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Policy evaluation on implementation of ISPS Code in the Nigerian maritime industry

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POLICY EVALUATION ON THE IMPLEMENTATION OF THE INTERNATIONAL SHIP AND PORT FACILITY SECURITY (ISPS) CODE IN THE NIGERIAN MARITIME INDUSTRY

By

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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.

(Signature): ....

(Date):   20 September, 2022

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Abstract

Title of Dissertation:	**Policy Evaluation on Implementation of ISPS Code in the Nigerian Maritime Industry**
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This research analyzed the policy implementation of the International Ship and Port Facility Security (ISPS) Code in the Nigerian maritime industry. The study employed the use of both primary and secondary sources of data. The primary data was collected through the administration of questionnaires to 200 respondents in Nigerian Maritime Administration and Safety Agency (NIMASA), and Nigerian Port Authority (NPA)and Port Facilities Security Officers (PFSO) while only 167 questionnaires were returned. In order to analyze the data collected from both primary and secondary sources, simple statistics were employed. The study revealed that the ISPS Code unit in NIMASA became operational in 2014, and the temporal variation shows that there is an annual increase in the level of compliance of port facilities to ISPS Code since inception to date.

The study also revealed that the ISPS Code has contributed immensely to port security and efficient port operation, but is faced with typical problems like poor funding, inadequate modern technology, infrastructural deficiency, corruption, etc. It can be inferred from the literature review that the maritime industry faced so many identifiable criminal acts like piracy, stowaways, corruption, sabotage, terrorism, pilferage, etc. this menace posed greater threats to efficient port security and operations.

However, the implementation of the ISPS Code drastically reduced these criminal acts thereby improving significantly the effective and efficient port operations. The enforcement of the ISPS Code improved the awareness of the Code amongst the operators of the maritime industry. It also increased the level of port facilities in compliance, and the total number of vessels with interface with the port facilities.

Finally, the study revealed that the challenges encountered in the implementation of the code tilted more toward poor funding as revealed in the responded questionnaire.

KEYWORDS: Transport Policy, ISPS Code, Ship Compliance, Ship Security, Nigerian Maritime Industry, Implementation, Port Facilities, Foreign Vessels, IMO.

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List of Abbreviations

ANOVA	Analysis of Variance
CG	Contracting Government
COE	Conditions of Entry
CSO	Chief Security Officer
CSO	Company Security Officers
DA	Destination Authority
DOS	Declaration of Security
FAT	Frustration Aggression Theory
GOG	Gulf of Guinea
IADCSO	International Association of Dry Cargo Ship Owners
IISSC	Interim International Ship Security Certificate
ILO	International Labor Organization
IMBAR	International Maritime Bureau's Annual Report
IMCO	Inter-governmental Maritime Consultative Organization
IMO	International Maritime Organization
IWD	Inland Waterways Department
ISPS C	International Ship and Port Facility Security Code
ISPS	International Standards for the Prevention of Pollution from Ships
JTF	Military Joint Task Force
MOU	Memorandum of Understanding
MS	Maritime Security
MT	Maritime Transport
MTSA	Maritime Transport Security Act
MWUN	Maritime Workers Union of Nigeria
NA	Nigerian Navy
NBS	National Bureau of Statistics
NCHCL	National Cargo Handling Company Limited
NIMASA	Nigerian Maritime Administration and Safety Agency
NIWA	National Inland Waterways Authority
NPA	Nigerian Ports Authority
NSC	Nigerian Shippers Council
PFSA	Port Facility Security Assessment
PPP	Public Private Partnership
PFSO	Port Facility Security Officer
PFSP	Port Facility Security Plan
RAT	Routine Activity Theory
RSO	Recognized Security Organization
SOLAS	International Convention for the Safety of Life at Sea
SPMS	Security Performance Measurement System
SPOMO	Suppression of Piracy and Maritime Offences
SPSS	Statistical Package for Social Sciences

SS	Ship Security
SSA	Ship Security Assessment
SSO	Ship Security Officer
SSP	Ship Security Plan
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNCTAD	United Nations Conference on Trade and Development
US	United State

Chapter 1

1.1   Introduction and Background of the Study

Maritime security measures are steps user event and react to threats and undesired activity in the sea region (Luft & Korin, 2004). Looking at a country's natural resources might provide an idea of the value of its maritime domain. Maintaining a safe and secure maritime environment for all of these purposes (Liddick, 2014). UNCLOS, SOLAS, the ISPS Code, and others were intended to guarantee coastal governments have corollary rights in marine matters. Long-term safety and security of shipping routes and ports are also necessary for maritime ecosystem preservation (Jesugbamila, 2010). The Nigerian government has accepted a number of IMO several pertaining to the security and safety of ports and marine infrastructure. The federal government has made steps to carry out the provisions of the Act domestically and via the appropriate agencies of the federal government (Onwuegbuchunam *et al.,* 2021).

Responding to the terrorist events of September 11, 2001, in the United States, the ISPS Code was developed in 2004 as an international standard. ISVS (International Code of Security for Vessels and Port Infrastructure) was developed by the IMO. Keeping ships, ports, cargo, and crew members' safe is the primary purpose of the code. In 2004, Nigeria, a maritime country, approved the code.

It is essential that international ships in transit, port infrastructure, and marine life be adequately safeguarded, and the ISPS Code does just that. With an emphasis on international shipping, the code includes maritime standards and guidelines aimed at detecting and mitigating risks to global security. Security hazards from ships and port infrastructure may be identified with the use of the code in international commerce. 2006 was a successful year (Ndikom, 2006).

ISPS is one of the most significant global security initiatives ever undertaken, having implications that go well beyond the maritime sector (Bichou, 2004). For a long time now, the mariner has been plagued by terrorist threats and other acts of terrorism. When it comes to maritime firms, dishonesty and fraud-like inclinations

have exacerbated rather than reduced the issue of excessive port security (Otto and Ukpere, 2012).

The GOG has lost a large amount of revenue as a consequence of maritime instability. There were 34 incidents in the GOG in the first three quarters of 2020, according to a report from the IADCSO. In the international arena, piracy in Nigeria's coastal waters and its devastating economic impact on the country's economy has been resurrected. More than two dozen armed assaults and pirate occurrences were recorded by Nigeria's marine safety agency in the third quarter of 2020. The international community has paid great attention to this trend, which tends to raise questions about the compliance level of port facilities with the ISPS code. As a result, Nigeria's maritime security is a critical national resource for safeguarding the country's national assets. Further benefit of this is the defence of strategic, economic, and political assets abroad. In response to these threats and the Gulf of Guinea's incapacity to properly manage marine security, regional solutions and outside support have become imperative.

Concern over maritime piracy and threats to maritime sea lines of communication were raised by the UN Security Council in two resolutions on 31 October 2011 and 29 February 2012, which served as a foundation. An additional focus of the paper is the development of an international network for exchanging data across countries and regional organizations (Kelly, 2014). Recent years have seen an upsurge in African attempts to address maritime security challenges in a regional and international framework. Piracy in the GOG will be the topic of an Ambassadorial-Level Meeting of the Peacebuilding Commission in 2021. International and regional stakeholders benefit from the Peacebuilding Commission's support for initiatives such as the Yaoundé Code on Combating Piracy and Armed Robbery Against Ships in West and Central Africa, which is currently being implemented in the region, as well as Egypt's assistance in the form of technical assistance, training courses, and capacity building initiatives.

A growing number of maritime security risks has alarmed academics and other stakeholders in the maritime industry as well. Years of piracy and other maritime crime

has plagued Nigeria's waters and piracy off the coast of Nigeria has increased in the GOG. Marine transportation is vital to our daily lives, but it also comes with significant dangers that, if allowed unchecked, might jeopardize a nation's economy (Igbokwe, 2012). Terrorism and piracy in the marine realm have the potential to have a negative influence on the global transportation network. The safety of ships, their cargo, passengers, and crew has always been a primary issue since the advent of transportation and global trade. When it comes to maritime transportation, pirates might be considered as an antecedent to today's terrorists since they have always posed a danger to ships, cargo, passengers, and crew. Ships and their cargo may sail across oceans safely if they carry a small amount of weapons and ammunition as a basic and primitive self-help security measure. This standard, acknowledged, and allowed practice was designed to meet this need. The worldwide maritime community had to respond, and they did.

1.2 Problem Statement

According to NIMASA, maritime instability cost the country and neighbouring countries along the Gulf of Guinea coast $793.7 million in 2016 (Jamoh, 2021) citing the oil and fishing industries' losses, as well as ransom payments and insurance premiums, as the primary sources of these losses.

It was in 2004 when Nigeria accepted the International Standards for the Prevention of Pollution from Ships (ISPS). Several studies show that despite the ISPS Code's implementation, maritime insecurity has increased in Nigeria. According to (Okoronkwo, Et. al., 2014). There has been an increase in pirate activities in Nigeria's maritime domain (Abiodun, 2015). Most attacks on GOG occur in Nigeria, a recent study finds, and this is not surprising (Nwokedi, 2016). There have been more than two-thirds of Nigerian pirate attacks, and almost three-quarters of all piracy events, in Lagos ports and anchorages (Nwokedi, 2016). IMBAR from 2002 to 2015 shows an irregular amount of attacks every year. A look at the contradictory statements shows that there are considerable inconsistencies when it comes to security measures at ports and ships. The adoption of the ISPS Code in Nigeria will be examined.

1.3   Aim and Objectives of this Study

The aim of the study is to evaluate the Transport Policy Implementation of the ISPS Code in Nigerian maritime industry. The specific objectives of the study were to;

- Evaluate the compliance level of Nigerian port facilities with the ISPS Code;
- Evaluate port facilities with interface with the foreign vessels; and
- Examine the challenges to the ISPS Code's implementation in Nigeria.
- Highlight lessons learned from the Implementation of ISPS code from Neighboring countries.

1.4   Research Questions

Emanating from the objectives of this study, the following questions guided the study?

- To what extent are port facilities compliant with the ISPS Code?
- How many port facilities have interface with foreign vessels?
- What are the challenges so far to the ISPS Code's implementation?
- Are there any lessons from the implementation of the ISPS Code from neighboring countries?

1.5   Significance of the Study

Nigerian ports and facilities have a need for this research to identify the frequency of high-level security concerns as well as how well the ISPS Code has been adopted in Nigeria, and how it may be utilized to tackle security issues on ships and at ports, as well. Governments, municipalities, shippers, and port companies may use this study as a guide to enhance maritime security. It might also act as a point of reference for other related events. For students in the same field, it might serve as a guide for future study.

1.6   Structure of the Dissertation

The structure of the dissertation is divided into five chapters as follows;

Chapter 1 includes the introduction and background of the study, problem statement, aim/objectives of the study, research questions, significance of the study, and organization of the study.

Chapter 2 covers the review of related literature on the subject matter and a detailed discussion of an important concept.

Chapter 3 sought to enumerate the research method, design, data collection methods, operational measures of the study variables, and data analysis techniques used

Chapter 4 reveals the presentation and data analysis while Chapter 5 gives the summary, conclusions, and recommendations of the research work.

Chapter 2

2.1   The International Ship and Port Facility Security Code (ISPS)

The International Ship and Port Facility Security (ISPS) Code, is a vital maritime regulation that ensures the safety and security of ships, ports, cargo, and crew. Prior to the ISPS code, the safety of ships at sea was the main priority of SOLAS. SOLAS was updated, and Chapter XI, which covers measures to improve marine safety, was renamed Chapter XI-1, and a new Chapter XI-2 with a greater emphasis on maritime security was added. This is because security and safety are fundamentally distinct concerns. Currently, international ships and port facilities are protected to the highest standards by the ISPS Code. On September 11, 2001, as a direct reaction to the attacks on the World Trade Centre, it was adopted. The international community has decided to build a new security regime for ships and port infrastructure utilized in international trade in order to identify and prevent security concerns and incidents. ISPS was created in response to this danger by states, government agencies, and municipal governments, as well as the shipping and port sectors in partnership with the IMO. Maritime security was improved with the 2002 amendments to the 1974 Convention for the Safety of Life at Sea. The International Code for the ISPS outlines the security procedures for ships and port facilities in response to prospective threats. Standards, consistency, and dependability are the main objectives of the ISPS code. Providing governments with this data will make it simpler to strike a balance between increasing threats and evolving vulnerabilities for ships and port infrastructure. Just as with any new regulation, the general public, including sailors and port users, initially had serious reservations about the ISPS code. Many individuals are starting to see the importance of coding as a part of shipping. Few dispute that the code may be improved by making it more sensitive to the real threats of piracy and stowaways (Bergqvist, 2013).

2.2   Objectives of the ISPS Code

The ISPS Code has been established to guarantee that the safety of ships and port facilities is never compromised. With this code, the marine transportation sector will have a standard framework for risk assessments.

According to the IMO, the main goals of the ISPS code are as follows:

1. To minimize security problems involving ships or port facilities that are utilized in international commerce, a global framework of collaboration between contracting countries, government agencies, local administrations, and the shipping and port industries must be established.
2. To figure out the national and international responsibilities of the different parties engaged in maritime safety and pirate prevention.
3. In order to gather and share security-related data quickly and efficiently.
4. So that plans and procedures may be put in place as security changes, providing a framework for measuring security levels.
5. Make that ships at sea have appropriate and rational security measures in place.

2.3   Contents of the ISPS Code

The ISPS code is comprised of parts A and B. While the first component (A) must be implemented, the second component (B) is optional and provides as an example of how to do so.

Part A

Part A of the ISPS code has 19 sections and 2 appendices. Part A is divided into 19 sections. Each part of the Code contains definitions, applications, duties, and technical information. It explains the significance of:

1. All of the parties involved in the contract have their obligations stated out in the agreement.
2. Criteria for determining whether or not a security plan or risk assessment is appropriate.
3. The manner in which the records are to be given and maintained.

4. The specifics of the training and fitness routines followed by the members of the crew and personnel.

5. Appendices A contains the methods for certifying and verifying ships' International Ship Security Certificates and Interim-ISSC samples. To discover the requirements for awarding certifications, utilize these forms.

Part B

Like ISPS Code Part A, this code consists of 19 sections and 2 appendices. Topics discussed in Part A may be further explained and illustrated in Part B. Components may be applied It's a waste of effort to try to fix an issue without addressing all of its components. Because of this, the primary flaw in the ISPS code may be rendered ineffective if all parties implement ISPS code part B at the same time they accept ISPS code part A. The port facility's DOS and Statement of Compliance forms are included in Section B of the document.

2.4   Implementation of the Code in Nigeria

Ships traveling internationally are required by law to adhere to the ISPS Code. All ships having a gross tonnage of at least 500 metric tons are included in this category. There is no commercial use of warships or naval auxiliary ships or any other government vessels. Any port facilities within the authority of the contractual government, as determined by the contracting government to be in compliance with this legislation, are subject to this clause (Osnin & Shah, 2003).

Over 86% of ships and 69% of port facilities subject to the new code had security measures authorized by February 2005, despite worries about the "unrealistic" deadline and anticipated disruptions to international commerce on the day that code went into effect. Since only 56% of the certificates had been issued as of July 1, 2004, the installation of the code has slowed down (for example, Africa and some countries in Eastern Europe). US inspections led to the denial of entry, expulsion, or imprisonment for 8.5% of the inspections conducted, making them the most visible enforcement mechanism for the ISPS Code. Non-compliant vessels were discovered to be registered under flags of convenience in the majority of cases, reports said.

From 7%−8%, the NIMASA strengthened its compliance with the International Ships and Ports Security Code (Akpobolokemi, 2014).

Dr. Bashir Jamoh, the Director-General of the NIMASA, asserts that NIMASA has achieved a level of ISPS Code compliance greater than that of the IMO. They were informed that the concerns they voiced in 2018 had been addressed and that this was the truth. The Deep Blue Project and the SPOMO Act are also being used by NIMASA to combat pirate activity in the Gulf of Guinea, according to the agency's director general.

Currently, only 22 of Nigeria's out of 127 jetties are completely compliant with the ISPS standards, making it the least developed country in Africa. US Coast Guard Admiral Neffenger, the deputy commandant for operations, delivered a diplomatic statement on behalf of Homeland Security stating that the number of Nigerian port facilities that are fully compliant has risen from 9 to 22 since the last visit of the US government in 2015 (Samson, 2014).

2.5   Nigerian Ports Before and After NIMASA Takes Control of ISPS

Before NIMASA had full responsibility for ISPS code implementation, less than 10 ports had proper anti-terrorism safeguards in place. As the new Destination Authority (DA), NIMASA has been able to increase Nigerian port compliance from 7%−70% by hammering them with COE. In two years, the government of President Goodluck Jonathan appointed a DA to monitor the implementation of the ISPS Code, which went from 7% to 83% compliance. Importers no longer had to worry about their goods being destroyed because of the high level of compliance, and wharf rats were eliminated as a consequence.

2.6   ISPS Operations Code

The ISPS Code is based on a risk assessment and risk minimization. Performing a security review is a critical stage in the implementation process. As part of a security evaluation, flaws in the infrastructure and superstructure as well as databases and other information systems might be found. At risk of a security breach are these areas:

people or property. In addition, solutions for decreasing or eliminating risks and their repercussions are offered.

The code includes security evaluations for both the PFSA and the ships that docked there. The port facility's and the vessel's security plans should be in place by the time the system is put into operation. As a consequence, performing security assessments is a crucial stage in developing and changing security policies and procedures. This person is responsible for overseeing the implementation of each strategy's security measures (Mejia, 2004).

2.6.1   Ship Security Assessment (SSA)

Identifying weaknesses in the design or operation of a ship is the goal of the SSA. Section A of the ISPS code specifies an on-site security review. You must take into account important persons and activities as well as those that provide services and operations. Even if a ship is moored or parked at sea, it still has threats and weaknesses. If you have a ship moored in an area with a high risk of harm, it's crucial to be aware of it. Another factor that must be taken into account is the tension between safety and security.

Company security officers (CSO) are responsible for safeguarding the company's ships. An ISPS code ship security assessment must be performed on every vessel owned or operated by the firm. It may then be possible to grant an Interim ISSC. Since it has been acknowledged for its work with security issues, an RSO may be able to supply SSA to governments contracting with it.

Figure 1

An Assessment of the Ship's Security in Accordance With the ISPS Code
(Mazarheri, 2008).
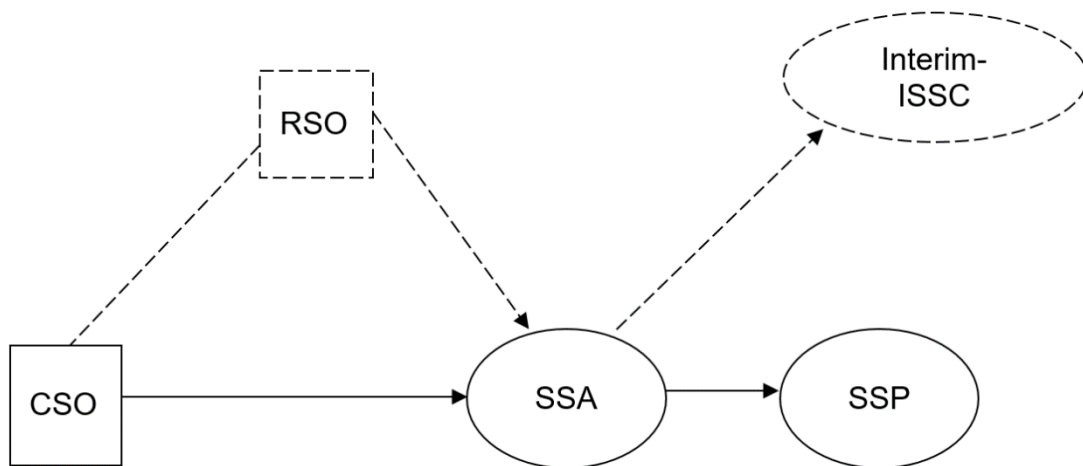
2.6.2 Ship Security Plan (SSP)

After the SSA is finished, the SSP will be developed in compliance with the SSA. The basic objective of any ship's security policy is to ensure that every precaution taken on board is successful in protecting the vessel and her crew at all times. The SSP must be ready for any eventuality, and the proper measures must be taken according on the specific risk that is being faced. Regular evaluation and updating of the SSP is recommended by the SSA. Just like SSA, RSOs may do SSP. They cannot be RSOs if they aren't the RSOs that created the SSA. When a SSP is completed and approved, an ISSC is issued.

Figure 2

Ship Security Plan According to the ISPS Code (Mazarheri, 2008).
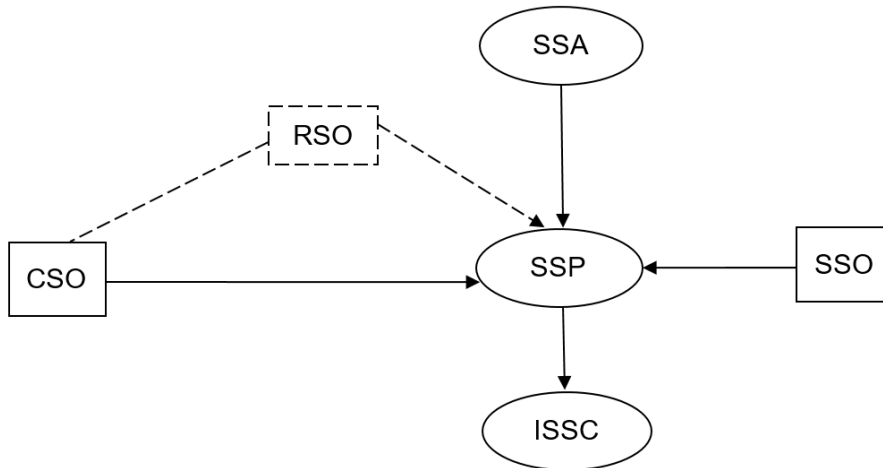
2.6.3 Ship Security Officer (SSO)

The SSO is responsible for guaranteeing the ship's safety, which includes the execution and maintenance of the SSP. Collaboratively, port security officers work closely with the CSO. When it comes to the ship administrator, it must be plainly indicated whether the SSO will also be the captain.

Figure 3

Officer in Charge of Ship Security in Accordance With the ISPS Code (Mazarheri, 2008).
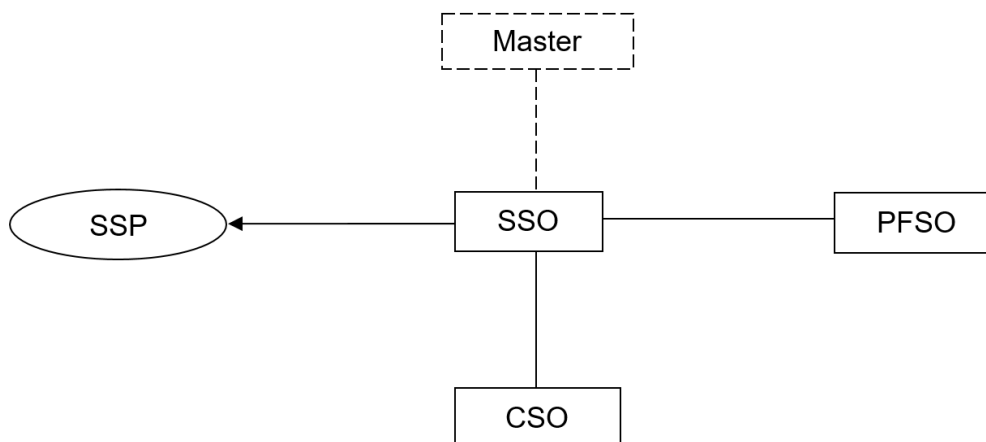
2.6.4 Port Facility Security Assessment (PFSA)

A PFSA is undertaken to determine which areas of a port facility are most susceptible to attack. You need to take into consideration all possible risks while planning a trip. Consider the vulnerability of each target, as well as how each attack will affect them. The assessment must take into account the following factors:

1. An evaluation of the critical resources and facilities that must be safeguarded.

2. Before designing and prioritizing security measures for assets and infrastructures, it is necessary to identify potential dangers, their chances of occurring, and their effects.

3. Find out which procedures and countermeasures are most effective in reducing the risk of infection, and then prioritize them.

4. Human mistakes may lead to system and process flaws that can be discovered and fixed. When it comes to PFSA implementation at ports located on its territory, the CG has the requirement to outsource this task to an RSO. The PFSA, like the SSA, will have to be revaluated and revised on a regular basis to accommodate changes to port infrastructure.

Figure 4

Assessment of Port Facility Security in Accordance With the ISPS Code
(Mazarheri, 2008).
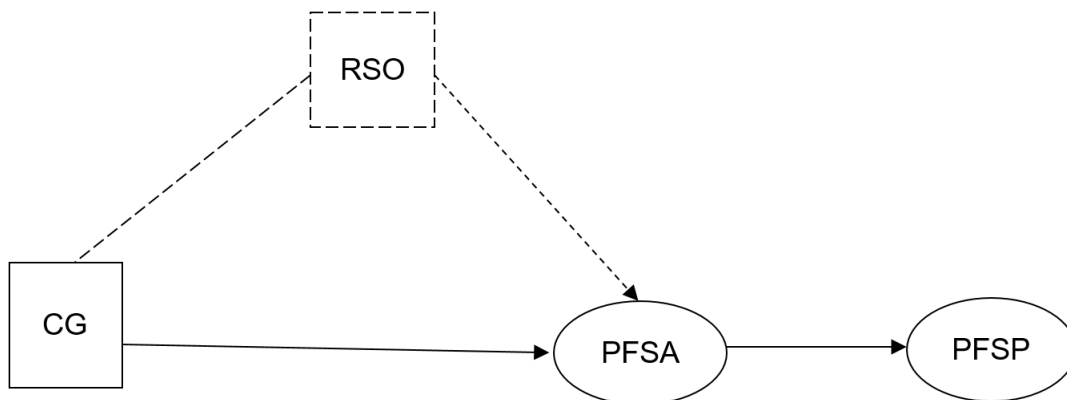
2.6.5 Port Facility Security Plan (PFSP)

Port security measures must be in place before construction can begin on the facility itself. There are safeguards in the PFSP in case of a security event at the port facility or with respect to the ships, crewmembers, cargo, cargo transport units, and ship stores. This position is in charge of ensuring that the port's security strategy is continually updated and revised (Moth, 2004).

An RSO may be delegated PFSP approval by the Contracting Government. As with ship security, the RSOs that developed the PFSA are unable to participate in the PFSP approval procedure for the same reasons.

Figure 5

Port Facility Security Plan According to the ISPS Code (Mazarheri, 2008).
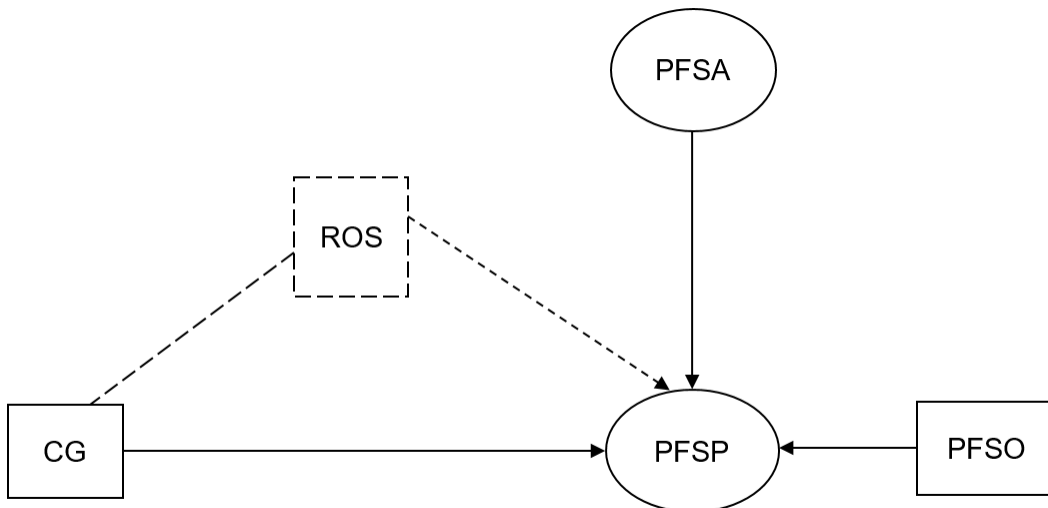
2.6.6 Port Facility Security Officer (PFSO)

When it comes to executing, modifying, and maintaining the PFSP, it's the PFSO's job to serve as a go-between between SSOs and CSOs.

Figure 6

Port Facility Security Officer According to the ISPS Code (Mazarheri,2008).
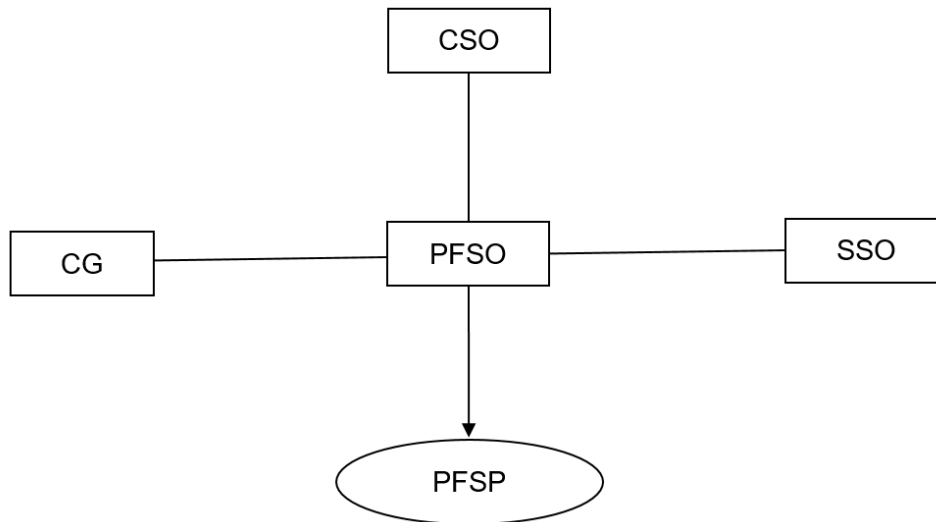
2.6.7   Company Security Officer (CSO)

SSA and the formulation, approval, and implementation of the SSP are all the responsibility of the ship owner or corporation, who must appoint an onshore CSO to carry out these duties. In addition, they are the go-to people for any PFSO or SSO concerns.

Figure 7

Officer in Charge of Security for the Company in Accordance With ISPS
(Mazarheri,2008).
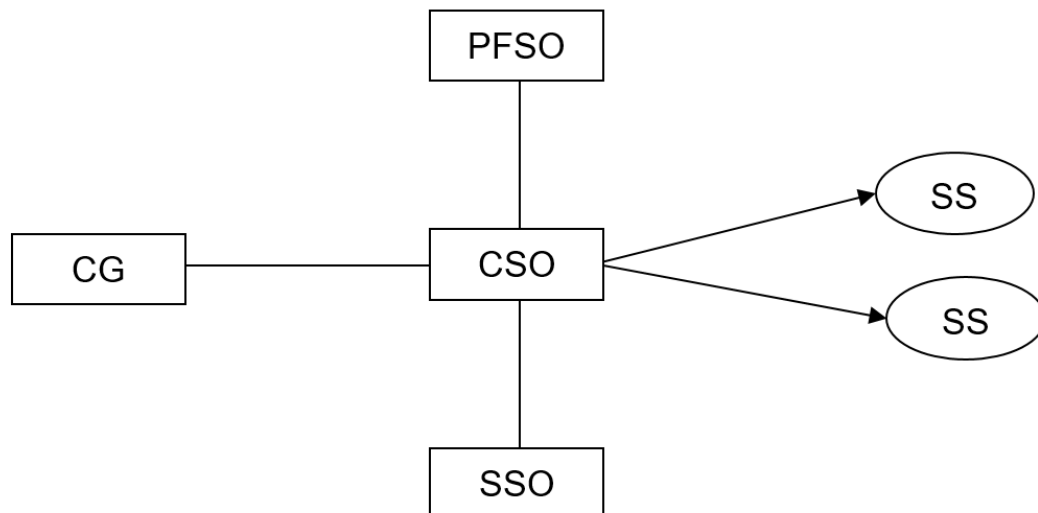
2.7   Security Levels

Levels 1 to 3 have been established for ships and port infrastructure to protect them from various threats.

The contracting governments are in charge of ensuring that the port facilities and the ship are kept secure at all times. There is a specific significance to each level:

1. **Security level 1:** A minimal level of protection is required at all times to maintain public safety.
2. **Security level 2:** The length of time that additional security measures must be kept in place to combat a heightened danger of a security occurrence.
3. **Security level 3:** In the event of an imminent security crisis, extra security measures will be put in place for a short amount of time, although it may not be feasible to ascertain precisely who the intended target is.

    When docking near one another, both the ship and the port infrastructure must be safeguarded to the same degree. That is why ships cannot dock if one party is less secure than the other, failing to do so might result in the ship being refused

permission to dock. The facility will receive a Declaration of Security (DOS) from the ship before it is allowed to dock.

2.8   Maritime Security

Any person, community, object, country, or organization that is vulnerable and valuable may benefit from the term "security," which refers to the degree of resistance to damage or protection from harm. (Merriam-Webster Dictionary, 2016). According to the IMO:

> The state or condition of being protected from harm; freedom from danger, fear, or anxiety and the measures taken to guard against espionage or sabotage, crime, and attack in relation to the ocean or any other navigable water body are all definitions of maritime security. (p. 683).

It's impossible to define maritime security in terms of maritime security operations since there are no clear definitions for it. It's the government's job to take care of it. The choice to act on behalf of a state is a sovereign one, with a range of alternatives available to the decision maker. As a result, maritime coordination is greatly affected. In light of its wide range of policy areas, there is no one legal definition for it. Maritime security consists of the following:

1. International and national security and peace.
2. Political independence, territorial integrity, and sovereignty.
3. Security of Communication Lines at Sea.
4. Protection from maritime crimes at sea.
5. Access to resources at sea and on the seabed, as well as resource security.
6. Environmental safeguards or protection.
7. All seafarers and fishermen's safety.

All governments have a duty to ensure marine security by signing the UNCLOS or by adhering to this wide-ranging collection of rules and regulations. Compliance with UNCLOS must be ensured or enforced in crucial circumstances by all marine regimes that are founded on this fundamental treaty or arise from this instrument, whether they may be regional or local.

2.8.1 The Importance of Nigerian Maritime Security

The importance of Nigerian maritime security is concentrated on so many critical aspects of national security. Every location's strategic significance is based on three fundamental conditions: its position, or more precisely, its situation, the resources of the place itself and the surrounding area, and its offensive and defensive military might. (Igbokwe, 2012). Nigeria easily meets the first two prerequisites but falls short on the third, which underpins the importance of its marine sector. According to other experts, crucial military operations are carried out at sea, given the vast deployment of aircraft carriers, submarines, and radar-controlled naval operations in all seven seas of the world (Fritelli, 2004). This aims to establish the maritime sector's political, social, and economic contributions to global growth.

Nigeria's marine resources are without a doubt the most powerful and dynamic of all its resources, including oil, gas, minerals, and agriculture. Its mineral resources and other extractive industries, agricultural products both consumptive and cash crops, have not provided any competition to the maritime sector's potential and measurable productivity. It could also be argued that the ultimate contribution of the oil and gas industry to the Nigerian economy cannot be compared to the maritime industry, given the comprehensive and projected alternatives as a source of global energy. This is due to the fact that the extraction of oil and gas, as well as its production and transportation via pipelines, is becoming an off-shore activity in the maritime domain.

2.8.2 Types of Maritime Security Activities

The world's marine security operations may be divided into three categories. Specifically, the safety of the port, the vessel, and the facility (Wikipedia, 2016).

- The defense, law, treaty enforcement and terrorist actions that lie within the marine realm, and it involves the protection and inspection of goods traveling vessels through ports, as well as maritime security (Greenberg, et al.,).

- Vessel Security – activities involving boats (such as ships and submarines) on the international seas or in internal waterways are covered by this section of the legislation (Department of Homeland Security, 2015).
- Facility Security - offshore and waterside facilities, such as floating oil stations, etc., are the focus of this section's activity (American Fuel and Petroleum Manufacturers, 2015).

2.9   Piracy

A gang of thieves aims to profit by stealing everything of value from a ship, including cash and personal goods as well as cargo and the ship and her crew (Murphy, 2008). Piracy occurs in ports, anchorages, and the open ocean (Banlaoi, 2005). On top of all this, he said that pirates may be anyone from opportunistic fisherman and simple criminals to members of sophisticated Asian crime syndicates. He was right. Piracy may take many forms in these scenarios, from the typical high-seas boarding and hijacking of a commerce ship to the more usual practice of stealing from a ship when it is moored.

There is no greater danger to sailors' lives than piracy at sea. Threatens maritime and international commerce, as well as fundamental human rights to move freely and securely. Because shipping accounts for more than 80% of all global commerce, this is clearly an assault on the world economy (Igbokwe, 2015).

Petty theft and/or violence on the high seas is another way to characterize maritime piracy. Murder is typically a part of this kind of activity. Arm robbery conducted inside the territorial seas of the flag state and under the authority of that state is closely linked with this crime.

Article 101 of the UN Convention on the Law of the Sea states that piracy includes the following acts:

Any act of violence or detention prohibited by international law committed by the crew or passengers of a private ship or aircraft with the intent to harm another person's property:

(i) in the open ocean, against another ship or aircraft or the people or property on board that ship or aircraft.

(ii) People or property in areas beyond the jurisdiction of any state.

(b) Participation in the operation of a ship or aircraft while being aware of the conditions that define it as a pirate ship or aircraft. As described in this Article, a pirate act consists of five different elements:

 (1) A violent act that can include assault, rape, or murder.

 (2) On the high seas, or in a location beyond the authority of any State, a crime.

 (3) Ship-to-ship combat, including mutiny and barratry, but excludes those acts.

 (4) Terrorism and environmental harm are not included in private acts of sabotage.

 (5) When the crew or passengers of a privately owned ship take action to prevent an assault by a navy vessel.

2.9.1 Causes of Piracy

Modern-day maritime piracy has its roots in factors such as long-term unemployment, a lack of legal penalties, and a general lack of opportunity. As a result, piracy is becoming an increasingly popular alternative for individuals who live in areas with high levels of it. Chronic unemployment is a common problem in developing nations. Desperate people may choose piracy as a life because they cannot meet their own or their family' fundamental necessities.

Destabilization caused by Somalia's civil conflict both harmed genuine fishermen and provided opportunities for pirates because of a lack of legitimate authority. As a result, a large number of fishermen and other seafarers turned become pirates.

Jurisdiction is sometimes to blame for the difficulty in prosecuting pirates and discouraging others who are considering it. This makes it difficult to prosecute pirates because of the nature of piracy, which permits them to perform their crimes in international seas. Others pirates are prosecuted in the nations they call home, while some are prosecuted in the countries where their ships go.

Piracy is also fuelled by social acceptability. Because of the financial benefits pirates provide to their communities, they are often lauded as heroes in

underdeveloped regions. In reality, the bulk of the gains frequently go to third-party financiers, thus this might be deceptive. Piracy may be attributed to seven different causes (Murphy, 2012):

(1) Legal and jurisdictional flaws.

(2) A favourable geographical location.

(3) Disturbance and conflict.

(4) Inadequate law enforcement and security.

(5) Political environments that are permissive.

(6) Cultural acceptance/maritime tradition.

(7) Reward promise.

There is a common thread running across all of these factors: piracy flourishes when governments are incapable or unwilling to deal with it. Pirates take advantage of a state's shortcomings and enjoy the financial benefits as a result. In the past, piracy was done by brigands who targeted unwary mariners for financial gain; this has not altered in the present day (Murphy, 2012). These circumstances favour piracy, and they will continue to do so for as long as they do.

2.9.2 Policy Actions Against Piracy in Nigeria

According to reports, US officials stated that the monitoring team has presented the Security Council with two private cases that detail the flow of piracy proceeds through international accounts, and a Somali businessman with British citizenship who is a member of a piracy ring but also owns a counter-piracy company is singled out.

And perhaps as a result of this, it was claimed that despite the efforts of a number of international task forces and a dozen national governments to combat maritime piracy, significant legal challenges continue to prevent the arrest and punishment of pirate leaders and kingpins (James & Wilson, 2009).

The Nigerian Maritime Administration and Safety Agency, which oversees the country's shipping industry, is tasked with maintaining security in the nation's coastal waterways. The government recently tasked NIMASA with maintaining law and order in the nation's coastal waterways as well as those of several regions in the

Benin Republic. This was done to reduce the threat posed by pirates in the West African sub region.

But the issue still stands: How will NIMASA be able to do its duties without being compromised given the extent of corruption in the country's security system? Oyewole Olugbenga Leke, senior special assistant to the president of the Federal Republic of Nigeria on maritime services, described some government initiatives to combat piracy in Nigerian coastal waters in his speech at the maritime summit in London, United Kingdom, in 2011. He said: "Having identified the root cause of and depth of piracy in Nigeria and West Africa, the government of Nigeria has embarked on sustained security and policy measures to discourage piracy."

He then identified the following steps to take in that direction:

(a) To make sure Nigerian ports adhere to the International Ship and Port Facility Security (ISPS) code, the government established a presidential implementation committee on marine security and safety in 2004.

(b) According to him, NIMASA has achieved Zero piracy attack level in the Lagos Pilotage district through strict vigilance over the past seven months.

(c) Through its unwavering vigilance, the Military Joint Task Force (JTF), which was established to combat militancy in the Niger Delta region, has continued to reduce pirate incidences there.

(d) To respond to acts of piracy and carry out police duties, the Marine Police has acquired around 80 armoured patrol boats over the past three years.

(e) To aid in the development of the area, President Olusegun Obasanjo established the Niger Delta Development Commission in 2000.

(f) The Amnesty programme was introduced in 2009 by the late Umar Musa Yar Adua's administration in an effort to appease the Niger Delta's youth.

(g) The Nigerian Ports Authority has recently issued information to mariners on the government's designation of safeguarded lightering zones in each pilotage area.

(h) Through the Inland Waterways Authority, we have also started attempts to have a data base for all small watercraft in Nigerian waters.

(j) Regional initiatives for Africa's west coast are supported by the Gulf of Guinea commission.

These are without a doubt enormous steps forward in the fight against piracy in the GOG and the coastal waters of Nigeria. How successful can these initiatives be, though?

A round peg is a tool, but when it is inserted into a square hole, it loses its effectiveness. The safety of people and property along our coast won't ever be guaranteed until the Nigerian government, especially the GOG, begins tackling the core cause of piracy in the area.

We now face a two-pronged security problem, "the on-shore - off-shore criminals," since it has been determined that the threat is closely related to onshore criminals.

2.9.3 Nature and Extent of Piracy in the Nigerian Waters

Piracy is by no means a recent phenomenon in Nigeria, with piracy-related behaviour affecting the country's coast and waterways since the early 1970s, despite its climb in the IMB hotspots list (Uadiale, 2012).

According to the report, the increase in foreign commercial vessels calling on Lagos, Apapa, Port Harcourt, and other major Nigerian ports began in the 1970s, with the boom in Nigerian oil exports and the importation of various goods such as processed food, alcohol, cigarettes, automobiles, and electronics.

However, the ports were unable to handle the sudden increase in maritime traffic, resulting in significant delays near the harbour areas. Because of the delays and inadequate security in port areas and onboard ships, local gangs have plenty of opportunities to steal from and rob foreign vessels.

These assaults should be classified as "opportunities" rather than "organized piracy." In the 1970s, lack of security and the availability of things to rob served as the driving force. However, piracy in Nigeria has changed over the years, possibly as a result of a change in the driving force.

The pirates continue to assault despite the fact that they appear to be an effective deterrent around the harbour and even while on patrol because they are willing to engage even the coast guards in combat (Freedom & Hassan, 2009).

The shift has led to piracy activities like bunkering for international trade is organized on a much larger scale and frequently occurs in conjunction with the forging of bills of lading to inflate the amount of oil that has actually and legally been lifted for export (Marc-Antoine, 2012).

In his opinion, piracy in all of its manifestations is unquestionably the domain of marine experts, often with links on a global scale. However, since the majority of Africans in the hinterland cannot swim, it appears that fewer urban armed robbers are involved in offshore crimes.

Many of the pirates in and around Lagos are young males from coastal fishing towns. The Niger Delta's marine pirates can also drive a speedboat and swim. Through the so-called cult societies, which are mafias and student fraternities that derive their philosophy from the marine environment, they communicate with gangsters on land, which explains their intelligence (David, 2007).

This helps to explain why local gangs and some common fisherman could not have developed the sophistication necessary to withstand navies and, in many cases, carry out their operations successfully if they had not formed some sort of alliance with security personnel.

2.9.4   Armed Robbery

UNCLOS 1982's definition of piracy was so restricted that the IMO has adopted the phrase "piracy and armed robbery against ships." This means that any "unlawful act of violence or detention or depredation or threat thereof" directed against a ship or against people or property on board a ship that is within a state's jurisdiction over such offenses is considered an act of "piracy" by the IMO to include armed attacks on ships. Armed ship hijackings may also occur in territorial seas, according to this definition. For this reason, it is considered an act of pirating, since the perpetrator uses violence to take something from another person's hands.

2.9.5 Terrorism

Maritime terrorism, in contrast to other forms of maritime crime, was a relatively recent development in the shipping sector. Terrorist attacks at sea are not a new phenomenon, but they have not been widely covered. The kidnapping of a Greek cargo at Karachi in 1974 was a high-profile maritime terrorist act, as noted by (Raymond, 2005). The 1985 hijacking of the cruise ship Achille Lauro off the coast of Egypt by a terrorist organization was the event that first brought maritime terrorism to the attention of the world community.

Maritime terrorism is any illegal use or threatened use of force or violence against peoples or property to compel or frighten governments or society, generally to accomplish political, religious or ideological goals (Snoddon, 2007). Any criminal act against ships, their passengers, cargo or crew, or against sea ports with the intention of directly or indirectly influencing a government or groups of persons for political goals is defined as maritime terrorism (Raymond, 2005). From these criteria, it is evident that piracy and maritime terrorism are not only distinct occurrences, but they are also related. Pirates, on the other hand, do not engage in maritime terrorism; they instead engage in private gain. On the other hand, the fact that a terrorist organization might use piracy to make money to sustain its terrorist activities connects the two.

2.9.6 Causes of Terrorism in Nigeria

Terrorism in Nigeria has been blamed on a number of issues by experts and academics. Corruption, poverty, unemployment, religious fanaticism, and illiteracy are among these issues. Terrorism has enveloped Nigerian culture in recent years, and it's hard to keep up. This is the result of the State's repeated inability to offer effective leadership and to distribute the benefits of good governance to its citizens.

Terrorism's roots may be traced back to economic and political concerns. Official corruption, it is said, is to blame for Nigeria's economic hardship, political marginalization, discontent, and acts of civil disobedience. Good governance is denied to Nigerians if public officials and politicians at federal, state, and local levels

embezzle public monies earmarked to develop schools and hospitals as well as provide essential social amenities like water and electricity. Those under the age of 25 are particularly vulnerable to social, psychological, and economic hardships. "Frustration, dejection, and despair remain a daily reality in the life of the kids," (Adeyemo & Adeyemi, 2012). Indoctrination into criminal and terrorist acts is rather simple for them. It's a price we have to pay for creating a "reserved army" of disillusioned and disillusioned young people due to the corruption of government officials and a broken federal system, among other things.

Terrorists may carry out maritime assaults because of circumstances similar to those that encourage piracy (Murphy, 2012).

The following are conducive elements for maritime terrorism:

(1) Opportunities Legal and jurisdictional matters.
(2) The necessity of geography.
(3) Inadequate security measures.
(4) Secure base areas.
(5) Traditions of the maritime industry.
(6) Leadership that is charismatic and effective.
(7) Support from the state.
(8) The promise of a reward.

There are many similarities between these situations and piracy, but the reasons for exploiting them are different. To terrorists, the maritime domain is just a tool for achieving their political goals on land. Terrorism has always been and will continue to be a type of violence aimed at effecting political change.

2.9.7 Corruption

Generally, corruption can be defined as the intentional or accidental violation of ethics and codes designed to regulate the conduct of a profession, a public service, private transactions, contractual agreements, and actions resulting in selfish or dishonest personal gains at the expense of other individuals, a system, and society. There are several ways in which a person might abuse their position of power, such as using it for oppressive or repressive objectives, as well as victimization, election fraud,

bribery, diversion of public money, and contract inflation among many others.

Corruption may also occur when a person fails to carry out his or her responsibilities. Dissatisfaction, deprivation, crime, and terrorism may all result from a combination of these factors. It's unfortunate that when we think of corruption, the first things that come to mind are crimes like embezzlement and bribery, money laundering, and kickbacks. Considering our familiarity with the effects and relationships between the lack of public goods and the diversion of funds for selfish purposes, it may be the case. For the sake of brevity, suffice it to say that there are countless episodes of high-profile corruption in Nigeria, including Gen. Babangida's regime's infamous $12.'4billion oil money theft from the central bank accounts (Uadiale, 2012). More than a dozen high-profile corruption cases, including the pension scam, the fuel subsidy scam, and the aviation scandal, have been put on hold while investigations and prosecutions have been put on hold. It's all because of poor leadership. Corruption is not limited to stealing public funds; it has a negative impact on the rule of law, economic growth, and public confidence in government and its leaders. Mass poverty is exacerbated by corruption. According to the NBS data for 2014, 70% of Nigerians live on less than $1.00 a day, which means they cannot afford basic necessities including food, clothes, healthcare, and shelter.

More than 20 million Nigerians are unemployed, according to the NBS 5.3 million jobless young people and an average of 1.8 million newly graduated workers are included in this calculation (Sun news online, June 3, 2014). At 77.7% and 76.3%, respectively, the 2010 poverty rates for the North West and North East are the highest in the country (Adeyemo & Adeyemi, 2012).

Corruption, unemployment, and poverty all go hand in hand, as does terrorism. Terrorist groups may easily recruit huge numbers of jobless young people to serve as foot soldiers. It is our teeming youngsters who are prone to terrorism and crime due to unemployment and poverty.

2.9.8 Insurgency

An insurgency is a long-term political-military action that aims to seize a country's resources through irregular armed troops and unlawful political groups (Hansen, 2009). Insurgents fight alongside the country's conventional armed forces as part of a guerrilla war. They might deploy the tactics of piracy and terrorist attacks to further their cause in an unusual military battle. A well-coordinated insurgency is defined for the purposes of this study, therefore, as a movement that uses subversion and violent struggle to gain autonomy for specific geographical regions from an established government.

2.9.9 Stowaway

Stowaway is a term used to describe a person who sneaks on a ship without permission from the ship's owner or master, and stays on board as the ship sets sail. Shipping firms, particularly those operating in West Africa, Central America, Colombia, Venezuela, and the Dominican Republic, are concerned about stowaways. Beyond the vessel's trading patterns, this hazard is linked to the vessel and/or cargo type and includes crew training and knowledge in regards to security issues. The vast majority of stowaways are discovered on cargo ships carrying containers, bulk goods, and other types of cargo.

A stowaway episode may have a negative impact on all parties (port, ship, and marine businesses) as well as the country's reputation. The expense and danger of stowaways have prompted shipping corporations to be more vigilant. It's possible that shipping companies may stop using the port if they continue to pay fines for stowaways. The port's revenue may be impacted as a result. Everyone who relies on the port for their livelihood would be adversely impacted. All parties involved in marine business should applaud efforts to combat the stowaway problem.

2.10 Theoretical Framework

This inquiry will be guided by the Routine Activity Theory and the Frustration-Aggression Theory.

2.10.1 The Routine Activity Theory

The RAT may be used to examine piracy and other marine security challenges within the maritime environment (Essien & Adongoi 2015). The RAT was developed in 1979 by Lawrence Colhen and Marcus Felson as an offshoot of socio-structural theory reviewed that three factors have resulted in the relaxation of marine security hurdles (Essien & Adongoi, 2015).

i. Criminals may be attracted to these individuals.

ii. An ideal target must have something of value that is easy to transport in the aquatic environment.

iii. A crime cannot be prevented if there are not enough qualified maritime security personnel on the scene. According to RAT's proposals, pirate attacks in Nigeria's maritime domain can be explained, as well as the challenges they pose to maritime security. The most frequent targets of kidnappings have been fishing boats, oil tankers, non-oil transporters, and multinational oil installations. (Essien. & A. Adognio 2015). Using the regular activity idea, this hypothesis claims that pirate attacks have continued. Insufficient marine security measures and a lack of skilled security personnel/network to safeguard the maritime industry must be taken into consideration carefully. A large number of young people are either unemployed or underemployed and are seeking for strategies to find jobs that they are both satisfied with. During the past several years, these variables have fueled pirate assaults in Nigerian waters and the GOG (Essien & Adongio, 2015).

Crime and security causality cannot be explained by traditional sociological theories such as the regular activity hypothesis. The major goal of the law is to prevent criminals and weaken security measures by enforcing the norms of ordinary life (Igbokwe, 2015).

2.10.2 Frustration-Aggression Theory (FAT)

The FAT was conceived in 1939 by John Dollard. This article provides a rationale for violence. This hypothesis, which seeks to explain violent behaviors like pirate raids and terrorist attacks, states: "Aggression is the result of stopping or defeating an individual's effort to attain a goal." Frustration comes in when a goal is postponed or not accomplished while the initiator is still in the game (Greenberg et al., 2008).

Hostility is typically directed against or transferred to the source of dissatisfaction. Aggression is defined as the purposeful inflicting of damage on a living entity or a substitute for it (Greenberg et. al., 2008). Depending on the cause of one's ire, one's aggression might be directed against anybody or anything. Social movements are formed when a group of people gets outraged. There are two types of annoyance: absolute and relative. It is absolute if a person does not have enough to live, and relative if they have but are less fortunate than their neighbours. Piracy and robbery are examples of action that harms someone else, and the same concepts apply to both (Uadiale, 2012).

2.11   Legal Framework

2.11.1 Legal Background of International Maritime Organization

A wide variety of marine safety laws exist across the globe, including the MTSA, which was implemented by the United States government in response to the terrorist attacks of September 11, 2001 and outlines sweeping new powers for combating terrorism in U.S. maritime waters (Lyons, 2003).

It's interesting and significant in their separate nations, but these rules can only be enforced inside those borders. In response to this, the United Nations created the IMO in 1948 (IMO, 2016).

This organization, the IMO, is in charge of maritime pollution prevention and safety. For maximum safety, environmental protection, compliance with the law, collaboration in the marine industry, and efficiency in the shipping industry only a complete regulatory framework can provide. Among the requirements of the ISPS Code for ships are:

1. Plans for the security of ships.

2. Officers responsible for ship security.

3. Officers responsible for company security.

4. There is certain onboard equipment.

Port facilities are subject to the ISPS Code's legal framework, which includes the following requirements:

1. Security plans for port facilities.

2. Officers responsible for security at port facilities.

3. There are certain security requirements.

The following are additional requirements for ships and port facilities in addition to those listed above:

1. Access control and monitoring.

2. Monitoring cargo and activities of people.

3. Providing access to secure communications.

International Maritime Organization (IMO). For marine safety and security and efficiency, states work together with the IMO in an effort to attain the highest realistic standards possible. Liability and compensation systems, as well as international marine traffic facilitation, are some of the topics that are addressed. Technical help in marine affairs is another duty of the organization.

The IMO is in charge of holding international conferences and developing international conventions or agreements on maritime issues. For the time being, the focus is on making sure the nations who have ratified these agreements are doing all they can to put them into effect.

As of 1958, the Geneva Convention on the International Maritime Organization has been in effect, following its signing in 1948. It was held in London in 1959 that the inaugural meeting of the IMO was held. A few months after 22 May 1982 (the date of entry into effect of the changes to the IMO Convention), the Organization's name changed to the IMCO.

• Assembly

- Council
- Committees
- Secretariat

The IMO's executive body is the 40-member Council. For all the activities of the Assembly save for providing recommendations to governments on matters of marine safety and pollution control, the Council acts as the organization's watchdog under the Assembly. Under article 15(j) of the Convention, Assembly members are entrusted with this responsibility.

The Council of the IMO is also in charge of selecting the organization's Secretary-General, who must be approved by the Assembly. Two-year terms begin when each regular session of the Assembly is over. Three types of countries may run for membership in the UN:

- Category A, for international shipping, there are ten nations that have the most interest
- In Category B, there are ten other states that have a strong interest in international seaborne trade
- Categories A and B do not allow for the election of 20 nations that have a particular interest in marine transportation or navigation, but the election of these states will guarantee that all significant regions in the globe are represented.

All committees of the IMO are available to all member states on an equal footing, regardless of membership.

The Maritime Safety Committee. The IMO Convention created it. The IMO's highest technical body is the IMO Technical Committee. Subsidiary bodies handle the bulk of the organization's responsibilities. Security at sea, flag state implementations, navigational safety, and radio communications are only some of the issues that the MSC works with. There are other issues like ship design, equipment, and fire protection, as well as standards for watch keeping and crew training that the MSC deals with.

The Committee on Marine Environmental Protection. IMO initiatives for the prevention and management of maritime pollution from ships were coordinated by the IMO in 1973. Representatives of non-IMO nations that are parties to treaties connected to Committee activities, as well as all IMO members, are welcome to participate. In 1982, the Committee was formally established. In addition to the Maritime Safety Committee and the Marine Environment Protection Committee, there are nine subcommittees that are available to the Member States.

The Legal Committee. Founded in 1967, it was charged with drafting international agreements and other treaty instruments for submission to the Council of the International Organization for Nuclear Research (CERN). This practice was formally codified in 1982. Damage caused by dangerous and toxic chemicals, the clearance of shipwrecks, and the claims of seafarers are some of the topics covered.

The Technical Cooperation Committee. Set up in 1969, the IMO's maritime aid program for developing nations (especially ships and ports) was established to define rules and directives, monitor the program's progress, and assess its outcomes. In 1984, it was made official.

The Facilitation Committee. When ships are entering or exiting ports or other terminals, it is responsible for lowering the formalities and streamlining the paperwork needed for ships. It was created in 1972. It was made official on December 7, 2008, when the 1991 changes to the IMO Convention came into effect. An international treaty, created by the London Convention in 1972, governs garbage dumping into the ocean. The IMO serves as the secretariat for this treaty and works as a coordinating body for its implementation. The average number of times a group meets for consultation each year is four to six. After being ratified in 1996, a Protocol modifying the Convention was finally put into effect on March 24th, 2006. The Protocol, which is intended to eventually replace the Convention, has now been ratified by 37 countries.

Nigerian Maritime Institutions and Institutional Development (NMID). Nigeria's marine industry has contributed significantly to the country's economy, with the establishment of many maritime-related organizations. There are a number of

maritime-related training and education programs at these universities, including those for seafarers and engineers. These institutions include the Nigerian Institute of Transport Technology, Lagos, the Nigerian Institute of Transport Technology, Zaria, and a slew of others.

Additionally, there is the NSC, which serves to safeguard and promote the interests of Nigerian shippers and to promote shipping procedures that are consistent with international norms. For the coordination and implementation of Nigeria's shipping policy and matters related to it, the NPA and its subsidiaries, the Nigerian Navy, and the NCHCL. Having these institutions in Nigeria today would not have been possible without maritime transportation, which is why the country's maritime sector and economy have profited greatly from their existence.

Nigerian Maritime Administration and Safety Agency (NIMASA). As the country's most important maritime regulatory and promotional body, NIMASA has a significant role to play. On August 1st, 2006, the National Maritime Authority and the Joint Maritime Labour Industrial Council (both previously parastatals of the Federal Ministry of Transport) merged to establish the new body.

The Agency is tasked with overseeing Nigeria's maritime sector, and it must do so by using the appropriate tools.

- The Nigerian Maritime Administration and Safety Agency Act of 2007.
- The Merchant Shipping Act of 2007 and
- The Coastal and Inland Shipping (Cabotage) Act of 2003 governs inland and coastal shipping.

The primary function of the agency was to regulating maritime safety, security standards and maritime labour, maritime regulation, promoting commercial shipping and cabotage operations, as well as preventing and controlling marine pollution, the organization was created to administer maritime safety, seafarers' standards, and security, and maritime labour.

In addition, the IMO and ILO Conventions and Protocols are implemented by the Agency in the country of origin. Specific duties and responsibilities were outlined under the NIMASA Act, 2007 in Section 22 of Part IV.

i. Promote the development of the shipping industry and oversee issues related to merchant shipping and seafarers as well as administering the registration and licensing of ships.

ii. Control and manage seafarers' certification.

iii. Create maritime safety and training standards.

iv. Enforce shipping safety laws governing shipbuilding and sailing.

v. Conduct search and rescue operations.

vi. Give instructions and guarantee adherence to vessel security measures.

vii. Surveillance of the air and coastal areas.

viii. Ensure that marine pollution is minimized and regulated.

ix. Assist maritime laborers in obtaining certifications, training, employment, and welfare benefits.

x. Create and implement policies and initiatives that will encourage the expansion of regional capability in ship ownership, crewing, and building, as well as other marine infrastructure.

xi. Ensure the enforcement and administration of the Cabotage Act 2003.

xii. Assist with port and flag state duties.

xiii. The receipt and removal of wrecks and

xiv. Establish the process for carrying out ILO conventions and other international treaties that Nigeria has ratified in relation to maritime labor, commercial shipping, and safety and security at sea, as well as the execution of any rules, resolutions, or circulars resulting from such treaties (Nigerian Maritime Administration and Safety Agency Act, 2007 NIMASA, 2009).

Nigerian Ports Authority (NPA). There was a proposal to create a central port management agency in Nigeria in the 1930s. It was not possible to organize because of the onset of the Second World War (1934-1945). After a brief re-examination in August 1952, the colonial authority's favorite project was re-examined. Furthermore, the government's announcement in September 1953 on the creation of a new regulating agency for ports marked the culmination of the project. The Nigerian House of Representatives enacted the Ports Acts of 1954 on March 24, 1954. Onne, Tin Can Island, RoRo, Port Harcourt, Warri, and Calabar, as well as the Federal Lighter Terminal at Onne were all part of NPA's network of eight main

ports (excluding oil terminals) with combined cargo handling capacities of 35 million tons annually before the reform process got under way (Akabogu, 2004).

Efforts to improve port efficiency began in 2003, and the landlord model was adopted for all of Nigeria's ports by the government. 25 Terminals have been granted to private terminal owners on long-term lease agreements of 10 to 25 years. Some of the Authority's duties and responsibilities were transferred to the private sector as part of this new framework. Some of its statutory duties are included here, as well:

- Land and water within the port's boundaries are owned and administered by the port.
- Parts operational infrastructure of planning and development.
- Setting a benchmark for port tariff structure and leasing and concessioning infrastructure.
- Operations and hydrographic survey related to nautical/harbour operations.
- Pollution and incidents in the marine environment.
- Maintaining a high level of security and safety in the common areas.
- Monitoring and enforcing port regulations and byelaws.
- Monitoring the day-to-day operations and ensuring compliance with relevant provisions of the respective agreements.

Nigerian Shippers` Council (NSC). The Nigerian Shippers' Council was established in 1978, and the quality of shipping services had deteriorated and ocean freight charges had increased unabated by foreign ship operators operating scheduled liner services to Nigerian ports.

The United Nations Conference on Trade and Development (UNCTAD) in a document known as the UN Code for Liner Conferences proposed the creation of the NSC in developing nations to limit the excesses of foreign ship owners and other shipping service providers.

A Shippers' Council was recommended by UNCTAD for developing countries, and Nigeria adopted this recommendation by creating a Shippers' Council in 1978 through Nigerian Shippers' Council Act Cap. N133 LFN 2004. This Act was later supplemented by two pieces of legislation, one dealing with funding and one

dealing with shipping charges in Nigerian ports, to allow for the Council's proper operation.

A major part of the role of the NSC is to guarantee the following

- Importers and exporters may expect quick and cost-effective shipping service delivery from shipping service providers.

- expenses (freight, port fees, local shipping charges, haulage etc.) should be moderated and stabilized.

- The ability of different international trade practitioners at the macro and micro levels to communicate and cooperate effectively.

- Ongoing, dependable guidance to the federal government on issues pertaining to international trade with Nigeria.

As of 1997, however, the Nigerian Shippers' Council and all of its sub-regional equivalents extended their roles to include the full transportation chain, from origin to destination.

Lastly, in February 2014, In order to alleviate the detrimental effects of port concession activities on the economy because there was no economic regulator and to maximize Nigeria's advantages from the Federal Government of Nigeria, the Nigerian Shippers' Council was appointed the Port Economic Regulator. After the nomination was confirmed by the President's Executive Order and the Ministerial Regulation,

1. Nigerian Shippers' Council (Port Economic Regulator) Order, 2015; and
2. Nigerian Shippers' Council (Port Economic) Regulations 2015.

National Inland Waterways Authority (NIWA). As a result of a law passed by the National Assembly, Nigeria's inland waterway authority, the NIWA, was renamed to the IWD and given main responsibility for improving and developing Nigeria's inland waterways for navigation.

Out of Nigeria's 36 states, 20 states may be reached through the country's interior waterways. Wetland regions along the nation's main rivers are critical to agriculture. Waterways enable the transportation of agricultural goods from the middle belt, notably Makurdi and Lafia, to Onitsha and Port Harcourt. For bulk freight

transportation, Warri and Onitsha, a significant industrial/trade town on the Niger River, both have waterways that serve Ajaokuta Steel Complex.

NIWA's strategy and policies include:

- Improve the flow of navigation in the country's waterways by eliminating physical obstacles.

- Ensure that pricing policies are implemented that will shift traffic to inland waterways.

- NIWA, which is responsible for administering the waterways, should be reorganized to allow private sector participation in the administration and operation of the waterways.

- Develop inland waterways as a transit method with the help of indigenous people, and

- The large number of major and small accidents on inland waterways may be reduced by establishing an Inland Waterways Safety Inspectorate.

Maritime Workers Union of Nigeria (MWUN). Nigeria's Marine Workers Union serves as an umbrella organization for all union members that are employed in the maritime industry in Nigeria.

2.12   Empirical Reviews

Legal Analysis of the ISPS Code contains inherent weaknesses that might diminish its efficacy. A typical problem is that the code is not binding, that it is not enforced, and that it is not adhered to (Abdulsalam, 2021). It was difficult for Nigeria to put the ISPS Code into action because of the country's limited enforcement capabilities and ineffective coordination among the various government entities.

Shaw investigated the ISPS Code application at two Liberian ports, Monrovia and Buchanan (2021). Buchanan, the capital of Liberia, and Monrovia are within commuting distance. According to the study's results, a rise in the number of cargo ships arriving at and departing from each port since the ISPS Code was implemented has had a direct influence on the economies of both ports. For businesses, the National Port Authority has become a more attractive site. As more ships arrive and depart the

port, there are indications that the sea is becoming a more dynamic hub of activity. More ship traffic at the port means a better economy for everyone. Since the introduction of the ISPS Code, the economy has grown and prospered.

As a result of a lack of marine security expertise, customary practice, resources, and financial commitment, the ISPS code was not properly implemented in Dakar Senegal (Guas, 2020).

PT Pelindo II has been implementing SOLAS 1974 on Ship and Port Facility Security Policy of ISPS Code since 2004, which includes the Ministry of Transportation in Indonesia (Gunawan et al., 2019). The UN convention and ministerial mandate need this policy, which is based on the ISPS Code, to ensure that the port of Cirebon Branch, Indonesia, is the safest in the world. An important issue is that no one has been properly educated on the procedure for implementing the ISPS Code at PT Pelindo II (Cirebon Branch) and its related interim measures.

Port security threats can be assessed SPMS, but the system's success depends on the Port Facility Security Officer and his or her assessment team taking into account the entire port facility operation and not only focusing on the threat nature. It is essential for PFSOs using the FCF Checklist to recognize their weaknesses and areas for improvement in order to benefit from the checklist's recommendations for security measures and procedures (Lee & Shah 2017).

There is an effort being made to apply the ISPS Code at Tema Fishing Harbour utilizing the Tema Port's processes, structures, and measures study on the implementation of the ISPS Code at the Tema Fishing Harbour (Ado 2015a). To be fair to Tema Fishing Harbour, community involvement and the ISPS Code's narrow scope have all conspired to thwart its implementation.

The Noncentrality Parameter of 3.2316 suggested that N=120 was adequate to discriminate between groups with medium size differences before and after the deployment of the ISPS Code (Heard, 2012). A statistically significant difference in the number of stowaways before and after the introduction of the ISPS Code was found ($t = 42.47$, $t > 0.05$). An increase in the number of reported stowaway events is consistent with an overall decrease in this outcome, according to literary analysis and

the observed % change for most vessel classes. The number of Paris MOU security weaknesses reported by member states (r = 0.44, R2 = 0.19) is positively linked with the number of stowaways recorded.

Nigeria's adoption of the ISPS Code has had a significant influence on port security and efficiency (Okoroji & Ukpere 2011). Code compliance has been a challenge for the marine sector as a whole.

However, governments throughout the world have diverse interpretations of ISPS Code's criteria, therefore the code doesn't give globally consistent standards or clear guidance (Burmester, 2004). A number of issues have arisen, including misunderstanding over the distinction between the ISPS Code Act enforced at national level and ISPS Code that is laid forth by IMO, a lack of attention on ship/port interface, minimal enforcement by the contracting government, and poor reaction to events.

Chapter 3

3.1 Methodology

3.1.1 Research Scope

This study was conducted using ex-post facto and cross-sectional methods. Ex-post facto research was employed since the data used in this study was not susceptible to researcher tampering. A cross-sectional survey technique is used to gather data from a subset of the population, which identifies events based on the frequency with which they occur in natural clusters across time. This strategy has been employed in earlier research, thus it was deemed suitable for this paper.

3.1.2 Population of the Study

There are a number of groups in Nigeria working to prevent and discourage unlawful activities on the country's waterways, including NIMASA, NPA, NSC, the Nigerian Shipping Council, PFSO, SSO, and CSO. Their cooperation with other law enforcement authorities is likewise well-established. Given that it was written for national governments; the ISPS Code includes private information that was not previously accessible to the public at large. This probe was primarily concerned with NIMASA and NPA personnel. As an alternative, I made contact with port facilities security officers.

3.1.3 Method of Data Collection and Analysis

Objective 1: To assess the ISPS Code compliance of Nigerian port facilities.

Data: For Objective (I), secondary data collected over time was used.

Data collection: Port facilities that are in compliance with the ISPS Code was found in the NIMASA yearly report database.

Data Analysis: Data obtained was analysed using ANOVA statistical technique with the aid of SPSS (Statistical Package for Social Sciences) software to show whether there was variation in compliance across the years.

Objective 2: Evaluate port facilities with interface with the foreign vessels.

Data: Secondary data was used to meet Objective (II) over a certain period of time.

Data collection: Objective (II) data gathered from the NIMASA yearly report database for port facilities with foreign vessel interfaces.

Objective 3: Examine the challenges to the ISPS Code's implementation in Nigeria.

Data: The data for objective (III) is primary data using the questionnaire.

Data collection: The data for objective (III) was collected from the Nigerian Maritime Administration and Safety Agency (NIMASA), the Nigerian Port Authority (NPA), Port Facility Security Officers (PFSO) via the administered questionnaire.

Data analysis: Simple percentage and a bar chart was used to examine the challenges encountered in the implementation of the ISPS Code.

Objective 4: Highlight lessons learnt from Implementation of ISPS code from Neighbouring countries.

Data: Data for this objective is obtained by reviewing literatures on various countries.

3.2   Ethical Issues

At all instances, participants' informed consents and confidentiality were honoured throughout the data gathering procedure and the data collection itself.

3.3   Limitations

- People who are asked to participate in the online survey are required to accept.
- The project's inability to locate relevant data is hampered significantly by the challenge of gaining access to it.

3.4   Reliability of the Sampling Instrument

The questionnaire's reliability was tested using the test-retest approach. The dependability of the questionnaire was tested by twenty stakeholders, including 10 maritime professionals, ten public affairs analysts, and others who were acquainted with the Nigerian coast. They were chosen because they share many of the features of the study's prospective participants. Participants were given 20 surveys, and the same participants were re-assessed two weeks later using identical questions. The instrument's reliability was tested by comparing results from the first and second administrations of the questionnaire using Pearson Product Moment Correlation. For

the second time, Cronbach's alpha was employed to assess the questionnaire's inter-item and inter-scale reliability. SPSS (Statistical Package for Social Science) version 20 was used to conduct this statistical analysis (i.e. Pearson Product Moment Correlation and Cronbach alpha). The research relied on questionnaires having a reliability coefficient of at least 0.70.

Chapter 4

4.1   Results and Discussion

4.1.1   Compliance Level of Nigerian Port Facilities with the ISPS Code.

The goal of this part is to assess the degree to which port facilities adhere to the ISPS code. By looking at the number of ports that have met the ISPS code over the last five years, this was done. The frequency of usage of Port facilities that were found to be compliant during the year under consideration are summarized in Table 1. The ISPS Code compliance is verified by regular audits by the port administration and the port operator. 74 ports in Nigeria (Lagos, Calabar, Warri, and Port Harcourt) had 47 (63.5%) of their facilities comply with the ISPS code in 2017, according to data in Table 1. Only 46 (59.0%) port facilities out of 78 met the ISPS Code's requirements in 2018. As of 2019, 63 (79.7%) of the nation's 79 port facilities were in compliance with ISPS regulations. In 2020, 39 (58.2%) out of 67 ports' facilities met the ISPS Code's requirements. Only 37 (61.7%) of the 60 ports tested in 2021 were ISPS-compliant. Only 232(64.8%) out of 358 ports were found to be in compliance with the ISPS standards between 2017 and 2021 in Nigeria.

In addition, Table 1 was subjected to a statistical test to determine whether there were significant variations in the level of compliance across the years. Findings from the ANOVA result on Table 2 revealed that there was no significant variation in the level of compliance of port facilities across the years as the p-value (0.977) obtained is greater than the critical level of $\alpha = 0.05$. This simply implies that the level of port facilities compliance with the ISPS Code in Nigeria across the year is the same.

Table 1

A 5-Year Average of Level of Port Facilities in Compliance With the ISPS Code

Category	2017	2018	2019	2020	2021	Total	%
Total Number of Port Facilities in Compliance	47	46	63	39	37	232	64.8%
Total Number of Port Facilities Not Compliant	27	32	16	28	23	126	35.2%
Total	74	78	79	67	60	358	100

Note: *NIMASA Data Base Summary (2017-2021)*

Table 2

ANOVA Table (Port Facilities)

	Sum of Squares	df	Mean Square	F	Sig.
Between Groups	128.600	4	32.150	.103	.977
Within Groups	1561.000	5	312.200		
Total	1689.600	9			

Note: *SPSS output, 2022*

4.1.2   Challenges to the ISPS Code's Implementation in Nigeria

In this part, the difficulties of implementing the ISPS code in Nigeria were examined. Governments signing the ISPS Code must appoint authority to carry out their security obligations and to delegate specific tasks to authorized RSOs. NMASA, the Nigerian Maritime Administration and Safety Agency, has been named as the country's official authority. However, in order to achieve their goals, they must collaborate with other sister organizations. To ensure a smooth transition to the ISPS Code at all Nigerian terminals and ports, the NPA has taken a lead role in this effort. As a result of these considerations, the researcher devised a questionnaire to gather the thoughts of NIMASA and NPA workers on the application of the ISPS Code in Nigeria from their

perspectives. A respectable response rate of 167 replies from NIMASA, NPA, and PFSOs out of a total of 200 questionnaires were obtained. The results of the surveys were utilized to identify the difficulties in achieving this goal. Table 3 summarizes the frequency of replies.

Table 3

Challenges Encountered in the Implementation of the ISPS Code in Nigeria

Challenges	ISPS Code	%
Poor Funding	81	49
Bad Management	15	9
Corruption	11	7
Government Interference	10	6
Infrastructure Deficiency	24	14
Inadequate Modern Technology	12	7
Sabotage	14	8
Total	167	100

Note: Researchers Field Survey, 2022

Regulators and administrators at NIMASA, NPA and the PFSO expressed their concerns about obstacles faced during Nigeria's ISPS code implementation in Table 3. 59% of respondents cited inadequate funding as the most significant obstacle to implementing the ISPS code; 14% cited infrastructure deficiencies; 9% blamed poor management; 8% blamed deliberate sabotage; 7% blamed corruption; and 6% blamed interference from the government.

Poor Funding. As a result of inadequate financing for the majority of the nation's ports, the maritime industry has struggled to satisfy the requirements of the IMO. Since the establishment of the codes, the country has been unable to overcome this problem.

According to the new requirements set by these agencies, ports must be able to spend considerably in new technology and security apparatus to maintain proper

monitoring of their ports. It has become more difficult to meet these objectives for technical improvement since ports are owned and financed by the government in conjunction with the private sector under a PPP framework. The government's bureaucracy just makes issues worse.

Bad Management. The majority of Nigeria's government entities have been plagued by poor management. People with no nautical training or experience have been selected to operate Nigerian ports because of the inherent flaws in Nigerian culture. In order to maintain the safety and security of the ports, they are unable to properly prioritize their tasks. The basic objective of the ISPS Code and its execution have been largely undermined by this predicament.

Corruption. Corruption has prevented the country's ports from getting the security and safety equipment they need, as it does in every other area of the country. The selection of management employees, the recruitment of port workers, and the activities of MARPOL and other security organizations in the ports are all examples of corruption.

Government Interference. The fact that the government owns and implements policy frameworks that control the operations of the ports has an impact on the professionalism of the operators. As a result of government interference, the management personnel, financing decisions for the acquisition of security equipment, and the regulations and decrees that regulate the operations of the ports are all affected. This intervention harms the quality of the workforce, the freedom needed by the sector to make professional judgments, and many more.

Inadequate Modern Technology. Virtually every component in this study has an impact on the lack of suitable contemporary equipment, but the low financing of the ports stands out. There is a lack of current equipment at Nigerian ports to fight and combat modern, sophisticated criminal networks that exploit technology

advancements in a manner that makes present equipment and arrangements appear ancient. Due to the lack of sophisticated monitoring technology, for example, contrabands continue to flow through the country's ports, only to be discovered upon arriving at the ports of call.

Sabotage. Port security must not be disregarded due to deliberate efforts by certain parties and people to undermine it certain people plan to weaken the security network at the ports on a regular basis in order to get their contraband through the borders for questionable motives. It is very uncommon for members of these organizations to have positions in the country's policy-making echelons, which may hinder the efforts of port managers to achieve ISPS criteria.

4.1.3   Lessons Learnt from Implementation of ISPS Code in Neighbouring Countries

This section revealed the effectiveness and compliance level of the ISPS code in neighboring countries such as Togo, Ghana, Bene Republic, Democratic Republic of Congo, Cameroon and South Africa from literatures.

Togo. In Togo, the ISPS Code appears to be in effect in that it requires visitors to declare their purpose before entering any port zone. In exchange for an identity card, the visitor receives a badge with a letter and the designated colour for the zone. There are various security gates to go through if the tour covers port facilities.

An official port pass is also required for bicycles, lorries, and private automobiles. Taxis and motorcycle taxis are prohibited from entering the port.

The ISPS Code stipulates that each facility be managed by a qualified port facility security officer, that a government-approved security plan be in place, and that regular exercises and drills be conducted in an effort to increase port security. According to the port authorities, each of their facilities has a declaration of conformity, which means that it complies with the ISPS Code's requirements.

Ghana. The International Ship and Port Facility Security Code compliance by ports and vessels will aid in containing the growing threat of piracy against Ghanaian ships in the Gulf of Guinea, the harbour master of the Tema Port (Mica, 2021).

In response to the SOLAS Convention (1974/1988) on Maritime Security, the International Ship and Port Facility Security Code has been amended.

It went into effect in 2004 and lays out duties for governments, shipping firms, crew members on board, and staff members at ports and facilities, including "Preventing security incidents pertaining to ships or ports used in international trade by detecting security threats and taking preventative measures."

The ISPS code stands tall as a method of preventing piracy on the Eye on Port program (Captain Micah, 2021).

However, the quick to point out that the ISPS code alone is not the entire answer to the problem of piracy as intelligence gathering, logistics, such as helicopters and gunships, as well as the provision of outside support during times of vessel hijacking by pirates, are also necessary to keep ships and crew members safe (Captain Micah, 2021).

Benin Republic. The IMO reviewed the status of the implementation of SOLAS chapter XI-2 and ISPS Code in order to thoroughly analyse the actions and arrangements adopted by Benin for the purpose of creating and implementing a national maritime security plan.

The Benin's government supports the concept of Action de l'Etat en Mer (AEM), a French approach to marine affairs that encompasses all government agencies with the appropriate resources and jurisdiction in the maritime domain.

Democratic Republic of Congo. IMO assessed the ports of Matadi, Boma, and Banana with an emphasis on operational and physical security issues to ascertain the national-level procedures and arrangements necessary for implementing, verifying

compliance with, and enforcing the provisions of the SOLAS chapter XI-2 and the ISPS Code.

Cameroon. Additionally, the Douala port is not yet ISPS-code compliant. The port unveiled a container-scanning equipment in 2006. New automated customs processes entered into operation at the start of 2007. The authorities predict that it will still take some time to get off the ISPS Code blacklist, though.

The change in channel depths caused by river silting in a relatively narrow channel is one of the main issues when approaching/departing Douala. Additionally, badly oriented buoys are frequently linked to navigational issues.

For Douala, no maritime forecasts are published.

The list of issues, which is ostensibly not full, simply serves to highlight the Port of Douala's general inefficiency.

However, it is crucial to keep in mind that the AHP evaluation presented in this study compares the port of Douala to nearby ports in the Central African sub region (Ports which may have comparable issues and positions).

South Africa. The introduction of the ISPS Code has had an effect on port operations specifically in both positive and bad ways, according to Transnet National Port Authority, a division of Transnet SOC Ltd.

Positive effects on port operations:

- Consistency in marine security due to standardization of security policies and processes with Regulations 2004 requirements.
- The way the vessel clearance procedure is handled has improved.
- A reduction in crime rates at the ports as a result of tighter security controls and access restrictions.
- Improving coordination between state security, emergency services, and port/facility security.

As a result of traffic congestion, ambiguities over privately-owned port facilities, as well as opposition to regulatory processes and security rules, port operations are adversely affected.

South Africa, however, addresses these issues with the SA Maritime Transport Security Bill.

The ISPS Code has some limitations regarding the types of boats to which it can be applied, including the exclusion of fishing vessels, government-owned or managed ships, and ships used solely for intrastate commerce.

Each requirement of the Merchant Shipping (Maritime Security) Regulation, the risk of non-compliance with the requirement, and the control measures implemented to reduce the risks are detailed in a Compliance Control Plan, is created by the Compliance Division of the Transnet National Port Authority.

With the use of these security measures, South African ports can continue to be recognized as secure ports and preserve their ISPS Code status.

Chapter 5

5.1　Conclusions

It is essential that ports and terminals be adequately protected by both the maritime sector and the government at all times. A breach in port security might have disastrous effects on a country's economy and perhaps the world's economy as a whole. Port users and terminal operators should be aware of their own vulnerabilities and should be well-versed in the intricacies of the ISPS Code in order to help minimize these dangers. As a result, the global economy is dependent on the safety of terminals and ports to transport goods and people from one location to another. The port's operating conditions have vastly improved after the ISPS code was put into place. Port users have increased their use of Nigeria's ports as a result of the introduction of perimeter fencing, surveillance, access control, trained and adequate security personnel, and proactive measures that have eliminated hawking, touting, pilfering, stowaway, and other illicit activities in Nigeria's maritime domain. Nevertheless, compliance levels are not still up to maximum levels.

The ISPS Code has had a significant impact on port safety and efficiency in Nigeria, which cannot be understated. In Nigeria, the primary purpose of the ISPS code has been met to a great degree. Maritime industries have seen a rise in the degree of security. There is no doubt that risks cannot be completely avoided, but the ISPS is a great step forward in reducing their impact on the marine environment. On average, 64.8% of ports meet the requirements of the ISPS Code regime, according to the report.

5.2　Recommendations

From the findings of the study, the following recommendations were made:

1. Non-compliant terminals and jetties must, nevertheless, meet the requirements of the ISPS Code. To guarantee complete compliance, the enforcement staff must be thoroughly taught and sensitized regarding the application of the code. NIMSA should also work more closely with its sibling organizations.

2. Corruption needs to be addressed in order to fill the gaps identified by this study. Corruption has permeated the country's security apparatus deeply, making it easier

for pirates to operate. In order to reduce piracy on Nigerian waterways, corruption must be reduced. The nation's security system might be accessed by a panel of investigators. Any marine security-related issues should be able to be investigated by such a panel, and it should have access to knowledgeable information about any suspected officers, whether they be security or governmental.

3. Based on the research findings, it is recommended that the countries' security policies in the maritime domain should be restructured to allow institutional governance structures that will mitigate corruption in the port's processes and in acquiring security tools and equipment. This strategic framework will allow fair play among the stakeholders and co-management, which will mitigate corruption in the system shown from the research findings.

4. Efforts must be made to improve implementation tactics to make them more user-friendly, economical, and successful.

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Appendix

Questionnaire

Section A: Institutional Biodata

1. What is the name of your Ministry/Department/Agency?

   ....

2. Location of the Ministry/Department/Agency headquarters?

   ....

3. Types of Business/Operations?

   ....

4. (a). Regular ☐

   (b). Landlord ☐
   (c). Enforcement ☐
   (d). Shipping ☐
   (e). Operators ☐
   (f). Administration ☐
   (g). others ☐

Section: B

On the Challenges Encountered in the Implementation of the ISPS Code in Nigeria

5. What are the challenges encountered in the implementation of the ship security plan (SSP)? (Please rank in a scale of 1–7; where 7 is for the most important challenge and 1 for the least important)

   (a) Poor funding ☐

   (b) Bad management ☐

   (c) Corruption ☐

   (d) Government interference ☐

   (e) Infrastructural deficiency ☐

   (f) Inadequate modern technology ☐

   (g) Sabotage ☐

6. What are the challenges encountered in the implementation of the port facility security plan (PFSP)? (Please rank in a scale of 1–7; where 7 is for the most important challenge and 1 for the least important)

(h) Poor funding ☐

(i) Bad management ☐

(j) Corruption ☐

(k) Government interference ☐

(l) Infrastructural deficiency ☐

(m) Inadequate modern technology ☐

(n) Sabotage ☐

7. What are the challenges encountered in the implementation of the ISPS Code in general? (Please rank in a scale of 1–7; where 7 is for the most important challenged and 1 for the least important)

(o) Poor funding ☐

(p) Bad management ☐

(q) Corruption ☐

(r) Government interference ☐

(s) Infrastructural deficiency ☐

(t) Inadequate modern technology ☐

(u) Sabotage ☐

8. Kindly suggest possible solution to the problems

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