waters of a state (Geib & Petrig, 2011).

In addition to extended geographical jurisdiction, the SUA Convention gives state parties jurisdiction over acts of piracy. Article 6 of the Convention provides for “state parties” to take necessary measures to establish jurisdiction over unlawful acts when the offence is committed against a ship flying its flag or, the offence occurred in its

territory or, the offence was committed by its national or, the national of the state was a victim of the offence or, the offence was committed by a stateless person whose habitual residence is in the state or, the offence was committed in attempt to compel the state to do or abstain from doing an act. Unlike the UNCLOS, universal jurisdiction is not exercise over acts of piracy under the SUA Convention and only signatories to the convention may prosecute violations of the convention, but they would require some form of connection to the offence as provided in Article 6, in order to prosecute piracy or armed robbery at sea (Dutton, 2012).

The SUA convention also imposes a strong requirement on state parties to cooperate. In line with Article 7 of the Convention, state parties are granted the right to take into custody suspected pirates or armed robbers at sea arrested in their territory regardless of whether the state wants to prosecute the offender or not. The state is required to extradite the suspect to a state that makes an extradition request either by using an existing extradition treaty or by using the convention as the basis of the extradition. However, where the state fails to extradite, it is mandated without exception to prosecute the suspected pirate (Ali, 2015).

The SUA Convention was adopted together with the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf 1988 (1988 SUA Protocol). The 1988 SUA Protocol was adopted because, it was thought that unlawful acts at sea were not limited to ships but also applicable to offshore installations (Kaye, 2007). The Protocol focused on the safety and security of platforms attached to the seabed and it applies to artificial islands, installations and structures engaged in exploration and exploitation of the seabed, or engaged in other economic purpose. The offences under the 1988 SUA Protocol include seizure or taking control of fixed platforms, threatening the safety of the platform and causing injury or death to persons on board fixed platforms (Kaye, 2007). Although the SUA Convention and Protocol of 1988 were far reaching in terms of unlawful acts at sea, there were still concerns that the two instruments were not all encompassing. The terrorist attack against the United States on 11 September 2011 increased the concern

that ships could be hijacked and used as weapons against other ships, and thus the international response to address the issue was the adoption in 2005 of two new Protocols to the 1988 SUA Convention and the 1988 SUA protocol. The instruments are: The Protocol for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms. These protocols extended the scope of offences to include acts which cause serious injury or damage by use of any kind of explosives, biological, chemical, nuclear or radioactive materials (Ali, 2015).

Although the SUA Convention and Protocols remedy some of the gaps in the UNCLOS provision on piracy, it is not without shortcomings. It is argued that the requirement of jurisdictional link between alleged offenders and state parties prosecuting them seriously undermines the notion of universal jurisdiction applicable to piracy offences and that some of the provisions of the Convention may allow suspected offenders to escape punishment. Particularly, reference has been made to Article 11 of the Convention that it fails to impose real obligation to prosecute and punish offenders (Hasan, 2014). It is also argued that the obligation to extradite using the convention as a legal basis or any specific treaty is not absolute and may be frustrated by political will (Hasan, 2014).

Like the UNCLOS, the SUA Convention and its Protocols have the potential to be a useful instrument in fighting piratical activities. Its application largely depends on how states applies its provisions.

3.2 National Legal Framework on Piracy and Armed Robbery at Sea

To combat piracy and armed robbery at sea, the UNCLOS and SUA Conventions rely heavily on corresponding domestic laws. Both the UNCLOS and SUA Conventions require States to take appropriate measures to combat the offence. This means that mere ratification of the conventions is not sufficient for a state party to effectively suppress the offence. The most important task for state parties to these conventions is to incorporate the rights and obligations provided by the conventions into their national legal and policy frameworks (Ali, 2015).

Despite the relevance of the SUA Framework, especially in Nigeria where most of the attacks are in territorial waters and often against offshore platforms, the 2005 SUA Protocol is yet to be ratified by Nigeria. Therefore, for acts of piracy and armed robbery at sea, the UNCLOS, and the 1988 SUA Convention, and SUA Protocol are the international treaties Nigeria is bound to follow having ratified the UNCLOS in 1986 (United Nations, 2017), the SUA Convention in 2004 and the SUA Protocol in 2015 (IMO, 2017).

In Nigeria, there is no any anti- piracy law that criminalizes piracy or armed robbery at sea and there is also no national law which specifically incorporates the provisions of UNCLOS and the SUA Convention and Protocol. There is a rather vague provision in Part XII of the Merchant Shipping Act Laws of the Federation of Nigeria (LFN) 2007 (LFN, 2016) which deals with safety of life at sea (See Appendix 1).

Article 216 (h) of the Merchant Shipping Act provides that “As from the commencement of this Act, the following Conventions, Protocol and their amendments relating to maritime safety shall apply that is; Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation 1988 and the Protocol thereto.”

Article 217 (1) of the Act further provides that “The Minister may make such regulations as he deems expedient for the purpose of carrying out the provisions of the part of this Act.”

The Merchant Shipping Act only provided that the 1988 SUA Convention and Protocol would apply to maritime safety, but it failed to provide for adequate punishment for offences under the Convention and the Protocol. It could be that the intention of the drafters of the Merchant Shipping Act was to give effect to the convention; however, mere mention of the instruments in the Act defeats the purpose for which the instruments were created. As earlier mentioned in this research, the SUA framework identifies different unlawful acts at sea which can be prosecuted by states but it places an obligation on state parties to provide appropriate sentences for the offences in their

domestic laws. Mere mention of the SUA Convention and Protocol in the Merchant Shipping Act only means the offences are recognized but without punishment.

Although there are no specific laws criminalizing piracy and armed robbery in Nigeria, there are some laws such as the Criminal Code Act and the Penal Code (LFN, 2016) that criminalize the constituent components of piracy and armed robbery at sea; however, they apply only to offences carried out in Nigeria's territory and territorial waters.

3.3 Regional Legal Framework

Article 100 UNCLOS provides for two interrelated obligations in respect of piracy. The first obligation is for states to repress piracy at the national level. The second obligation is for states to cooperate in the repression of piracy at the regional and international levels. To give practical effect to the second obligation, there is a need to establish legal frameworks that would facilitate information sharing and strategies to combat piracy (Ali, 2015). The Economic Community for West African States (ECOWAS) Treaty of 1975 is the first legal framework adopted at the regional level to foster cooperation. The treaty was revised in 1992 to deepen the security objective and was further adopted in 1999, establishing peace and security mechanisms for ECOWAS (Ali, 2014). Article 58 of the ECOWAS revised treaty requires states to *undertake to work, safeguard and consolidate relations conducive to maintain peace, stability and security in the region*. As a result of this, Nigeria and Benin entered into a Bilateral Agreement, codename Operation Prosperity, concerning border management in 2011 and this bilateral agreement resulted in cooperation between security forces of both countries and led to joint anti-piracy patrols along their common sea borders (Blum, 2014). So far as piracy and armed robbery at sea are concerned, the only output from ECOWAS is the bilateral agreement between Nigeria and Benin. As a result of this, in 2013, the Heads of States and Government of ECOWAS directed the ECOWAS commission to facilitate and adopt an ECOWAS maritime strategy and to establish a Pilot Zone E, which will be a regional maritime framework to suppress piracy within the region (Onuoha, 2013).

The Maritime Organization of West and Central Africa (MOWCA) Memorandum of Understanding for the Establishment of Sub-Regional Integrated Coast Guard Network in West and Central Africa, MOWCA/XII GA.08/8.2008 referred to as the MOWCA Coastguard MOU is another regional legal framework available in the Gulf of Guinea (MOWCA, 2008). The MOU was aimed at using a unified administration to create a maritime law enforcement program and to create a regional maritime information sharing centre to help member states share and exchange security information (Ali, 2014). Article 12 of the MOU divides the coast guard network into zones. The MOU provides for a principal coordinator that is responsible for the management of the coast guard network and zonal coordinators responsible for the zones. Article 15 of the MOU established rules for operation of the coast guard asset and Article 21 requires states seeking the presence of ships in their zone to request “useful justification” by the zonal coordinators that would approve the request and plan the mission (Ali, 2014). To date, the MOU is yet to gain full commitment in respect to the coast guard functions; however, it succeeded in ensuring that member states establish national Maritime Rescue Coordination Centres (MRCC) (Jacobsen & Nordby, 2015).

The Treaty of the Gulf of Guinea Commission (GGC) 2001 also provides a legal framework at the regional level. For maritime security issues, it is aimed at strengthening cooperation amongst member states and among other regional institutions. It is also aimed at creating conditions of mutual confidence, conducive to peace and security of states (GGC, 2017).

In 2013, the Code of Conduct Concerning the Repression of Piracy, Armed Robbery against Ships and Illicit Maritime Activity in the West and Central Africa (Yaoundé Code of conduct) was adopted and signed by 22 states in the region. The Yaoundé Code of conduct came into existence as a result of the United Nation Security Council Resolutions 2018 and 2039 which encouraged ECOWAS, the Economic Community for Central African States (ECCAS) and the GGC to develop a comprehensive regional strategy and framework to counter piracy and armed robbery against ships and other

illicit maritime activities through regional information sharing and strategic coordination mechanism. It was adopted to build on the MOU on integrated coast guard functions and it incorporates a number of elements of the Djibouti code of conduct, which is the regional counter-piracy agreement for East African states. The Yaoundé Code has a wider scope than the Djibouti code and it addresses a range of illicit activities at sea including piracy (IMO, 2017). To date, the code is yet to be implemented (Mosima, 2017).

3.4 Institutional Framework

Laws have force when there are enforcement mechanisms to achieve the purpose for which they are made. This means that the mere existence of legal instruments to combat acts of piracy cannot help in suppressing the offence. This section will examine the institutions available to combat piracy and armed robbery at sea at national and regional levels.

3.4.1 National institutional frameworks

The Nigerian Maritime Administration and Safety Agency (NIMASA), the Nigerian Navy, the Federal Ministry of Justice, the Nigeria Police Force (NPF), and the Economic and Financial Crimes Commission (EFCC) are the agencies responsible for law enforcement against piracy and armed robbery at sea in Nigeria.

NIMASA is the maritime administration agency established by the Nigerian Maritime Administration and Safety Agency Act (2007). By virtue of the Act, one of the core functions of NIMASA is to implement domesticated international maritime conventions. With respect to piracy and armed robbery at sea, NIMASA's role is to carry out air and coastal surveillance, search and rescue operations and to supervise general maritime logistic support for patrols against piracy and armed robbery in Nigerian coastal waters (NIMASA, 2017).

The Nigerian Navy is the agency empowered by the Nigerian Constitution to protect the territorial waters of the state and to secure the state's maritime zones. This policing role is spelt out in section 4 of the Armed Forces Act (AFA) CAP A20 LFN 2004,

which requires the Nigerian Navy to enforce, assist and coordinate the enforcement of national and international maritime laws ratified by Nigeria (AFA, 2004). Accordingly, the Nigerian Navy's role against piratical acts is to make arrests of pirate vessels, suspected pirates and armed robbers at sea (Nigerian Navy, 2014).

The NPF also has a department of marine police which has formations in areas where there are navigable rivers and waterways in Nigeria. The marine police department generally conducts security combats and anti-crime operations in territorial waters but focuses more on securing platforms (NPF, 2017).

The Federal Ministry of Justice and the EFCC carry out public prosecution. While the main function of the Federal Ministry of Justice is to prosecute all types of criminal cases (Federal Ministry of Justice, 2017), the EFCC's role is to prosecute economic and financial crimes (EFCC, 2017). In line with section 5(m) of the Economic and Financial Crimes Commission Act, the EFCC is responsible for "taking charge of, supervising, controlling, co-ordinating all the responsible functions and activities relating to the current investigation and prosecution of all offences connected with or relating to economic and financial crime." Although piracy and armed robbery at sea are not specifically listed as offences under the Act, in practice, the EFCC handles cases of piracy and armed robbery at sea.

3.4.2 Regional institutional frameworks

In West Africa, the institutional frameworks created to strengthen maritime security and increase cooperation amongst states in the region are MOWCA, ECOWAS, GGC and ECCAS (Ali, 2015). Most countries in West and Central African regions are members of these institutions and they commit to cooperating in the prevention of different maritime security threats, including piracy and armed robbery at sea (Otto, 2014). Nigeria is a member of MOWCA, ECOWAS and GGC.

MOWCA was established in 1975 and its major objective is to "serve the regional and international community for handling all maritime matters that are regional in character." MOWCA has 25 member states and they form the member states of the

Gulf of Guinea region (Ali, 2015). MOWCA could be regarded as a regional maritime institution that establishes contacts and negotiates between private maritime sectors, national ports, maritime authorities and educational bodies (Jacobsen & Nordby, 2015).

ECOWAS was established in 1975 and it has 15 member states out of the 25 states in the Gulf of Guinea. ECOWAS was adopted mainly for economic cooperation amongst member states; however, its revised treaty expanded its political and security objective by establishing a peace and security mechanism (Ali, 2014).

The GGC was established in 2001 with an objective to stand as “a permanent institutional framework for co-operation amongst the countries bordering the Gulf of Guinea in order to defend their common interest and promote peace and social economic development based on dialogue, consensus, ties of friendship, solidarity and fraternity” (GGC, 2017). The GGC is the only regional organization in the Gulf of Guinea that is entirely maritime and, for this reason, it has gained international attention as an organization that has the ability to enlist national regional and external assistance to develop a robust maritime security cooperation and enforcement framework regardless of the size of the organization (Ali, 2015).

ECCAS is another regional institution serving the Gulf of Guinea region but Nigeria is not a member. It was established in 1983 but became operational in 1999 due to financial difficulties and interstate conflict in the region. In 2008, ECCAS developed an Integrated Strategy for Maritime Security (ISMS) which was aimed towards developing a common regional framework that would regulate maritime activities in Central Africa. It adopted a Protocol on Maritime Security (protocol on the peace and security council of central Africa (COPAX) in 2009 which laid down the structure of its maritime security cooperation. The Protocol set out a 3 tier security structure which is composed of regional, zonal and national coordinating centres (ECCAS ,2014). Its Regional Centre for Maritime Security in Central Africa (CRESMAC) was activated due to the security structure and the CRESMAC was responsible for commanding three centres of multinational coordination. The aim of the CRESMAC was to bridge

the information sharing and authorization protocols required during hot pursuit of suspected vessels across maritime boundaries (Osinowo, 2015). ECCAS derived the legal and political authority as an institutional framework for cooperation by states within the region.

The international legal framework examined in this chapter provides the normative regime for responding to piracy and armed robbery at sea. the discussion identified certain gaps in the international legal framework but was able to demonstrate that the UNCLOS and SUA conventions complement each other to fill the gaps. Although it may be argued that the international frameworks do not provide sufficient solutions to piratical activities, they are capable of working successfully to ensure piracy and armed robbery are punished if implemented by states.

In the fight against piracy, the utility of the international legal framework depends on its implementation in piracy affected regions. The usefulness of the international legal frameworks in Nigeria is limited due to its failure to implement the conventions. Failure to incorporate and implement the Conventions means inadequate laws to establish jurisdiction to prosecute the offence and inadequate laws to punish the offence. This also constitutes serious a impediment on the maritime law enforcement institutions in the performance of their roles.

According to Ali (2015), one of the ways to minimize legal complexities is through commitment to regional and global cooperation. The discussion in this chapter showed that there are a number of regional institutions which Nigeria is part of. Despite their existence, their efforts so far have proved insufficient to deter piracy because of certain limitations. Some of these limitations include differences in cooperative agenda, sovereignty limitations, financial limitations, and internal politics in the organization. Since the majority of piratical attacks occur within territorial waters, the logical response to the threat would be to strengthen law enforcement and enhance cooperation between the regional organizations. The next chapter will, therefore, look into the challenges of combating piracy in Nigeria with a view to proffering solutions.

4 CHALLENGES OF COMBATTING PIRACY IN NIGERIA

The purpose of this chapter is to pinpoint the areas where there are gaps that limit the fight against piracy and armed robbery at sea, and to identify the major challenges causing the gaps. To achieve this, this chapter will give details of international reports on piracy and armed robbery against ships in Nigeria and in the Gulf of Guinea region, followed by records from Nigerian law enforcement agencies which show statistics of law enforcement measures. It will further analyse the contemporary challenges of combatting piracy and armed robbery at sea in Nigeria. The period covered by this study will be from 2013 to 2016 because in this period, Nigeria recorded the highest number of attacks in Africa.

4.1 Records of Piratical Activities in Nigeria from 2013-2016

The aim of this section is to show the rising level of piracy and armed robbery attacks against ships navigating through Nigerian maritime zones, to show the enforcement measures by the relevant agencies and to identify the areas where there are gaps in the enforcement measures.

4.1.1 Reports from international organizations

The International Maritime Organization is a specialized agency of the UN responsible for maritime safety, maritime security, facilitation of international maritime transport and protection of the marine environment. The IMO receives reports of actual and attempted attacks of piracy and armed robbery at sea from member states and relevant regional international organizations and it provides incident reports monthly and annually through its Global Integrated Shipping Information System (GISIS) (IMO, 2017). Table 1 below, which was adapted from IMO monthly and annual reports on piracy and armed Robbery against ships, shows that from 2013 to 2016, Nigeria

recorded a substantial number of attacks and attempted attacks when compared to the total global attacks in each year.

Table 1: IMO incident report on actual and attempted piracy attacks

INCIDENT REPORTS	2013	2014	2015	2016
IMO Annual report for West Africa on attacks and attempted attacks	54	45	35	62
Annual reported attacks and attempted attacks in Nigeria	28	20	11	32

Source: Adapted from (IMO, 2017)

The ICC IMB piracy reporting centre is another international forum which provides transparent statistics on piracy and armed robbery attacks. The Piracy Reporting Centre was established in 1992 to act as a single point of contact for shipmasters to report piracy and armed robbery attacks or suspected attacks anywhere in the world. Usually, as soon as the IMB Piracy Reporting Centre receives information from the shipmasters, it relays the information to the local law enforcement agencies for assistance to be rendered to the vessel, and then broadcasts the information to all vessels in the region to create awareness (IMB Piracy Reporting Centre, 2017). The information reported by shipmasters on piracy and armed robbery attacks is collated and published annually by the IMB. Table 2 shows actual and attempted piracy and armed robbery attacks in Nigeria.

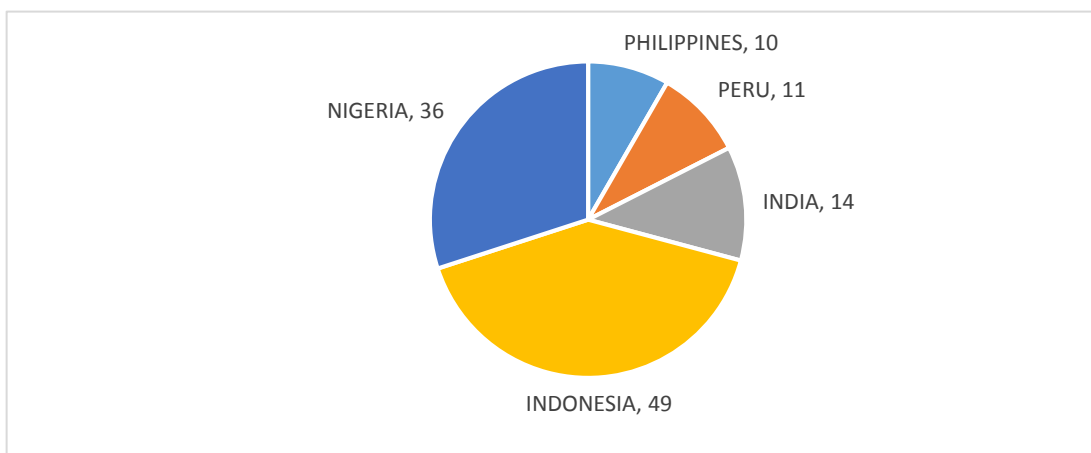
Table 2: IMB report on actual and attempted piracy attacks

LOCATION	2013	2014	2015	2016
NIGERIA	31	18	14	36

Source: Adapted from (IMB Piracy reporting Centre, 2017).

The IMB annual report of 2016 also shows an increased number of piratical attacks in Nigeria. In the report, the pirates and armed robbers were described to be fully armed and violent, famous for robbing and hijacking vessels, and sometimes kidnapping the crew (ICC IMB, 2017). Figure 2 shows recent IMB statistics on five countries which account for 63% of the total global reported piracy attacks and attempted attacks in 2016

Figure 2: Top five piracy locations in 2016



Source: Adapted from (IMB Piracy reporting Centre, 2017).

Whereas the statistics from the IMO or IMB may not be totally accurate, as there have been known cases of under reporting of less serious attacks for a variety of reasons, they are a useful indicator of general trends (Trelawny, 2013). From the above tables and chart, it is clear that reported cases of piratical attacks in Nigeria increased in 2016. A study of the statistics reveals some interesting facts. For example, the number of piratical attacks, both actual and attempted, dropped in 2014 and 2015. Compared to 2016, Nigeria reported 36 attacks out of 191 reported attacks representing approximately 19% of the total global reported attacks in 2016.

4.1.2 Reports from law enforcement agencies in Nigeria

This section shows reports of piracy and armed robbery from law enforcement agencies in Nigeria according to their specific roles highlighted in chapter three of this research.

Table 3: NIMASA report on piracy distress calls

S/N	YEAR	PIRACY ATTACK	SEA ROBBERY	ATTEMPTED ATTACK	SUSPICIOUS ATTACK	TOTAL ATTACK
1.	2013	81	10	16	5	112
2.	2014	11	1	5		17
3.	2015	10		3		13
4.	2016	8		1	1	10

Source: Adapted from (Ibraheemarfo@gmail.com, Personal communication, May 26, 2017).

Table 3 was generated from NIMASA records on distress calls received from ships. The full report which is attached in Appendix 2 did not capture the actual actions taken by NIMASA with respect to their support patrol and search and rescue duties, but it showed a declining number of distress calls to NIMASA on piracy and armed robbery attacks from 2013 to 2016. The figures from NIMASA, however, do not tally with those of the Nigerian Navy shown in Table 4.

Table 4: Nigerian Navy report on piracy attacks and attempted attacks

S/N	YEAR	CARGO VESSEL	TANKER VESSEL	OTHER VESSEL	TOTAL ATTACKS	SUSPECTED PERSONS ARRESTED FOR PIRACY AND ARMED ROBBERY
1	2013	-	-	-	-	26
2.	2014	3	16	8	27	24
3.	2015	3	12	2	17	26
4.	2016	16	37	25	78	11
5.				TOTAL	122	87

Source: Adapted from (Apache58us@yahoo.com, Personal communication, June 17, 2017).

Table 4 was generated from the Nigerian Navy operations records. See Appendix 3 – 6 of this research for the full report which shows the list of attacks on vessels in Nigerian waters from 2014 to 2016 and the list of vessels and crew arrested for piracy and armed robbery. The report shows that in 2016 the Nigerian Navy recorded a higher number of attacks than that recorded by the IMB piracy reporting centre. Moreover, the reports highlighted a total number of 122 attacks from 2013 to 2016 and, in same period, a total of 87 persons were arrested and handed over for prosecution.

From the Nigerian Navy record of attacks in 2016, it becomes evident that the Nigerian Navy received direct calls for assistance from vessels under attack, but the majority of the calls received were not reported to the IMB Piracy Reporting Centre.

Table 5: Piracy cases prosecuted by the Nigerian Federal Ministry of Justice and EFCC

S/N	YEAR	NUMBER OF SUSPECT BROUGHT TO COURT	CONVICTIONS	DISCHARGED AND ACQUITTED	ONGOING CASES
1.	2013	3	2	-	1
2.	2014	-	-	-	-
3.	2015	6	2	1	3
4.	2016	4	3	-	1
		Total - 13			

Source: Adapted from (Kehinde, Personal communication, May 25, 2017)

Table 5, which shows piracy cases handled by prosecuting agencies in Nigeria, was received from the Department of Public Prosecution, a unit in the Nigerian Federal Ministry of Justice. The record shows a total number of 13 cases handled from 2013 to 2016, with three convictions and one discharge and acquittal of arrested persons. Compared to the number of handovers made by the arresting agency, the cases that were successfully brought before the court are surprisingly very low.

4.2 Gaps in the Law Enforcement Measures

From the records provided in section 4.1.2 above, certain gaps are visible when the figures provided by the law enforcement agencies are analysed. The first gap is lack of cooperation and poor information sharing between law enforcement agencies. In 2007, NIMASA and the Nigerian Navy entered into a Memorandum of Understanding (MOU) to enable the two agencies to cooperate in securing the country's maritime domain. The MOU created an avenue for both agencies to collaborate on surveillance of the coastal waters, information sharing, search and rescue operations and sea-based enforcement actions against piracy, armed robbery and other maritime offences (NIMASA, 2017). This MOU gave rise to the use of the Nigerian Navy satellite surveillance system (FALCON EYE) by NIMASA to enhanced information sharing and reduce response time (Kajo, 2016). Considering the collaboration between the two agencies, it is expected that there would be an enhanced information sharing system between the agencies; however, this is not the case. To have different records on piratical activities shows that there is a gap in the information sharing system and in cooperation between the agencies.

The records on piracy and armed robbery at sea by the Nigerian Navy, attached as Appendix 3-6 of this research, show a high number of successful attacks by pirates and sea robbers within and outside the territorial waters of Nigeria, in which some of the crew or passengers were killed or taken hostage before the attacked vessels were secured by the law enforcement agency. There is an obvious gap in the response time to repel piracy attacks on vessels by the Nigerian Navy and NIMASA.

The prosecuting agencies are not left out. While records show a number of 87 arrested persons suspected of piracy and armed robbery attacks, only 13 persons made it to court. When compared to the number of arrests made by the Nigerian Navy, the actual number of piracy or armed robbery cases brought to court is very low. This is an indication that there is a gap or some gaps that hinder the prosecuting agencies from charging in court every person arrested for suspected piracy or armed robbery at sea.

4.3 Challenges Hindering Effective Law Enforcement against Piracy and Armed Robbery at Sea in Nigeria

Efforts to repress piracy are generally hindered by a number of factors which could be legal, economic, financial or political challenges at national and regional levels. In Nigeria, the challenges are numerous and they create gaps in law enforcement measures. This section, therefore, seeks to examine the challenges of combating piracy in Nigeria and off its coast.

4.3.1 Domestication of international laws

Despite the codification of universal jurisdiction and the push for regional cooperation to combat piracy, customary international law still requires domestic legislation to prosecute the crime (Chang, 2010). In Nigeria, the mode for domestication of international treaties is provided for in the constitution. Section 12(1) of the Constitution of the Federal Republic of Nigeria 1999 provides that; *‘No treaty between the federation and other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly.’* In other words, before any treaty such as the UNCLOS and SUA conventions can have the force of law in Nigeria, the Nigerian National Assembly must enact the treaty into law. As earlier mentioned in this research, Nigeria has yet to domesticate these conventions into national law. Since the conventions are not domesticated, they cannot be used in the prosecution of cases involving piracy and armed robbery at sea before any court of law in Nigeria, nor can violators of the conventions be held accountable for any breach (Rotimi, 2016). Due to the legislative deficit, even though Nigeria may be able to conduct patrols and make arrests of suspected persons, the efficacy of its enforcement procedure is seriously undermined by the absence of domestic legislation to prosecute the offence of piracy and armed robbery at sea (see page 21).

In some cases, the prosecuting agency finds it difficult to charge the suspected pirates in court because there is no appropriate offence under the national law to charge the persons involved. This is likely to result in catch and release situations, thereby giving a free pass to the suspected persons to continue their acts (Ali 2015).

From the above points, it could be concluded that the inability of Nigeria to enact specific laws on piracy and armed robbery at sea is a contributing factor to the limited number of piracy related trials in national courts. Situations whereby suspected pirates are released without trial may have little deterrent effect on other potential pirates and this has an effect on law enforcement agencies' power to effectively combat the offence.

4.3.2 Enforcement capacity

For effective law enforcement against piratical activities, there needs to be a robust capacity with respect to surveillance, response and enforcement (Osinowo, 2015). In Nigeria, surveillance has improved tremendously due to the existence of the FALCON EYE surveillance system which monitors the Nigerian maritime zones up to 200nm (Wertheim, 2017). However, the vessels available for use by the Nigerian Navy and NIMASA for patrols and rescue duties are inadequate (Salau, 2017). This has a major effect on response time to distress calls on piracy attacks and also on other enforcement measures such as in situations of hot pursuit of a vessel involved in piracy. From personal experience, the usual trend when there is hot pursuit of such pirate vessels is for the vessels to be navigated into creeks and areas where most Nigerian navy vessels cannot navigate. The Nigerian Navy finds it very difficult to navigate into such creeks because the vessels it deploys for the operations are not built for such waters. Most times, local pilots are employed for patrol operations to ensure the vessels are navigated through the right channels.

Another issue related to inadequate law enforcement capacity that hinders the fight against piracy is a lack of skilled personnel. While arrest of persons involved in piracy activities is one aspect of law enforcement, the judicial process is another aspect. Therefore, to successfully prosecute an arrested person, there must be admissible evidence against the person charged before the court. Most often, the preservation of evidence by the arresting agency before handover to the prosecuting agency is a problem. During the period of investigations before handover, there is usually the

challenge of preservation of evidence which weighs in favour of the arrested persons, who in turn use it as grounds to gain freedom (Osinowo, 2015).

4.3.3 Lack of power to prosecute

In Nigeria, the Navy relies on the EFCC and the Ministry of Justice to prosecute persons arrested on suspicion of piracy and armed robbery at sea because it lacks the power to prosecute such persons. This is a major obstacle in the fight against piracy and armed robbery at sea, especially in respect of availability of judicial officials. An example is the case of the Niger Delta area where trials of the arrested persons come several months after the arrest due to insufficient availability of judicial officers. As a result of the wait time, the suspected persons institute numerous cases of human rights breaches in courts because they were in detention longer than the required period provided by law. This usually weighs in favour of the suspected persons, who regain freedom soon after arrest (Osinowo, 2015).

4.3.4 Corruption

Another challenge that hinders law enforcement against piracy and armed robbery at sea in Nigeria is corruption of security operatives and government officials. There have been allegations of law enforcement officials collaborating with pirates and some arrested pirates have revealed that politicians, traditional rulers and corporate interest groups are sponsors of piracy in Nigeria. Hence, most of the pirate kingpins who are known to security operatives are untouchable by the law and even when they are arrested, they are usually released based on orders from top government officials (Oyewole, 2016). From 2012 to 2013, the United Nations Development Program (UNDP) and the Maritime Anti-Corruption Network (MACN) conducted a risk assessment study in the Nigeria Port sector. The study found that corruption is widely rationalized as part of the system and is an accepted tool to promote business interest. It was also found that superior officials at the port put pressure on their subordinates to comply with established corrupt practices (MACN, 2014). With such corrupt practices amongst government officials who hold discretionary powers in Nigerian

ports, it becomes easy for pirates to enhance their networks within the system to access information on vessels navigating to and from the ports.

4.3.5 Commercialization of anti-piracy measures

In response to increased piracy in the Gulf of Guinea region, the innovative and collaborative approaches adopted by states over the years have not been totally sufficient and this is evidenced by the rising number of attacks in the region. This has made private military security an attractive option for shipping companies whose vessels ply the route. In some countries, shipping companies engage Private Military Security Companies (PMSC) to either deploy armed guards on board their ships, or to deploy an armed convoy escort vessel to guard the ship through piracy prone areas. In such situations, the ship owners are required to comply with flag state and port state regulations on transport and carriage of weapons (Dutton, 2013).

Nigeria is opposed to the use of armed guards on board vessels within its territorial waters. PMSCs, Nigerian maritime security agencies and foreign ships navigating into Nigerian waters are subject to this restriction (Osler, 2014). Although armed guards are not allowed on board vessels in Nigerian waters, PMSCs have certain arrangements with the Nigerian government. Several companies operate escort vessels in cooperation with the Nigerian Navy. The vessels are owned and operated by the PMSCs but part of the crew during operations is provided by the Nigerian Navy. In addition, the naval detachment is solely responsible for weapon handling and operational command (Ocean Beyond Piracy, 2017).

One of the contributing factors to Nigeria's position is the challenge associated with the use of armed guards on board vessels. There has been a case where Nigerian Navy personnel accompanying a commercial vessel were killed by pirates and the crew taken hostage (Anyimadu, 2013). There was also a case where Nigerian police deployed as armed guards on board a commercial vessel (HISTRIA CORAL) fired at the Nigerian Navy's boarding party vessel which was approaching the HISTRIA CORAL for inspection (Steffen, 2015).

Another factor that has necessitated Nigeria maintaining its position on armed guards is based on territorial sovereignty and concerns about unregistered weapons being brought into the country (Anyimadu, 2013). The use of unregistered weapons by armed guards on board vessels in the past have led to illegal activities such as gun trafficking. Considering the fact that Niger Delta pirates are known to have sophisticated weapons, which they obtain illegally, Nigeria is faced with the added task of arresting vessels with armed guards. The case of MV Myre Seadiver is illustrative of Nigeria's measures against a PMSC that goes against its rules on armed guards. The MV Myre Seadiver and its crew were arrested by the Nigerian Navy in 2012 for illegally entering Nigerian waters carrying weapons. The ship owners claimed the vessel had a licence from the Nigerian authorities to carry weapons, but the claim was rejected. The crew were charged with illegal possession and importation of arms and ammunition (Anyimadu, 2013).

4.3.6 Limited inter-agency cooperation

The proliferation of agencies in the maritime sector of Nigeria has, rather than solve the problems, created more. The law establishing some of these agencies often times does not clearly delineate their respective duties and functions to the effect that same or similar functions are given to each agency. This scenario has brought about a culture of unspoken but real inter-agency rivalry, with some agencies, in a bid to exert influence, claim credit or show relevance, engaging in all kinds of practices to outsmart, discredit and even sabotage others (Odoma & Aerinto, 2013).

4.3.7 Maritime boundary dispute

The effective countering of piracy requires cooperation between states; however, one major obstacle that impedes interstate cooperation is the concern over sovereignty (Murphy, 2010). Cooperation is likely to be jeopardized if a state identifies another state as a threat to its national interest and sovereignty. One such sovereignty concern that makes cooperative initiatives difficult to implement is Maritime boundary dispute (Ali, 2015) and when it exists between states, it bridges the relationship between the government of the states and hinders interstate cooperation to fight piracy and armed

robbery at sea. Examples of maritime disputes between states in the Gulf of Guinea region include: Nigeria and Cameroon dispute over the Bakassi Peninsula; Ghana and Ivory Coast dispute over oil rich waters, Equatorial Guinea and Cameroon dispute over an island at the mouth of the Ntem river and Gabon and Equatorial Guinea over Mbone Island and Corisco Bay (Mandanda & Ping, 2016).

Until recently, when the Cameroonian navy made an effort to foster collaborations with the Nigerian navy, the maritime dispute between the two countries over the Bakassi Peninsula had hindered effective governance and security presence in the Bakassi Peninsula (Affe, 2017). In 2002, when the International Court of Justice (ICJ) gave its judgment in favour of Cameroon, a majority of the indigenes were disgruntled about the decision because they believed that they ought to have been consulted by the ICJ before it declared the Bakassi Peninsula as Cameroon's Territory. For this reason, they decided to break away from Nigeria and Cameroon in order to form their own nation. Some of the indigenes who later became the Bakassi Freedom Fighters tried to make their voices heard through involvement in terrorist acts, hostage taking and piracy at sea. The pirates who were known as the African Marine Commando, in collaboration with the MEND, were involved in constant attacks of vessels and kidnap of crew (Funteh, 2015).

4.3.8 Poor inter-state cooperation

The differences in culture of states within the Gulf of Guinea region hinder cooperation between states. This view is premised on the fact that the countries in the region speak different languages, and have different approaches to governance. Moreover, their navies have different equipment and different standard operating procedures. For these reasons, some of the navies withhold certain information that could be helpful in the fight against piracy, hindering information sharing which is key for effective cooperation amongst states within the region (Mandanda & Ping, 2016).

The analysis in this chapter demonstrated that piracy in Nigeria is increasing due to inadequate law enforcement. The chapter revealed that the identified challenges are responsible for the poor law enforcement measures. From the analysis in this chapter,

it is obvious that the challenges create gaps in law enforcement which make it easy for piracy and armed robbery at sea to flourish in Nigeria. Having identified the challenges hindering effective law enforcement, it becomes necessary to determine the way forward to enhance enforcement measures both at the national and regional level. In the next chapter, the findings in this research are discussed and summarized in order to connect the dots of the research and suggest the way forward.

5 SUMMARY OF FINDINGS

The research aimed to identify the challenges of combating piracy in Nigeria. It identified the challenges by examining the nature and trends of piracy and armed robbery at sea with particular focus on Somalia, the Gulf of Guinea and Nigeria. It examined the causes of piracy in Nigeria and found that most of the causes have roots onshore due to widespread poverty, unemployment, corruption, politics, culture, weak law enforcement capacity and constant conflict between government and ethnic groups. The research further analysed the substance of the legal context for piracy in international law and identified the legal and institutional frameworks at the national and regional levels. It provided data on enforcement measures at the national level and identified gaps. The challenges identified are classified into legal and operational.

5.1 Legal Challenges

The research revealed that international law on piracy and armed robbery at sea requires states to criminalize and punish piracy in national legislation, but Nigeria has failed to implement the UNCLOS and SUA frameworks. Nigeria incorporated the 1988 SUA frameworks in its Merchant Shipping Act but the Act does not conform to the requirements of the SUA Convention. It was also revealed that Nigeria is yet to ratify the 2005 SUA Protocols which are very important for attacks against platforms, a common type of piracy attack in Nigeria.

It was further revealed that, of all the regional legal frameworks on piracy in the Gulf of Guinea, the Yaoundé Code of Conduct is the only framework that provides a comprehensive strategy to combat piracy in the Gulf of Guinea region. Though the code has been adopted and signed, it has yet to be implemented.

5.2 Operational Challenges

The research revealed that platforms for enforcement measures are inadequate. This being the case, it becomes difficult for law enforcement agencies to ensure quick response to distress calls; hence, pirates succeed in their attacks before help is rendered to the vessel in distress.

The lack of skilled personnel was also addressed and this revealed that law enforcement officers lack technical know-how which affects their ability to preserve evidence. This usually weighs in favour of arrested pirates who use it as grounds to gain freedom.

It was found that the existence of corruption in Nigeria hinders enforcement measures and it helps pirates develop their networks. The corruption in the system makes most of the pirates confident that, even though they are arrested, it may not take long before they are released because they have connections in high places.

Another issue addressed was prosecution of pirates. The number of persons prosecuted after arrest is few because agencies responsible for arrest lack the power to prosecute. It was found that the Nigerian Navy and NIMASA do not have the power to prosecute pirates. After investigations, the pirates are handed over to the prosecuting agency and in some regions there are delays in prosecution because of unavailability of prosecutors which often leads to release of pirates either by court order on human rights claims or on constitutional grounds. It was revealed that the establishment of new maritime agencies in Nigeria with similar roles hinders inter agency cooperation in the fight against piracy.

Further examination of regional institutions revealed that there are four platforms serving the Gulf of Guinea region and the platforms have different cooperation agendas. The research revealed that that MOWCA failed to achieve its coast guard MOU because states are unwilling to commit to the agreement on grounds of sovereignty issues. ECOWAS failed to establish a maritime security cooperation strategy and its only output is the bilateral agreement between Nigeria and Benin. The

research revealed that while the GGC commands great recognition and could be the organization to develop a robust maritime security cooperation and enforcement framework, it has so far been unable to achieve its objectives. On the other hand, ECCAS has been able to provide a functional maritime security framework but Nigeria is not a member of the organization. In summary, the research showed that the conflicting approaches of the institutions undermine the main objective of regional cooperation and this impacts on cooperation between states in the region.

5.3 Nigeria Effort to Combat Piracy and Armed Robbery at Sea

At the national level, one of the first measures adopted to repress piracy and armed robbery at sea was the initiative to curb militancy. Militancy was a major source of piracy in the Niger Delta region of Nigeria. For this reason, Nigeria introduced an amnesty programme which provided opportunity for the militants to surrender. The initiative was successful and many militants responsible for piracy attacks within the region surrendered their arms (Matthew, 2012).

Following the amnesty programme, the Nigerian government in 2012 transformed its military Joint Task Force (Operation Restore Hope) into an expanded maritime security force (Operation Pulo Shield). The Joint Task Force, which was initially established to combat militancy in the Niger Delta, was then mandated to eliminate piracy, all forms of sea robbery and other maritime offences (Onuoha, 2013).

Nigeria has also been involved in the acquisition of patrol vessels and the improvement of its surveillance systems. In 2016, the Nigerian Navy launched a new surveillance system known as “FALCON EYE” which was aimed towards providing enhanced maritime domain awareness and surveillance capabilities to combat piracy and other maritime offences (Wertheim, 2017).

In addition to the FALCON EYE system, the Nigerian Navy has also adopted a new choke point strategy to combat piracy and armed robbery at sea. The strategy involves stationing house boats in various creeks and estuaries for easy patrolling (Ezeobi, 2016).

Similarly, NIMASA entered into a memorandum of understanding with the Nigerian Air Force for the use of locally produced Unmanned Aerial Vehicles (UAVs) for air surveillance of Nigerian coastal waters (Kajo, 2016).

NIMASA has also made effort to ensure that the relevant international conventions on piracy and armed robbery at sea are implemented. Recently, NIMASA forwarded a new anti-piracy Bill to the Nigerian Ministry of Justice for presentation as an executive Bill to the National Assembly (Nwanchukwu, 2017). If the Bill is passed into law, it will help remedy the legislative gap that hinders law enforcement against piracy and armed robbery at sea.

Recently, Nigeria established a Harmonized Standard Operating Procedure (HSOP) on arrest, detention and prosecution of vessels and persons in its maritime environment (See Appendix 6). The HSOP is designed to guide the operations of maritime law enforcement agencies, solve the problem of overlapping functions and inter agency rivalry, and to promote inter agency cooperation (Azu, 2017).

The fight against piracy is difficult when conducted solely by an individual state. This is premised on the fact that persons involved in acts of piracy may commit the act in the territorial waters of one state and then navigate to another state's territorial waters to escape arrest. Therefore, even though effort is made to combat piracy at the national level, it might not be easy to effectively combat the offence when the neighbouring state's effort to combat the offence is weak, hence the need for joint forces and strategies between Nigeria and neighbouring states (Madanda & Ping, 2016). In this regard, Nigeria has shown efforts in repressing piracy and armed robbery at the regional level. Its participation in the bilateral agreement for joint patrol across maritime borders with Benin and its participation in the various regional institutions highlighted in chapter three of this research is evidence of its effort to repress the offences not just within its territorial waters but also in the waters off its coast.

Nigeria has also made efforts to improve its law enforcement capacity to ensure the safety and security of shipping by collaborating with the United States and participating in the regional exercise (Exercise Obangame) conducted by the United

States African Command, which is aimed towards improving cooperation between participating nations and improving their law enforcement capacity (United States African Command, nd).

5.4 The Way Forward

Although Nigeria has made efforts to combat piracy and armed robbery at sea, there is need to do more. The way forward to remedy the challenges of combating piracy in Nigeria would be to:

- a. Improve the legal and operational measures currently in place to combat piracy
- b. To improve cooperation between the regional institutions.

6 CONCLUSION AND RECOMMENDATIONS

The first conclusion drawn from this research is that Nigeria's delay in the implementation of the UNCLOS, SUA Convention and SUA Protocol has the most significant effect on law enforcement. This conclusion is validated by the findings in chapters three, four and five. The analysis in chapter three has shown the extent to which the international legal framework can help solve the problems of piracy and armed robbery at sea. The chapter identified the gaps in the international legal frameworks but concluded that, although the UNCLOS may be inapplicable to certain piracy attacks the SUA Convention and Protocols are available to remedy most of the gaps. Therefore, the Conventions when implemented, can to a large extent, solve the piracy problem in Nigeria. The chapter further assessed the extent to which Nigeria has ratified and implemented the conventions. The conclusion reached was that Nigeria has ratified UNCLOS, the SUA Convention and the SUA protocol of 1988 but has failed to implement the conventions. It also found that Nigeria has yet to ratify the 2005 SUA Protocols which, if ratified, would be very relevant in combating piracy and armed robbery at sea in Nigeria because of the nature of attacks that exist within its territorial waters and in the Gulf of Guinea. Analysis in chapter four further revealed that Nigeria practices a dualistic legal system; hence, mere ratification is not automatic implementation of the convention. Thus, ratification without implementation creates a situation of catch and release. Chapter five also revealed the efforts Nigeria has made so far to combat piracy and recent efforts show that there have been some improvements in enforcement capacity Chapter five shows that Nigeria had acquired some platforms, improved its surveillance system, established a harmonized standard operating procedure for maritime law enforcement agencies and is currently participating in capacity building of law enforcement personnel. While

these efforts had been made, the process for the enactment of anti-piracy law just commenced. It follows, therefore, that the efficacy of surveillance, patrols and arrest had been seriously undermined due the absence of domestic legislation to prosecute and punish persons arrested. The findings in this research support the conclusion that delay in the enactment of anti-piracy laws in Nigeria has the most significant effect on maritime law enforcement against piracy and armed robbery at sea.

The second conclusion drawn from this research is that Regional Institutional frameworks lack coordination and have failed to ensure cooperation between the Gulf of Guinea states. This conclusion is validated by the analysis in chapter three which showed that there are four regional institutions concurrently serving the Gulf of Guinea region to ensure maritime security cooperation. The analysis revealed that the institutions are at different stages of development with the ECCAS framework being the most established. The institutions, particularly the GGC and ECCAS have different cooperation agendas regardless of the fact that all members of the GGC except Nigeria are also members of ECCAS. This creates a conflicting approach to cooperation between states and undermines the process of maritime security cooperation. The analysis in chapter three suggests that the regional institution is an avenue for establishing closer relations between the Gulf of Guinea states and for enhancing maritime security within the region. This is, however, not being manifested as chapter four revealed the limited information sharing between states due to certain cultural differences, sovereignty issues, military confidentiality rules, and differences in operation procedures of the navies. These points support the conclusion that the regional institutions lack coordination and have failed to ensure cooperation between states in the Gulf of Guinea.

The last conclusion drawn from this research is that piracy can be reduced if land based problems are addressed. This conclusion is supported by chapter two. Chapter two described the nature of piracy in Nigeria and highlighted the causes. The causes highlighted point toward the fact that the crime is accepted as a normal way of life and is being perceived as a career option because of the economic situation of the country.

Chapter four also highlighted some challenges that hinders law enforcement against piracy and armed robbery at sea and most of the identified challenges are land based.

Although Nigeria has made efforts to ensure effective law enforcement against piracy and armed robbery at sea, the efforts are not effective enough. Nigeria need to improve its law enforcement capacity, improve governance and put more efforts into solving land based problems such as corruption, unemployment and poverty. Improving the economic situation in Nigeria may be difficult to achieve in a short time due to certain political, financial and economic constraints, in the long run, it would help reduce acts of piracy in Nigeria and in the Gulf of Guinea.

At the regional level, cooperation between states could be achieved if the Gulf of Guinea states can agree on which platform would be solely responsible for the development and implementation of cooperation strategies that would ensure national and international participation. The platform would therefore be responsible for the implementation of the Yaoundé Code of Conduct to improve cooperation between the Gulf of Guinea states and develop a regional strategy that would combat the growing threat.

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APPENDIX 1

MERCHANT SHIPPING ACT

ARRANGMENT OF SECTIONS

<p>PART I: Administration of the Act</p> <p>1. Administration of Act and delegation of powers.</p> <p>2. Agency for Maritime Safety Administration.</p> <p>3. Returns as to merchant shipping, etc., to the Minister.</p> <p>4. Appointment of officers.</p> <p>PART II: Restriction on Trading in Nigeria 5. Certificate of licence required by all ships trading in Nigeria.</p> <p><i>National Character of Ships</i></p> <p>6. Need to show colours.</p> <p>7. National character of ships to be declared before clearance.</p>	<p><i>Certificates</i></p> <p>227. Issue of certificates of survey</p> <p>228. Issue of safety certificates to passengers ships, e.t.c</p> <p>229. Issue to cargo ships of safety equipment and exemption certificates</p> <p>230. Issue to cargo ships of radio certificates and exem certificates</p> <p>231. Issue of general safety certificates, etc., on partial compliance with rules</p> <p>232. Transmission of certificates.</p> <p>Modification of provisions for exemption of ships</p> <p>233. Notice of alterations and additional surveys</p> <p>234. Certificate to be posted on board</p> <p>235. Prohibition on proceeding to sea without appropriate certificates.</p> <p>236. Modification of Safety Convention certificates in</p>
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<p>211. Documents to be handed over to successor on change of master.</p>	<p>433. Board of Survey. <i>Scientific Referees</i> 434. Reference in difficult cases to scientific persons. PART XXX: Subsidiary Legislation</p>
<p><i>Miscellaneous</i> 212. Minister may dispense with transaction before superintendent. 213. Deposit of documents at overseas port. 214. Conflict of laws. 215. Application to unregistered ships.</p>	<p>435. General power to make regulations. 436. General power of exemption. 437. Applicable Conventions, etc. 438. Penalty in subsidiary legislation. 439. Applied legislation.</p>
<p>PART XII: Safety of Life at Sea</p>	<p>PART XXXI: Repeals and Transition</p>
<p><i>General Provisions</i> 216. Application of some related maritime safety Conventions and Protocols. 217. Regulations. 218. Breach of safety regulations.</p>	<p><i>Repeals, etc.</i> 440. Repeal of Cap. 224 L.F.N. 1990. 441. Consequential amendments. 442. Contravention of International Conventions.</p>
<p><i>Survey of Ships</i> 219. Surveyors of ships. 220. Ships to be surveyed annually. 221. Surveyor's record of inspections and certificates.</p>	<p><i>Transitional Provisions</i> 443. The Schedules.</p>

PART XII

APPLICATION OF SOME RELATED MARITIME SAFETY CONVENTIONS AND PROTOCOLS

216 As from the commencement of this Act, the following Conventions, Protocols and their amendments relating to maritime safety shall apply, that is-

- (a) International Convention for the Safety of Life at Sea, 1974 (SOLAS);
- (b) Protocol relating to the International Convention for the Safety of Life at Sea, 1988 and Annexes I to V thereto;
- (c) International Convention on Standards of Training Certification and Watch Keeping of Seafarers, 1978 (STCW) as amended;
- (d) International Convention on Maritime Search and Rescue, 1979 (SAR);
- (e) International Labour Organisation Convention (No. 32 of 1932) on Protection against Accident of Workers Employed in Loading or Unloading Ships (Dockers Convention Revised 1932);
- (f) International Convention on Maritime Satellite Organisation, 1976 (INMARSAT) and the Protocol thereto;
- (g) the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974 and its Protocol of 1990;
- (h) Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 and the Protocol thereto;
- (i) International Convention on Salvage, 1989;
- (j) Placing of Seamen Convention, 1920;
- (k) International Ship and Ports Facility Security (ISPS) Code; and
- (l) International Convention for Safe Containers, 1972.

217 REGULATIONS

(1) The minister may make such regulations as he deems necessary or expedient for the purpose of carrying out the provisions of this part of this Act.

(2). Without prejudice to the generality of subsection (1) of this section and the provisions contained in this section, the Ministry may by regulation provide for-

- (a) the survey of ships and the issue of certificates.

- (b) the types and forms of certificate
- (c) the construction and equipments of ships including the provision of life-saving and fire- fighters appliances.
- (d) radio communications in ships.
- (e) the safety of navigation.
- (f) the carriage of grain by ships;
- (g) the carriage of dangerous goods by ships.
- (h) the safety of navigation.
- (i) the design, construction, surveys and marking of nuclear ships;
- (j) the management and safe operations of ships.
- (k) the construction, surveys and marking of high speed crafts; and
- (l) special measures to measures to enhance the memorandum on port state control.

(3) The regulations made under this section shall, in the case of ships to which the safety Convention applies, include such requirements as appear to the Minister necessary for the implementation of the provisions of the Safety Convention or any International Convention on safety.

APPENDIX 2

DISTRESS (PIRACY) FROM 2013 TO 2017 FROM NIMASA DATABASE

S/N	NATURE OF DISTRESS	DATE/TIME	REPORTED BY	NAME/MMSI	POSITION
1	PIRACY ATTACK	09/01/2013	Letters from Atlantic Shrimpers	MFV LOTUS III	04 1.0N 007 34.5E
2	PIRACY ATTACK	12/01/2013 1832HRS LT	CRS	MV ARMADA 107	03 51.8N 006 45.81E
3	PIRACY ATTACK	14/01/2013 0941hrs LT	SMS from GEN AROMIRE	MFV UNIVERSAL V	04 15N 007 47E
4	PIRACY ATTACK	18/01/2013 1759HRS	Email from IMB	MT ITRI	Abidjan
5	PIRACY ATTACK	31/01/2013 0903HRS LT	SMS from GEN AROMIRE	MFV LOTUS 1	Near fish town
6	PIRACY ATTACK	02/02/2013 1559HRS LT	EMAIL FROM IMB	MT OLIVIA II	03 46.3N 005 49.1E 40Nm SW of the mouth or River Niger
7	PIRACY ATTACK	03/02/2013 1553HRS LT	SMS FROM GEN AROMIRE	MFV MERMAID II (<i>MFV SILVER MERMAID II</i>)	AFTER FORCADOS
8	PIRACY ATTACK	03/02/2013	CALL FROM +971509122042	MT PYXIS DELTA	06 19.14N 003 24.2E
9	PIRACY ATTACK	04/02/2013 1249HRS LT	EMAIL FROM IMB	MT GASCOGNE	05 24.56N 001 44.95E
10	PIRACY ATTACK	05/02/2013 1400 HRS LT	LETTER FROM KARFLEX FISHRIES	REENA	Ajumo, Igbonla (Between Lagos &

			LTD		Ogun)
11	PIRACY ATTACK	05/02/2013 1400 HRS LT	LETTER FROM KARFLEX FISHRIES LTD	SABREENA	East of Bush near Lekki, Lagos
12	PIRACY ATTACK	06/02/2013 1127HRS LT	LOCAL MEDIA/IMB	OIL BARGE BELONGING TO STERLING GLOBAL OIL RESOURCES	NEAR FORCADOSWARRI, DELTA STATE
13	PIRACY ATTACK	07/02/2013 0021HRS LT	EMAIL FROM IMB PRC	MV ESTHER C	02 47N 005 48E
14	PIRACY ATTACK	08/02/2013 1320HRS LT	LETTER FROM ATLANTIC SHRIMPERS LTD	MFV MALAMA ASIYA	FISH TOWN
15	PIRACY ATTACK	10/02/2013 1714HRS LT	EMAIL FROM IMB	FT LAMU 1	04 17.7N 007 53.3E
16	PIRACY ATTACK	10/02/2013 1714HRS LT	EMAIL FROM IMB	FT LAMU 2	04 17.7N 007 53.3E
17	PIRACY ATTACK	11/02/2013 1500HRS	SMS FROM AD SAR	FT ORC V	Bartholomew
18	PIRACY ATTACK	11/02/2013 1500HRS	SMS FROM AD SAR	FT ROBIN	Bartholomew
19	Attempted PIRACY ATTACK	11/02/2013 0123HRS	EMAIL FROM IMB	MV SAFMARINE SAHEL	04 06.68N 006 52.57E
20	PIRACY ATTACK	12/02/2013 1109HRS	EMAIL FROM ED MS & SD	WALVIS 7	03 33.55N 006 35.39E
21	PIRACY ATTACK	13/02/2013 0438HRS	EMAIL FROM IMB	ARMADA TUGAS 1	03 40.48N 005 53.12E
22	PIRACY ATTACK	13/02/2013	EMAIL FROM IMB	SEA BULK NIGER	04 0N 008 20E

		2226HRS LT			91.82Nm SE of PORT HARCOURT
23	Attempted PIRACY ATTACK	17/02/2013 0045HRS LT	EMAIL FROM IMB	DAMACO FRANCIA	03-33.2N 006-20.45E.
24	PIRACY ATTACK	17/02/2013083 9HRS LT	EMAIL FROM IMB	MV AFRICAN JOY	06 26.76N 003 22.70E APAPA PORT
25	PIRACY ATTACK	17/02/2013150 1HRS LT	EMAIL FROM IMB	TUG ARMADA TUAH 101	03. 57N 005 21.0E
26	PIRACY ATTACK	18/02/2013 1600HRS LT	ATLANTIC SHRIMPERS LTD	MFV LILY AND STAR SHRIMPER II	OFF NICHOLAS BARBARA FISHING AREA AT 10 FATHOMS
27	PIRACY ATTACK	22/02/2013 2011HRS	CALL FROM THE VESSEL'S CAPTAIN	MV KOTA BAHAGIA	03 51N 005 57E
28	PIRACY ATTACK	01/03/2013 1135HRS LT	Call from ORC 7 OWNER (Emire)	ORC 7	Around Escravos
29	PIRACY ATTACK	04/03/2013 1240HRS LT	SMS FROM ATLANTIC SHRIMPERS LTD	MFV LEVI	Between Fish Town & Middle Town
30	PIRACY ATTACK	04/03/2013 1402HRS LT	SMS FROM ATLANTIC SHRIMPERS LTD	MFV STAR SHRIMPER 3	04 05N 006 14.5E
31	PIRACY ATTACK	04/03/2013 1240HRS LT	IMB VIA SMS	ARAMADA 22	03 44N 006 19.3E moved to 03 49N 006 50.8E
32	PIRACY ATTACK (Sea Robbers)	05/03/2013 1304 HRS LT	LETTER FROM KARFLEX FISHRIES	REENA	Along Badagry Waters Lagos

			LTD		
33	PIRACY ATTACK (Sea Robbers)	05/03/2013 1400 HRS LT	LETTER FROM KARFLEX FISHRIES LTD	MAREENA	Near Maroko Waters Lagos
34	PIRACY ATTACK (Sea Robbers)	05/03/2013 1411 HRS LT	LETTER FROM KARFLEX FISHRIES LTD	SABREENA II	Middleton, Dodo River and Brass
35	Sea Robbery	09/03/2013 2215Hrs LT	Email from IMB	LPG Tanker	06: 27N 003: 23E
36	PIRACY ATTACK (Sea Robbers)	11/03/2013 1242 HRS LT	LETTER FROM KARFLEX FISHRIES LTD	MAREENA III	Benin River
37	PIRACY ATTACK (Sea Robbers)	11/03/2013 1954 HRS LT	SMS FROM GEN. AROMIRE	STAR SHRIMPER 26	OFF BONNY TERMINAL 17NM OFF SHORE
38	PIRACY ATTACK (Sea Robbers)	21/03/2013 2108 HRS LT	SMS FROM GEN. AROMIRE	MFV LILY III	OFF FORMOSO ABOUT 12Nm
39	PIRACY ATTACK (Sea Robbers)	21/03/2013 2108 HRS LT	SMS FROM GEN. AROMIRE	MFV LILY III	OFF FORMOSO ABOUT 12Nm
40	PIRACY ATTACK (Sea Robbers)	21/03/2013 2108 HRS LT	SMS FROM GEN. AROMIRE	MFV STAR SHRIMPER II & UNIVERSAL IV	OFF SENGANA ABOUT 12Nm
41	PIRACY ATTACK (Sea Robbers)	26/03/2013 1338 HRS LT	SMS FROM GEN. AROMIRE	MFV Cosmos 1 & 2	OFF SAMBRAREO ABOUT 12Nm

42	ATTEMPTED PIRACY ATTACK	31/03/2013 0207hrs LT	EMAIL FROM IMB	MT SEA HERMES	03 57.3N 006 41.0E
43	PIRACY ATTACK	03/04/2013 1500HRS LT	Ministry Of Foreign Affairs	ANDREA	Sao Tome and Principe and Gabon
44	PIRACY ATTACK	09/04/2013 1343HRS LT	KARFLEX FISHERIES	SABRENA II	ANDONI
45	PIRACY ATTACK	10/04/2013 1104HRS LT	BOURBON LIBERTY 251	IMO 636015324 MV LEON DIAS	03 49N 06 24E
46	PIRACY ATTACK	14/04/2013 1225HRS LT	Gen Araromi	STAR SHRIMPER 2, STAR SHRIMPER 8, COSMOS 2 & 5	Off Koulama River, close to Fish Town.
47	PIRACY ATTACK	16/04/2006 0154HRS LT	IMB	MV CAP THEODORA IMO: 9380740 CALL sign: SVAMS	01 48N 006 46E
48	PIRACY ATTACK	19/04/2013 1341HRS LT	Letter from Atlantic Shrimpers Ltd	MFV LILY II	OFF Awoye deepwater
49	PIRACY ATTACK	24/04/2013 0933HRS LT	SMS FROM VSL OWNERS	MFV DAHLIA	WITHIN BONNY AND QUO IBOE
50	PIRACY ATTACK	26/04/2013 1635HRS LT	PHONE CALL	CITY OF XIAMEN	04 10.44N 005 30.29E
51	ATTEMPTED PIRACY ATTACK	26/04/2013 1635HRS LT	PHONE CALL FROM OWNERS	CITY OF GUANGZHOU	04 10.44N 005 30.29E
52	PIRACY ATTACK	05/05/2013 1400HRS LT	IMB	CMA CGM AFRICA FOUR	South of Port Harcourt
53	ATTEMPTED PIRACY ATTACK	05/05/2013 1025HRS LT	IMB	MV FRIO ATHENS	33Nm SW of Bonny River

54	ATTEMPTED PIRACY ATTACK	05/05/2013 0425HRS LT	US COAST GUARD, MRCC MALTA & ITALIAN MRCC	SEA PRIDE	05 49N 001 22E
55	ATTEMPTED PIRACY ATTACK	05/05/2013 0516HRS LT	Call from Captain of MT Tom Lene	MT TOM LENE	Capital Oil Jetty, Lagos Port
56	PIRACY ATTACK	06/05/2013 0940HRS LT	EMAIL FROM IMB	UTAI 8	30Nm of South of Bonny Coastline
57	ATTEMPTED PIRACY ATTACK	07/05/2013 1737HRS LT	EMAIL FROM IMB	MV CENTENARIO BLU	04 43.25N 008 20.73E
58	ATTEMPTED PIRACY ATTACK	09/05/2013 0131HRS LT	VHF 16	MT BLUE GREEN TIGER	06 19.8N 003 26.7E
59	PIRACY ATTACK	10/05/2013 1457HRS LT	SMS FROM GEN. AROMIRE	MFV AWELE	OFF BRASS
60	PIRACY ATTACK	16/05/2013 1200HRS LT	SMS FROM ATLANTIC SHRIMPERS LTD	MFV STAR SHRIMPERS V	OFF PENNINGTON FISHING AREA
61	UNCONFIRMED ABDUCTION	18/05/2013 0946HRS LT	SMS FROM UNIDENTIFIED SOS	ORC 7 & TRADEWIND	BARTHOLOMEW AND BONNY ANCHORAGE
62	PIRACY ATTACK	20/05/2013 1020HRS LT	SMS FROM GEN AROMIRE ATLANTIC SHRIMPERS LTD	STAR SHRIMPER XXIII, Silver Mermaid III and Rose III	04 31.925N 005 25.679E
63	PIRACY ATTACK	20/05/2013 1502HRS LT	SMS FROM GEN AROMIRE ATLANTIC SHRIMPERS LTD	STAR SHRIMPER VII	OFF Nicholas
64	PIRACY ATTACK	25/05/2013 0830HRS LT	CALL FROM JIBRIN KYARI FROM MATRIX SHIPPING	MT MATRIX 1	03 34.17N 005 27.07E

65	ATTEMPTED PIRACY ATTACK	29/05/2013 0830HRS LT	VHF 16	Sea Adventurer	06 20.66N 003 27.35E
66	PIRACY ATTACK	01/06/2013 1548HRS LT	IMB	BLUEGREEN TIGER	A RIVER WITHIN CALABAR
67	PIRACY ATTACK	05/06/2013 1126HRS LT	IMB	BOURBON ARETHUSE	USARI FIELD, USAN PLATFORM
68	PIRACY ATTACK	10/06/2013 1530HRS LT	GEN. AROMIRE	MFV BISOLA	Escravos Area
69	PIRACY ATTACK	12/06/2013 1100HRS LT	Gen Aromire ATLANTIC SHRIMPERS LTD	MFV COSMOS I, STAR SHRIMPER I & STAR SHRIMPER XIX	OFF BRASS @ 10 FATHOMS
70	PIRACY ATTACK	12/06/2013 1500HRS LT	ATLANTIC SHRIMPERS	MFV HAJIYA BINTA	ESCRAVOS FORCADOS
71	PIRACY ATTACK	14/06/2013 1120HRS LT	ED (MS&SD)	MDPL CONTINENTAL	04 02.5N 008 00.3E 54Nm SE OF Bonny JV Camp
72	SUSPECTED PIRACY ATTACK	14/06/2013 0633HRS LT	IMB	MV BALAO	04 59N 002 40.3E
73	SUSPECTED PIRACY ATTACK	18/06/2013 0820HRS LT	IMB	SAINT PATRICK	04 25N 007 28E 7Nm SSW of Opobo River Estuary
74	SUSPECTED PIRACY ATTACK	18/06/2013 1651HRS LT	Karflex fisheries SMS	MAREENA II & III	Under way to Lagos
75	PIRACY ATTACK	01/07/2013 1451HRS LT	SMS FROM KINGSLEY ENAHORO	STAR SHRIMPER 25, 16 AND 18	AROUND BRASS AREA "ABOUT 0600HRS ON

					27/06/2013
76	PIRACY ATTACK	04/07/2013 1508HRS LT	ATLANTIC SHRIMPERS LTD	MFV STAR SHRIMPER XXVIII	OFF CALABAR COAST
77	PIRACY ATTACK	10/07/2013 0835HRS LT	LETTER FROM ATLANTIC SHRIMPERS LTD	MFV SHRIMPER XXX	OFF DODO PENNINGTON
78	PIRACY ATTACK (Suspicious)	12/07/2013 1701HRS LT	EMAIL FROM IMB	MT OVERSEAS ATHENS	06 26.3N 003 17.7E
79	PIRACY ATTACK	16/07/2013 0834HRS LT	EMAIL FROM IMB	MT COTTON	NEAR GABON 01 39.07N 003 50.02E
80	PIRACY ATTACK	18/07/2013 1246HRS LT	SMS FROM OWNERS	MFV MADAM EMOTAN	OPOBO/QUA IBOE AREA 004 11 21.3N 007 53 00.4E
81	PIRACY ATTACK	22/07/2013 1520HRS LT	REPORT FROM CONOIL	CONOIL TUG BOAT AND BARGE	ENROUTE TO KOLUAMA FROM OLUGBOBIRI
82	PIRACY ATTACK	25/07/2013 1036HRS LT	EMAIL FROM IMB	MT LOULOU	04 16N 007 56E
83	ATTEMPTED PIRATE ATTACK	28/07/2013 0634HRS LT	EMAIL FROM IMB	MV PORT KENNY	COTONOU ANCHORAGE
84	ATTEMPTED PIRATE ATTACK	31/07/2013 0800HRS LT	EMAIL FROM IMB	HIGH JUPITER	03 31N 006 05E
85	PIRATE ATTACK	01/08/2013 1027HRS LT	08034505594	BUMI ARAMADA PERDANA	05 23.16.66N
86	PIRACY ATTACK	12/08/2013 1050HRS LT	LETTER FROM KARFLEX	MEREENA 1	UNKNOWN
87	PIRACY ATTACK	12/08/2013	SMS FROM GENERAL	MFV STAR	UNKNOWN

		1404HRS LT	AROMIRE	SHRIMPER I	
88	ATTEMPTED PIRATE ATTACK	12/08/2013 1142HRS LT	EMAIL FROM IMB	MT FPMC 25	LAGOS ANCHORGE
89	PIRACY ATTACK	14/08/2013 0900HRS LT	LETTER FROM ATLANTIC SHRIMPERS LTD	MFV SILVER MERMAID II & LEVI	FORCADOS AT 16Nm & 15Fathoms respectively
90	PIRACY ATTACK	14/08/2013 1310HRS LT	AD COMM/NNPC	MT NOTRE	LAGOS ANCHORAGE
91	PIRACY ATTACK	14/08/2013	REP.'S PHONE CALL/IMB	SP ATLANTA	LAGOS AREA
92	PIRACY ATTACK	14/08/2013 2057HRS LT	OWNERS PHONE CALL	PRAMARA SHIPPING BARGE	06 09.25N 004 34.31E
93	ATTEMPTED PIRATE ATTACK	14/08/2013 0340HRS LT	OWNERS PHONE CALL	BLUE GREEN TIGRE	LAGOS ANCHORAGE
94	PIRATE ATTACK	15/08/2013 1046HRS LT	INFO FROM OIC MGC	MT CROW	06 14.24N 004 20.52E
95	PIRACY ATTACK	15/08/2013 1850HRS	EMAIL FROM IMB	MV LETAVIA	05 05N 003 42E
96	PIRACY ATTACK	19/08/2013 1100HRS LT	SMS FROM OWNER	MFV ADUNOLA AND OTHERS	BRASS/FISHING TOWN/NICHOLAS
97	ATTEMPTED PIRATE ATTACK	22/08/2013 0900HRS LT	LETTER FROM VSL MANAGERS	MT BLUE SKY	04 00.21N 009 12.87E
98	SUSPECTED PIRATE ATTACK	26/08/2013 1321HRS LT	SMS FROM AD SAR (FROM THE VSL AGENT)	MT VARY STARR	07 54.16N 001 30.77S
99	ATTEMPTED PIRATE ATTACK	27/08/2013 0700HRS	FROM MEDIA (NATIONAL TV NEWS)	BRENDA CORLETT	ORON PILATE ISLAND, CALABAR
100	PIRACY ATTACK	10/09/13 0949	Babatunde James	MT SAMPATIKI	DANTATA Jetty,

		hrs			TINCAN
101	PIRACY ATTACK	26/08/13 1000Hrs	CRS	SPEED BOAT	04 33N 007 08E
102	PIRACY ATTACK	11/08/13	CRS	PASSENGER BOATS	04 26N 006 46E
103	PIRACY ATTACK	11/09/13 0019 hrs	Atlantic shrimper	MFV Cosmos 1,SS1X SSVI And XV	Qua Iboe shore range
104	PIRACY ATTACK (Loss of Communication)	03/10/2013 0822HRS LT	OWNERS PHONE CALL & EMAIL	MT MALPENSA	04 12.31"N 006 56.62"E
105	PIRACY ATTACK	08/10/2013 1624HRS LT	EMAIL FROM VSL AGENT	MT BELISARE	MRS DANTATA JETTY
106	PIRACY ATTACK	15/10/2013 1402HRS LT	SMS FROM OWNER (ATLANTIC SHRIMPERS)	MFV ADUNOLA	NEAR BRASS
107	PIRACY ATTACK	24/10/2013 0600HRS LT	EMAIL FROM IMB	C-RETRIEVER	OFF BRASS, BAYELSA STATE
108	PIRACY ATTACK	24/10/2013 2208HRS LT	VHF CALL FROM PORT CONTROL	HISTIA CORAL	LAGOS WATERS 06 17.301N 003 22.151E
109	PIRATE ATTACK	03/11/2013 1728HRS	IMB EMAIL	MV Waterloo	
110	PIRACY ATTACK	12/11/2013 1500HRS LT	EMAIL FROM NEMA	MV Surfer 322	04 01.8N 009 39.6E
111	PIRACY ATTACK	12/11/2013 1500HRS LT	EMAIL FROM USCG	JASCON 12	5.30N 4.59E
112	PIRACY ATTACK	16/12/2013 0102HRS LT	MRCC FRANCE	MV ATLANTA	03 55.9N 007 49.8E

113	PIRACY ATTACK	13/01/2014	IMB	MT ALTHEA	
114	PIRACY ATTACK	21/01/2014 1215HRS	EMAIL FROM IMB	MT KERALA	08 41S 013 15E
115	PIRACY DISTRESS	05/02/2014 0815HRS	MRCC ROME/IMB/MRCC AUSTRALIA/MADRID	SUEZ VASILIS 538004317	03 45.0N 006 24.E
116	ATTEMPT. PIRACY	18/02/2014 0502HRS	IMB MAIL	MT MASTERS FORCE II	03 57N 005 13E
117	PIRACY ATTACK/ KIDNAP	04/03/2014 0404HRS	IMB	MV PRESCIOSI	OMC STATION
118	PIRACY ATTACK	05/03/2014 0623HRS	IMB	MV SSI PRIDE	04 00.2N 005 16.6E
118	PIRACY ATTACK/ KIDNAP	06/03/2014 2219HRS	CAPT. NALIN	PRIME LADY	04 11.3N 005 44.8E
120	PIRACY ATTACK/ KIDNAP	08/03/2014 1334HRS	C.S. OFFSHORE	MDPL ASHA DEEP	ONNE
121	ATTEMPTED PIRACY ATTACK	23/04/2014 2312HRS	IMB	MT HELLESPOINT PROGRESS 538090209	06 17.8N 003 21.57E
122	PIRACY ATTACK	30/04/2014 0034HRS	IMB	SP BRUSSELS	04 56.71N 004 49.51E
123	ROBBERY	13/05/2014 1044HRS	CAPT. ASLAM	UNGIESHI 9261841	04 45.82N 006 59.15E

124	PIRACY ATTACK	02/06/2014	IMB PIRACY REPORTING CENTRE	MV LU HAI IMO: 9159452	04-49.3N 008-18.2E (PARROT ISLAN) CALABAR RIVER.
125	ATTEMPTED PIRACY	10/06/2014 1134HRS	MR. DOLPHIN NOVO	OML 120	DELTA FPSO AMADA PADANA
126	PIRATE HIJACK	30/07/2014 0519HRS	IMB	MT HAI SOON 6	POSITION CHAGING
127	ATTEMPTED PIRACY	08/08/14 0349HRS	MERCHANT NAVY LIAISON OFFICER	B.W LENA	04 45.0N 002 55.0E
128	ATTEMPTED PIRACY	26/08/14 1930HRS	MRCC FRANCE	MT SEA STERLING	04 14.45N 005 13.31E
129	PIRACY ATTACK	27/08/14	IMB	SP BOSTON	OFFSHOR ABIDJAN
130	ATTEMPTED PIRATE ATTACK	10/01/2015 0725HRS	IMB MALAYSIA	MT EQUINOX	NOT GIVEN
131	HIJACK	10/02/2015 1240HRS	OIC RMAC	FV LURONG YUANYU 917	04 26N 001 43W
132	PIRACY ATTACK	04/02/2015 0800HRS	CRS	MT KALAMOS 229776000	04 12.277N 008 04.281E
133	ATTEMPTED ATTACK	05/02/2015 1700HRS	IMB	MT REMI	05 28.5N 005 05.54E
134	PIRATE ATTACK	19/03/15	IMB MALAYIA	MARIDIVE 603	04 14N 007 59E
135	HIJACKED	08/04/2015	DMSSS	SUFFER 1440	04 18.5N 008 19.7E
136	ATTEMPTED	09/04/2015	IMB	MT	AT

	PIRATE			HIGH	ANCHORAGE
137	PIRATE ATTACKED	18/05/2015 0306HRS	JRCC NORWAY	KOTA SAHABAT	3 51N 007 08E
138	SEA PIRATE	10/06/15 1105HRS	CHAIRMAN MARITIME AKASSA	SPEED BOAT	OKOBOTUO
139	SEA PIRATE ATTACKED	13/06/15 0821HRS	SHETTIMAH & WATCHMAN	UNKNOWN	JETTY OGBOKIRI AKASSA
140	PIRACY	21/10/15 1820HRS	INMARSAT C ALERT	TSL INTREPID	04 31.63N 004 38.71E
141	SEA PIRATE ATTACKED	08/11/2015 1330HRS	Fyi and Furthet Aromire	MFV LILY III	Bonny Area
142	PIRATE ATTACKED	9/11/15	Letter JEVKON OIL GAS	MT BREAKTHRUNG	
143	PIRATE ATTACKED	19/01/2016 1150HRS	CONNECT SHIPPING OPERATION MANAGER	SILVER SKY	03 56N 005 12E
144	Suspicious PIRATE ATTACK	23/01/2016 1216HRS	CAPT. DESIKAN 08107977689	MT BREEZE	03 52N 005 47E
145	PIRATE ATTACK	29/01/2016 1311HRS	IMB	MV AJEMISAN	04 05 N 005 25.50E
146	HIJACK	30/01/2016 2125HRS	CRS	MT LEON DIAX	04 26.5N 005 32.2E
147	PIRATE ATTACK	11/02/2016 1724HRS	EMAIL	NAVE JUPITER	03 36N 005 37E

148	PIRATE ATTACK	12/02/2016 0432HRS	RM RCC KOREA	MT MAXIMUM 357132000	3 55.5N 3 47.6W
149	PIRATE ATTACK	16/02/2016 1208HRS	MRCC LOME	MT DEJIKUM	02 22.05N 002 31.90E
150	PIRATE ATTACK	21/02/2016 1812 HRS		MT MISS LUCY	04 23N 000 05E
152	PIRATE ATTACK	11/03/2016	INMARSAT C	JASCON 39 437641510	04 41.32N 007 09.46E

152	ATTEMPTED PIRATE ATTACK	11/03/2016 2304HRS	IMB	MV GLYFADA 41346001	05 36N 005 13E
153	PIRATE ATTACK	06/02/17	MDAT-GOG	BBC CARRIBBEAN	03.709N 007.939 E, GULF OF GUINEA
154	PIRATE ATTACK	08/02/2017	IMB	MT GAZ PROVIDENCE	03 22 0N 007 13 5E
155	PIRATE ATTACK	08/03/2017 1653HRS	CAPT. BRUCE	MT EBUNOLA	03 49.3N 005 21.44E

APPENDIX 3

ATTACKS ON VESSELS IN NIGERIAN WATERS FROM JANUARY – DECEMBER 2014

JANUARY 2014

DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
21 JAN14	MT KERALA	TANKER	LIBERIA	LAT ⁰ N03 ⁰ 37 01N LONG 005 ⁰ 08 23E	27 Indian, Philippine and Romania	

FEBRUARY 2014

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	06 FEB 14	CHER	TANKER	PANAMA	OFF BRASS RIVER ENTRANCE	25 Philippines	

2.	06 FEB 14	OFFSHORE TUG MARINER SEA	CARGO	NIGERIA	LAT 03O 49"N LONG 005O13"E		
3.	19 FEB 14	MT MASTER FORCE 11	TANKER	LIBERIA	LAT 03O 57"N LONG 005:13"E	2 Indians 19 Nigerians	

MARCH 2014

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	04 MAR 14	PRINCE JOSEPH 1	TUG	NIGERIA	LAT 04 ^O 17"N LONG 007 ^O 53"E		

2.	04 MAR 14	SSI PRIDE	CARGO	MARSHAL ISLAND	LAT 04 ⁰ 00'2"N LONG 005 ⁰ 16.6"E		
3.	06 MAR 14	PRIME LADY	OTHER	NIGERIA	LAT 04 ⁰ 11'60"N LONG005 ⁰ 44' 04"E	14 Nigerian 1 Ukraine	

4.	20 MAR 14	MT CRETE	TANKER	LIBERIA	LAT 4 ⁰ 14'00"N LONG005 ⁰ 00"E	4 Greeks 2 Ukraine 4 Georgina 5 Nigerian 8 Ghana	
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APRIL 2014

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)

1.	23 APR 14	MT HELLESPONT PROGRESS	TANKER	MARSHALL	LAT 06 ⁰ 17.8"N LONG 003 ⁰ 21.5"E	24	
2.	21 APR 14	MT METHANE MICKIE HARPER	TANKER	BERMUDA	LAT 03 ⁰ 41"N LONG 003 ⁰ 21"E		
3.	29 APR 14	SP BRUSSELS	TANKER	BELGIUM	LAT 04 ⁰ 56.7"N LONG 4 ⁰ 49.5"E	15	

MAY 2014

DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)
16 MAY 14	MT UNGIESHI	TANKER	PANAMA	LAT 04 ⁰ 45.80"N LONG 006 ⁰ 59.15"E	16 Indians 1 Bangladeshi	

JUNE 2014

SE R	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	04 JUN 14	WORLD MARINE 711	FISHING VESSEL		LAT 05 ⁰ 14"N LONG 02 ⁰ 16"N		
2.	03 JUN 14	MT SAMPATI KI	TANKER	LIBERIA	LAT 05 ⁰ 56"N LONG 02 ⁰ 16"E	16 Indians 2 Ukraine	

3.	04 JUN 14	MT FAIR ARTE MIS	TANKER	LIBERIA	LAT04 ^O 47'50.40"N LONG 01 ^O 12.40"W	17 Pilipino 1 Ghana 4 Seri lanker 1 Myanmar 1 Charterer's representative Myanmar 2 Greek Nationalities onboard	
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JULY 2014 - NTR.

AUGUST 2014

DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)
28 AUG 14	SEA STERLING	TANKER	NIGERIA	LAT 04'12"N LONG 05'15"E	1 Pakistani 9 Indians 6 Nigerians 1 Ukraine	Vesse l is Safe

SEPTEMBER 2014 - NTR.

OCTOBER 2014

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	17 OCT 14	SAINT PATRICK	ACCOM MODATI ON	ST VINCENT GRENADI NES	04:16N 008:00E		
2.	25 OCT 14	MT STRIDER (IMO:0514494)			06:19.19N 003:24.77E		
3.	25 OCT 14	MV GRACELAND (IMO:9571208)			04:23N 006:16E		

NOVEMBER 2014

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)

1.	4 NOV 14	IRENES LOGOS (IMO: 9123922)	CONTAINER	PANAMA	40NM South of Nigerian coast 04:03:31N 005:28E	18 Philippines 1 Romanian 4 Ukrainians	
2.	5 NOV 14	BASAT (IMO: 9447029)	TANKER	MALTA		14 Turkish	Pirates boarded the ship and 2 crew members were taken hostage.
3.	5 NOV 14	MT SEA VOYAGER (IMO: 9044073)	TANKER	TOGO (TG)	04:00:58N 005:19:21E		NN personnel onboard repelled the attack and 6 sea robbers were killed. Two AK47 magazines with 60 rounds of ammo were recovered. Vessel is Safe.
4.	8 NOV 14	LADY ELIZABETH (IMO: 9446491)	TANKER	LIBERIA	04:05:87N 005:03:61E		Vessel is Safe

5.	8 NOV 14	IDOMA RIVER 102 (TUG)	TUG		03:54N 005:29E		
6.	8 NOV 14	IDOMA RIVER 103 (TUG)	TUG		03:54N 005:29E		
7.	21 NOV14	SEA GRACE (IMO: 8806682)	TANKER		Off Lagos Nigeria		

DECEMBER 2014

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	19 DEC 14	TORM LOUISE (IMO:9392482)	TANKER	DENMARK	06:26.145N 003:19.625E	8 Danish 1 Croatian 1 Indian 12 Filipino	2 Robbers boarded the vessel and immediately the Captain notified Nigerian Navy and NIMASA. NN personnel responded and made a search of the area with a patrol boat. Vessel is Safe.

APPENDIX 4

ATTACKS ON VESSELS IN NIGERIAN WATERS FROM JANUARY – DECEMBER 2015

JANUARY 2015

v	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	10 JAN 15	MT MARIAM	TANKER	COOK ISLANDS	OFF SHORE ESCRAVOS		Ghana Navy rescued the vessel 25nm south of Tema Port

FEBRUARY 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	01 FEB 15	MT REMI (IMO: 8805470)	TANKER	NIGERIA	05:28:50N 005:05:54E	6 Pakistani 11 Nigerians 4 Egyptians 2 Bangladeshi 2 Ghanaians	The Master called Local Authorities and alerts all vessels within the vicinity and forwarded message to Nigerian Navy and Escravos Port Authority.
2.	03 FEB 15	MT KALAMOS (IMO: 9197832)	TANKER	MALTA	04:12:28.699N 008:04:26.519E	23 Crew members	Pirates killed a Greek deputy captain of the ship, and took two Greeks and a Pakistani citizen hostage, according to the Greek government. The remaining 19 crew members are believed to be safe.
3.	05 FEB 15	MT SIRA (IMO: 9408803)	TANKER	MARSHALL ISLANDS	06:26.6N 003:22.8E	22 Crew members	Attempted Attack. Vessel is Safe.

MARCH 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	3 MAR 15	MV GREEN KLIPPER (IMO: 9001904)	CARGO (REEFER)	BAHAMAS	LAGOS	14	Attempted attack. The Master sounded general alarm, Anti-piracy, increased watch level, all spaces on deck closed and sealed. Vessel is safe.
2.	12 MAR 15	MT SEA FORCE	TANKER	MARSHALL ISLAND	APAPA 5 TERMINAL LAGOS	21 FILIPINOS	Thieves boarded the M/T 'Sea Force' and stole about 5 cubic meters of cargo (lube oil). The thieves jumped overboard when they were sighted. All crew are safe / no injury.

3.	19 MAR 15	MV MARIDIVE (IMO: 9647007)	Offshore Supply Vessel	BELIZE	04:14N - 007:59E, around 18NM South of Kwa Iboe, Nigeria.	11 Egyptian 11 Nigerian 2 Client Rep	Two crew members were kidnapped and 12 VHF's and 2 Laptops were reported stolen. Investigation ongoing.
4.	21 MAR 15	YOHO (IMO: 7370181)	FSO	MARSHALL ISLANDS	04:02.8N – 007:31.41E YOHO TERMINAL	59 (Nigerians, Ghanaians, Americans, Indians, Philippines and British)	Successful attack. Investigation ongoing.

APRIL 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)

1.	09 APRIL 15	MT HIGH MARS (IMO:9366275)	TANKER	HONGKONG	06 17.4 N 003 23.3 E Lagos anchorage	14 – Indian 6 - Filipinos 1 – Bangladeshi 1 – Russian	A source disclosed that the two sea robbers were later captured by Nigerian Navy patrol boat. Vessel is safe as no casualty was recorded
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MAY 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	14 MAY 15	ITHUAKU1	TANKER	-	04 ⁰ 01'00 N 007 ⁰ 05' 00 E	6	NIL
2.	14 MAY 15	MT RIO	TANKER	-	04 ⁰ 01'00 N 007 ⁰ 05' 00 E	3	NIL
3.	26 MAY 15	MT KARINA THERESA	TANKER	DENMARK	-	15	

JUN 2015

SE R	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	8 JUN 15	MV BUTLER SPIRIT	CARGO	NIGERIAN	04 ⁰ 13'52 N 007 ⁰ 57'48 E	18	NIL

JUL 2015

SE R	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	-	-	-	-	-	-	-

AUG 2015

SE R	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	Nil	Nil	Nil	Nil	Nil	Nil	Nil

SEPTEMBER 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	Nil	Nil	Nil	Nil	Nil	Nil	Nil

OCTOBER 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	19 OCT 15	MV SOLARTE	TANKER		100 NM OFF BONNY FWB	4	
2.	19 OCT 15	MT BRIGHTEST STAR	TANKER		OFF BONNY FWB	2	

NOVEMBER 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	26 NOV15	MV SZAFIR	CARGO	CYPRUS	040 00'33N 0050 24'15E	16 Polish Onboard	Two boats equipped with fire arms boarded the vessel.

DECEMBER 2015

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAGS OF VESSEL	LOCATION	No OF CREW ONBOARD	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
1.	11 DEC 15	MT ANANTA	TANKER		AGGIE BURUTU		5 Expatriates who are mainly Indians were kidnapped

APPENDIX 5**ATTACKS ON VESSELS IN NIGERIAN WATERS FROM JANUARY – DECEMBER 2016**

SER	DATE	NAME OF VESSEL	TYPE OF VESSEL	FLAG OF VESSEL	LOCATION	NO OF CREW ONBOARD	SOURCE	REMARK
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(j)
1.	13 jan 16	MV KULAK IX	Fishing Trawler		DODO River Bayelsa, Nigeria		International Maritime Bureau (IMB)	Armed Sea Pirate Boarded the Vessel

2.	15 Jan 16	MV AJEMISAN IMO 9688051 MMSI 657126500		Nigeria	Lat 000 05'00"N Long 0050 25' 50"E, NM SW of Bayelsa, Nigeria	15 Nigerians	International Maritime Bureau (IMB)	Five Armed Pirate Boarded the Vessel and a Patrol Boat was deployed.
3.	14 Jan 16	MV AKEMI – JOE	Cargo	Nigeria	Lat 050 36'N Long 0050 00'E Escravos area of Delta State		International Maritime Bureau (IMB)	Pirate Abducted 16 Passengers and Two Crew Members investigation in progress.
4.	14 Jan 16	CV 218	Passenger Boat		Ogbia / Nembe, Around 22 NM ENE of Brass		International Maritime Bureau (IMB)	No Casualties were Reported as the Assailants were said to have Retreated after a heavy Gunfight with Security Operatives.

5.	18 Jan 16	MV WAO BENUE MMSI 657011046	Security Boat		CONOIL Production Rig IN Aunty JULIE Field, Bayelsa State		International Maritime Bureau (IMB)	The Passengers were Subsequently Robbed and Abandoned by the creek side. One person was reportedly killed and at least three others sustained injuries.
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6.	17 Jan 16	PASSENGER BOAT	Passenger Boat		Lat 040 50'N Long 0050 40'E		International Maritime Bureau (IMB)	
7.	19 Jan 16	RO-RO SILVER SKY IMO 8519722, MMSI 37320600, CALL SING 3EZ8	Cargo	Panama	Lat 030 58'N Long 040 02'E around 64NM SW of Bayelsa	-	International Maritime Bureau (IMB)	Armed Sea Pirate Boarded the Vessel
8.	19 Jan 16	MV KOTA SEGAR IMO 9681235 MMSI 565357000	Cargo		Lat 030 05'06"N Long 0060 07'E		International Maritime Bureau (IMB)	Investigation in progress.

9.	19 Jan 16	TUG BOAT			Pennington Oil Terminal, Bayelsa State		International Maritime Bureau (IMB)	Investigation in progress
10.	19 Jan 16	CREW BOAT	Passenger Boat	-	Brass Water Ways Bayelsa State	16 Personnel and 2 Crew Members were adopted	International Maritime Bureau (IMB)	Investigation in progress
11.	20 Jan 16	PASSENGER BOAT	Passenger Boat	-	Nembe Water Ways Bayelsa State	12 People were Adopted	International Maritime Bureau (IMB)	Investigation in progress
12.	22 Jan 16	PASSENGER BOAT	Passenger Boat	-	Kula Water Ways Rivers State	1 Person was Adopted	International Maritime Bureau (IMB)	Investigation in progress

13.	23 Jan 16	SEA ADVENTURER	Tanker	Nigeria	Pennington Oil Terminal, Bayelsa State		International Maritime Bureau (IMB)	Investigation in progress
14.	31 Jan 16	MT LEON DIAS IMO 9279927 CALL SIGN A8ZZ7	Tanker	Liberia	Lat 030 38.4N Long 0050 29.1E Around 45NM SW of Bayelsa, Nigeria.		International Maritime Bureau (IMB)	Armed Pirate Boarded the Vessel took some of the Crew Members Hostage. Investigation on the attack is still Ongoing.
15.	4 Feb 16	PSKOV IMO 9630028	Tanker		Bonny LNG Terminal		International Maritime Bureau (IMB)	Ship's Crew Foiled the attack

16.	5 Feb 16	MV SAFMARINE KURAMO IMO 9289207 MMSI 566416000 CALL SIGN 9V9864	Cargo	Singapore	Lat 040 02' 02"N Long 060 59'39"E		International Maritime Bureau (IMB)	Sea Robbers Boarded the Vessel but was foiled by the NN who deployed 3 of its Vessels.
17.	11 Feb 16	NAVE JUPITER IMO 9567038 MMSI 538005584 CALL SIGN V7FE4	Tanker	Marshall Island	Lat 030 33' 17"N Long 050 35'24"E		International Maritime Bureau (IMB)	Sea Robbers Boarded the Vessel Investigation on the Attack is still Ongoing.

18.	11 Feb16	MT MAXIMUS IMO 9346174 MMSI 375312098	Tanker	Panama	Lat 010 36' 34"N Long 030 37'24"E	18 Crew Members, 2 were taken Hostage. 1 Indian and 1 Pakistan and later released.	International Maritime Bureau (IMB)	NNS CENTENARY and SAGBAMA was deployed to rescue the Vessel
19.	23 Feb 15	BOURBON LIBERTY IMO 9573593 MMSI 258534000 CALL SING LXXZ	Cargo	Luxembourg	Lat 030 54' 04"N Long 050 18'22"E	2 Crew members were taken Hostage.	International Maritime Bureau (IMB)	Sea Pirate Hijacked the Vessel Investigation on the Attack is still Ongoing.

20.	5 Mar 16	MT MADONNA 1 IMO 9407031 MMSI 370698000	Cargo	Panama	Lat 040 05' 45"N Long 060 41'16"E	5 Crew Members were taken Hostage	International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigat ion is Ongoing
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21.	7 Mar 16	JASCON 67 IMO 9690779 MMSI 657124800 CALL SING 5NZX6	Tug	Nigeria	Lat 030 51'8N Long 0040 39'9E	20 Crew Members. 16 Nigerians, 2 Ukraine, 1, Honduran and 1 Indonesian. 2 Crew Members were taken Hostage.	International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigat ion is Ongoing
22.	11 Mar 16	MT BRIGHT WAY IMO 9588146 MMSI 566422000 CALL SIGN 9V8755	Tanker	Singapore	Lat 020 46'03"N Long 0040 54'30"E		International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigat ion is
23.	11 Mar 16	MV GLYFADA IMO 9104586	Cargo	Malta			International Maritime Bureau (IMB)	Investigat ion is ongoing

24.	15 Mar16	LEKONI IMO 9684770 MMSI 375539000	Tanker	St Vincent	100nm off Brass	2 Crew Members Were taken Hostage Mr YAHG Jushan and Mr Jiao Shengli	International Maritime Bureau (IMB)	9 Attackers , 1 Speed Boat (Blue Colour, Name: PHOSE Investigat ion is ongoing
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25.	14 Mar16	MVSILVERMAID IMO 8716863 MMSI 657826000	Fishing Trawler		Around Dodo River Delta State	One of her Crew Member fell Overboard during the Attack	International Maritime Bureau (IMB)	Investigation is ongoing
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26.	26 Mar 16	SAMPATIKI IMO 9405772 MMSI 636015901	Tanker		Lat 040 20'00"N Long 0050 12'00"E	5 Crew Members were Abducted	International Maritime Bureau (IMB)	Five kidnapped crew members have being released
27.	01 Apr 16	MT MADONNA 1 IMO 9407031 MMSI 370698000	Cargo	Panama	Lat 030 54'N Long 0050 40'E		International Maritime Bureau (IMB)	Sea Pirate Attacked the vessel investigation is ongoing
28.	07 Apr 16	MT NORDIC FREEDOM IMO:9288887 MMSI 311817000 CALL SIGN	Tanker	Bahamas	Lat 030 18.6N Long 0050 23.9E 12 nm SW of Agbami Terminal Bayelsa State, Nigeria		International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigation is Ongoing

29.	11 Apr 16	MT PULI IMO: 9330434	Tanker	Malta	Lat 0020 48' 43"N Long 0060 40' 95E 90 nm SW of out of Port Harcourt	6 Crew Members were Abducted	International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigation is Ongoing
30.	11 Apr 16	M.T. OTTOMAN EQUITY IMO NO:9404950	Tanker	Turkish	Lat 030 17'08"N Long 0050 31'00"E 10,2 nm Agbami Terminal	27 Crew Members on Board	International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigation is Ongoing
31.	12 Apr 16	CMACGM TURQOISE IMO NO: 9386471 MMSI NO: 63601459 CALL SIGN A8RB5	Cargo	Liberia	Lat 040 07 33"N Long 0050 24' 12"E	2 crew members has been released safely	International Maritime Bureau (IMB)	Two kidnapped crew members have being released

32.	13 Apr 16	JOAN CHOUEST IMO 8127347 MMSI 366847000	Tug				International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigation is Ongoing
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33.	13 Apr 16	AKEMI JOE BUNKER 1	Tug	Nigeria		6 Crew Members were Kidnapped	International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigation is Ongoing
34.	14 Apr 16	MV PROVIDER 1	Cargo				International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigation is Ongoing
35.	14 Apr 16	AKEMI JOE TIMTASCO	Tug	Nigeria		3 Crew Members Were Kidnapped	International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel Investigation is Ongoing

36.	16 Apr 16	MT REMY	Tanker			7 Crew Members Onboard Nigerians, 4 Pakistani, 1 Bangladesi, 1 and Egyptian 1	International Maritime Bureau (IMB)	Investigation is ongoing
37.	18 Apr 16	MT MADONNA 1 IMO 9407031 MMSI 370698000	Tanker	Panama	Lat 030 54' 75"N Long 0050 38'03"E		International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
38.	19 Apr 16	MV ARMADA TUAH 101 IMO 9387293	Cargo	Malaysia	Lat 03 30'06"N Long 040 50'00"E	15 Crew Members Onboard, 2 Crew Members were released on 3 Jun 16	International Maritime Bureau (IMB)	The Vessel is Currently Proceeding to Onne Port

39.	20 APR 2016	AFRICAN BEAUTY IMO 9047386	Tanker	Panama	Lat 030 53' 5'' N Long 0050 22' E Brass River Bayelsa State, Nigeria		International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
40.	20 Apr 16	BILBAO KNUTSEN IMO 9236432 Call Sing ECER	Tanker	Spain	Lat 030 45' 5''N Long 0060 26' E		International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
41.	20 Apr 16	VIGEO ADEBOLA IMO 9355989	Cargo		Lat 03039.38N Long 06008.24E 33.3 NM SW of Brass River Bayelsa State, Nigeria		International Maritime Bureau (IMB)	Investigation is ongoing

42.	21 Apr16	MT IGBERE IMO 9206906 MMSI 657314000	Tanker		Lat 060 00'59.56''N Long 003023'49.68 E	The Captain of the ship was kidnapped	International Maritime Bureau (IMB)	Investigation ongoing
43.	28 APR 16	MT OLIVIA I IMO 9053111	Tanker		030 56'59''N 0040 43.66 E Around 67NM SW of Bayelsa State, Nigeria		International Maritime Bureau (IMB)	Investigation is ongoing
44.	28APR 16	MT GRACE	Tanker		040 19.0N 0040 27.0E Around 78NM W of Bayelsa State, Nigeria		International Maritime Bureau (IMB)	Investigation is ongoing
45.	04 May 16	MT MADONNA I IMO 9407031 MMSI 370698000	Tanker	Panama	Lat 030 54' 01''N Long 0050 17'06''E		International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel

46	05 May 16	MT MOXON IMO 9133070 MMSI 538006405	Tanker		Lat 030 54' 00'' N Long 050 32'00''E Brass River Bayelsa State, Nigeria		International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
47.	05 May 16	AFRICAN BEAUTY IMO 9047386 MMSI 37352700	Tanker	Panama	Lat 030 52' 00'' N Long 0050 23'00''E 1.2nm NW of Agbami Oil Filed		International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
48.	05 May 16	PASSENGER BOAT	Passenger Boat	.	Kaa in khana LGA	2 Traders were killed, A child and the Driver of the boat were injured	International Maritime Bureau (IMB)	Sea Pirate went away with the Boat

49.	06 May 16	MT HARLEY IMO 9133082	Tanker				International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
50.	13 May 16	MT MONTESPAREN ZA	Tanker	Portugal	Lat 030 56' 00'' N Long 0070 02'00''E Bonny River rivers State,	Failed Attempt	International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
51.	25 Jun 16	MT PHILADEPHIA			Around Opobo river, Rivers State, Nigeria	The Captain and the chief engineer were abducted	Intelligent Report	Sea Pirate Attacked the Vessel Investigation is Ongoing
52.	27 Jun 16	MV LILLY II			Qua-Iboe river, Akwa Ibom State, Nigeria	One crew member killed	Intelligent Report	Sea Pirate Attacked the Vessel Investigation is Ongoing

53.	27 Jun 16	DREDGER	Dredger	Nigeria	Emeroke River entrance, Akwa Ibom State, Nigeria	The Captain, Chief Mate and 2 other crew member were abducted	Intelligent Report	Sea Pirate Attacked the Vessel Investigation is Ongoing
54.	07 Jul 16	PRINCE JOSEPH 1	Tug	Nigeria	Lat 03 09 42N Long 004 47 20.22E	5 Crew Members Were Kidnapped	International Maritime Bureau (IMB)	5 Crew members have been released
55.	07 Jul 16	MEDIATOR	Passenger	Nigeria	Lat 03 11 40.009N Long 004 41 3.166E	Failed Attempt	International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel
56.	07 Jul 16	BOUBOULINA IMO 9298753	Tanker	Greek	Lat 030 16'.91N Long 0050 09.71E	Failed Attempt	International Maritime Bureau (IMB)	Sea Pirate Attempted to Board the Vessel

57.	08 Jul16	TORM THYRA	Tanker	Singapore	Lat 060 25 N Long 003 22E	Attempted	International Maritime Bureau (IMB)	A Robber Attempted to Board the Vessel
58.	26 Jul 16	MR AQUARIUS	Tanker	Marshal Island	Lat 060 26, 8.797''N Long 0030 19, 37.283''E	Attempted		Sea robbers attempted to board vessel
59.	05 Aug 16	MT HARLEY	Tanker	Marshal Island	Lat 060 43, 3.408'' N Long 0030 36,8.923'' E	Pump man was taken hostage	International Maritime Bureau (IMB)	Sea robbers boarded vessel

60.	17 Aug 16	MT VECTIS OSPREY	Cargo	Isle of man/UK	Lat 03054 22.5'' N Long 0070 10 9.541'' E	13 crew members were in citadel	International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel NNS NWAMBA intervened & recued the vessel. Vessel escorted to FOT ONNE by NNS NWAMBA for investigation.
61.	16 Sep 16	MV HANZE KOCHI	Tanker	Gilbralter United	Lat 040 10' 26.85''N Long 0060 59' 24.334''E		International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel 46NM SW around BAYELSA AREA
62.	12 Oct 16	FISHERMEN	Carted away outboard engines	Opobo River,Akwa Ibom State				Attack Successful

63.	13 Oct 16	PASSENGERS BOATS	Robbed their valuables	Ataba –Kaa waterways Rivers State			Effort are ongoing by NNS JUBILEE and other security agencies	Attack successful
64.	14 Oct 16	LAGOS FISHING PORT		Opobo River Akwa-Ibom State				2 robbers were arrested by the Marine Police and currently assisting in the ongoing investigation
65.	16 Oct 16	MT VAJARA	Sterling Oil Company	Agege Community in Delta State		NNS Delta deployed personnel on board the vessel 1 killed	Nigerian Navy	Killed 1 NN personnel injured some

66	16 Oct 16		Tanker		Lat 040 13' 40.77''N Long 0050 7' 40.83''E		International Maritime Bureau (IMB)	12 Armed Pirates Approached and attempted to board the vessel while enroute to Lagos from PH.
67.	27 Oct 16	MT BLESSED	Tanker		Lat 040 16' 1.1''N Long070 31' 22.4''E	ENC	Nigerian Navy	Attack Successful
68.	27 Oct 16	MT NORTE	Tanker		Lat 060 16' 28.873''N Long0030 16' 51.175''E	WNC	IMB	Illegal Boarding

69.	12 Nov 16	MVPACIFIC PYTHON	Tanker		Lat 020 48' 33N Long 0030 59' 8.4E		International Maritime Bureau (IMB)	Sea Pirate Attacked the Vessel 147NM SW around BAYELSA AREA, 5 Crew members were abducted.
70.	19 Nov 16	MT MAYFAIR	Tanker				Nigerian Navy	Not verified
71.	19 Nov 16	MV MAERSK COTONOU	Cargo	3.2nm SW Bonny FWB			Nigerian Navy	Attack unsuccessful
72.	19 Nov 16	MV BOURBON ATLANTIDE		4nm from Bonny FWB			Nigerian Navy	Attack Unsuccessful
73.	23 Nov 16	MT ELIANA	Tanker	34.1nm SE Bonga Oil Terminal	Lat 0040 54.279'' N Long 0040 48'26.935''E		Intelligence	Attack Unsuccessful

74.	23 Nov 16	FISHINGN TRAWLER		Ibena Channel	Akwa Ibom State		Intelligence	2 fisher man are hostages, efforts are ongoing to rescue the victims
75.	28 Nov 16	MV SARONIC BRREEXE	Cargo	22. Inmto Ramos River Entrance	Lat 040 57'02''N Long 0050 02' 33''E	20 Crew members were onboard the Vessel	International Maritime Bureau (IMB)	3 Crew members were abducted Investigation ongoing
76.	12 Dec 16	MT ZEFYROS	Tanker	Lagos Anchorage	Lat 060 18' 31''N Long 0030 21' 66''E	21 Crew members were onboard the vessel	International Maritime Bureau (IMB)	Attack Unsuccessful
77.	15 Dec 16	MT ANTARTIC	Tanker	Qualboe Anchorage	-	-	International Maritime Bureau (IMB)	Attack Unsuccessful

78.	21 DEC 16	MAERSK CALABAR	Cargo	Singapore	Lat 030 16'59.466''N Long 0050 09' 42.131''E 166.1nm SW of Agbami Oil Terminal		combrest@pre mar- atlatrque.gouv.f r (COMBREST)	Attack Unsuccessful
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APPENDIX 6

SUMMARY OF VESSELS ATTACKS IN NIGERIAN WATERS

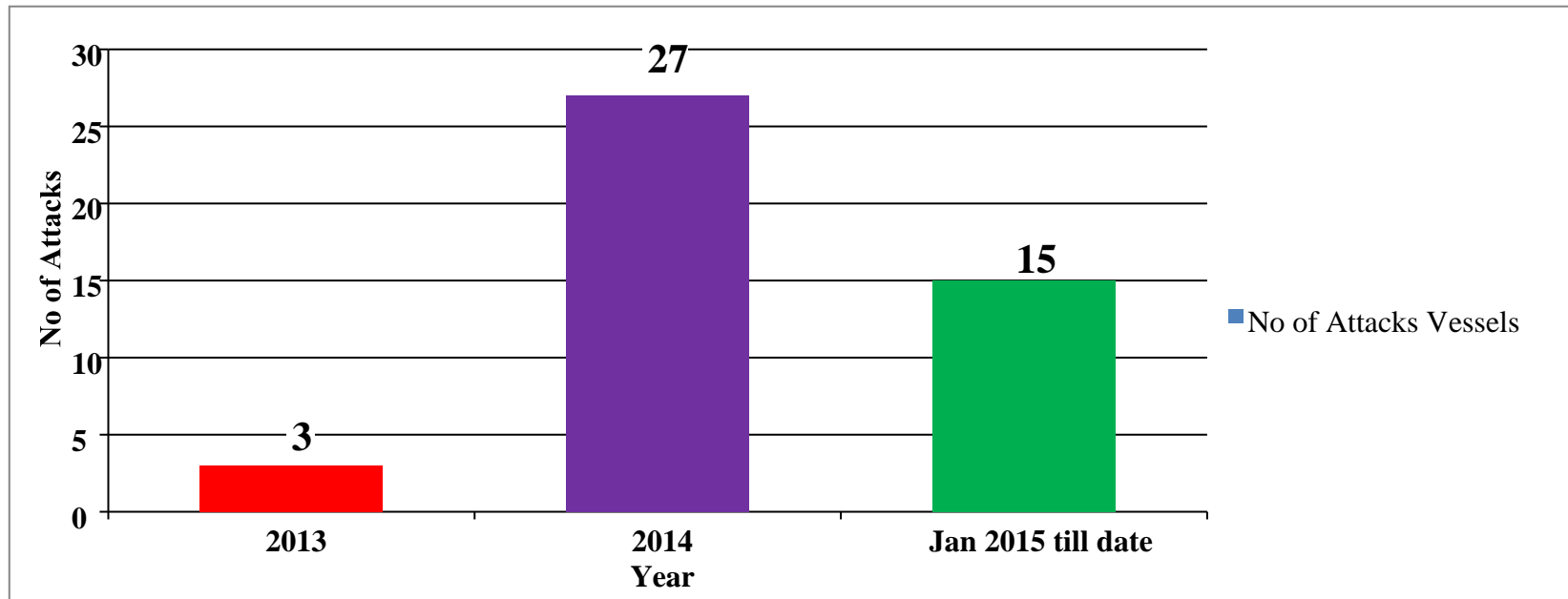


CHART SHOWING NUMBER OF ATTACKS ON VESSELS IN NIGERIAN WATERS JANUARY 2013 –2015

FROM JANUARY 2013 – NOVEMBER 2015

Serial	Attacks on Vessels 2013	Attacks on Vessels 2014	Attacks on Vessels 2015	Total	Remarks
(a)	(b)	(c)	(d)	(e)	(f)
1.	3	27	15	47	

FROM JANUARY 2013 – DECEMBER 2015

HARMONIZED STANDARD OPERATING PROCEDURES
ON ARREST, DETENTION AND PROSECUTION
OF VESSELS AND PERSONS IN NIGERIA'S
MARITIME ENVIRONMENT

2016

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FOREWORD

Maritime Law Enforcement (MLE) remains an indispensable tool and process for enmeshing effective governance in the national maritime space. In the face of emergent challenges occasioned by diverse threats and criminalities, it has become necessary to address attendant inadequacies hindering the effort of Maritime Law Enforcement Agencies (MLEAs) in checkmating illegalities in Nigeria's maritime environment.

As the Chief Prosecutor of the nation, I have interacted with most of the MLEAs and come to appreciate the enormity of their challenges in taking custody of arrested vessels, persons and evidences as well as ensuring that maritime offenders are prosecuted in a Court of competent jurisdiction. In this regard, I wholeheartedly identify with the noble initiative that produced this Harmonised Standard Operating Procedures (HSOP) designed to guide the operation of MLEA. I am satisfied that the document adequately addresses the issues of overlap of responsibilities of agencies as it also spells out processes to be followed to protect the rights of both the MLEA and suspects during arrest, detention and prosecution. In addressing the dynamic nature of threat within the maritime environment, the HSOP will be reviewed every 3 years.

Effective implementation of the HSOP demands conscious domestication of its guidelines into the doctrinal process of all MLEAs. I, therefore, urge all concerned to ensure adequate knowledge penetration of the HSOP into the day-to-day MLE activities across the nation's maritime space.



ABUBAKAR MALAMI, SAN

Attorney- General of the Federation and Minister for Justice

PREFACE

In recent years, some of the challenges hindering effective maritime governance in Nigeria include lack of common understanding and limited synergy among Maritime Law Enforcement Agencies (MLEAs). In particular, handling of issues related to arrest, detention and prosecution of vessels have been attended with unsavoury consequences detrimental to the corporate image of MLEAs, and loss of revenue to the nation. These realities, among others, necessitated the articulation of the Harmonised Standard Operation Procedures (HSOP).

The HSOP aims to attain the requisite common consciousness on operating standards towards fostering better liaison among stakeholders. It therefore provides a consolidated guideline for harmonious management of arrests, detention and prosecution of vessels and suspects, as well as seizure and forfeiture. It is also a guide to those responsible for, or undertaking any enforcement related activities or corporate entities venturing into Nigeria's sea space for business. Further, the document outlines proper procedures to check undue litigations against MLEA arising from the discharge of their legitimate duties in spite of extant judicial gaps.

The HSOP is divided into three Chapters, Schedules and the Appendixes. The chapters are; General Regulations, Human Rights Policy and Membership, while the twelve schedules deal with the responsibilities of each MLEA as it relates to maritime issues. The First Appendix provides a template for the list of arrested vessels while the Second Appendix spells out the functions of the agencies on regulations, arrest, detention, prosecution, monitoring as well as testing of samples from arrested vessels.

I commend this effort for proper application, utilization and understanding by all stakeholders involved in Maritime Law Enforcement to the benefit of effective maritime governance around the Nigeria's maritime domain and interests in Gulf of Guinea region/Africa.



IE IBAS
Vice Admiral
Chief of the Naval Staff

CHAPTER 1

GENERAL REGULATIONS

PART 1

THE COMMITMENT AND GOAL

1. (1) This document serves as a guide and prescribes standard operating procedures for the Agencies operating within Nigeria's maritime area in relation to arrest, detention and prosecution of vessels and persons.

The Standard
Operating
Procedures

(2) Recognizing that in carrying out assigned statutory responsibilities, maritime law enforcement agencies are empowered to effect arrest of vessels and persons deemed to be contravening or have contravened the Laws of Nigeria or International Conventions ratified or acceded to by Nigeria;

(3) Desiring to promote synergy through constructive dialogue and wishing to further foster closer cooperation on matters of common interest in maritime law enforcement;

(4) Mindful of existing mandates of individual participating agencies and relationship among parties and understanding that the Harmonized Standard Operating Procedures (HSOP) shall not prejudice the rights and obligations of all parties under the Constitution of the Federal Republic of Nigeria 1999 (as amended) and the various Enactments or Acts establishing the agencies;

(5) Re-Affirming their common concern to adopt a common document known as HSOP and Guided by the provisions of the HSOP, hereby express commitment to the faithful emplacement of effective maritime law enforcement including expeditious management of actions and issues relating to arrest, detention and prosecution of vessels, owners and crew who infringe on Nigerian Laws or International Conventions ratified or acceded to by Nigeria.

(6) This HSOP is therefore prepared to outline the appropriate procedure for arrest, detention and handing over of vessels consistent with global best practices. It is based on the statutory powers conferred on the Ministries, Departments and Agencies (MDAs) charged with maritime law enforcement activities. It is designed for use by all agencies connected with arrest, detention and prosecution of maritime related crimes, and illegalities committed, or suspected to have been committed within Nigeria's maritime area.

Purpose of this document

2. The primary objective of this HSOP is to provide consolidated guidelines on arrest, detention and prosecution of vessels, persons as well as seizures/forfeiture of goods (where applicable). It outlines proper procedures to safeguard enforcement agencies from litigations arising from the discharge of their legitimate duties. The HSOP is also relevant to those responsible for, or undertaking, any enforcement related activities, in line with global best practices which also aligns itself with relevant legal provisions of Nigeria.

The Primary objective

3. (1) The membership of the Stakeholders shall include those listed in Part 1 of Chapter 3 of this regulation.

(2) The Observer agencies are as listed in Part 2 of Chapter 3 of this regulation.

4. (1) The membership of the Stakeholders shall include those listed in Part 1 of Chapter 3 of this regulation.

(2) The Observer agencies are as listed in Part 2 of Chapter 3 of this regulation.

Membership

5. The core and subsidiary functions of law enforcement agencies for arrest, detention and prosecution of vessels/persons suspected to be involved in the commission of a maritime related crime as shown in the Table at Appendix 2.

Core functions of the law enforcement agencies

CHAPTER 3

MEMBERSHIP PART 1

- 1.** Membership of the Stakeholders Forum will be constituted by one or two representatives from the participating agencies. This is to ensure that the Forum is representative of all critical actors in order to create an optimum environment for efficiency and effectiveness. Participants from the various Ministries and Agencies are expected to be between top and middle management cadre.

- 2.** The membership of the Forum is constituted as follows:
 - a. Ministry of Defence (DHQ, AHQ, NHQ, HQ NAF)

 - b. Federal Ministry of Justice (DPPF, NDLEA, EFCC, NAPTIP)

 - c. Federal Ministry of Agriculture and Rural Development (FDF)

 - d. Federal Ministry of Transportation (NIMASA, NPA, NIWA)

 - e. Ministry of Interior (NPF, NSCDC, NIS)

 - f. Federal Ministry of Finance (NCS)

 - g. Federal Ministry of Petroleum Resources (DPR)

 - h. Federal Ministry of Environment (NOSDRA, NESREA)