

Maritime Security and Nigeria's Economic Development: A Synopsis

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Abstract

As a developing coastal state, Nigeria depends on the maritime environment for her economic development. Nigeria derives over 90 percent of her petroleum and gas, most of which are located offshore and near shore. The living resources of the sea are very important sources of protein for the teeming population and for other commercial purposes. Thus, Nigeria's economy depends not only on seaborne activities but seaborne trade and so securing sea lanes of communication is a *sine qua non* for Nigeria's economic development. This makes maritime security a necessary aspect of security in Nigeria. Maritime security reflects the safety and security, and freedom from threat to all human activities within the maritime domain. This paper provides a theoretical and practical synopsis of the various components of maritime security from the perspective of the 'risk equation,' in relation to how maritime insecurity negates economic development in Nigeria. This is done through qualitative content analysis of reviewed literature. The paper concludes that there is an over-polarization of maritime security issues into multilayered forms and this tend to deny the nation of the effectiveness required. To improve maritime security, therefore, there is need to for a holistic approach that will harmonise separate security matters into an integrated form in order to surmount the number of risks involved in the existing multilayered approach. In the same light maritime security cannot be handled within the framework and euphoria of freedoms and democratic ethos unless the country evolves a comprehensive national ocean policy.

Keywords: Maritime security, Multi-layered approach, Maritime domain, Shore- based, Land-based, Gulf of Guinea

Introduction

Any maritime nation, whether large or small, needs sea power not only for access to the sea but also for the necessity to have some level of control to sea areas for unimpeded navigation essential for commerce and marine resource exploration and exploitation. Sea power also provides national security in terms of self-defence and power projection in times of peace and war. For a maritime nation therefore sea power influences the outcome of foreign policy and protection of vital strategic interests. The use of the sea to project foreign policy may vary from essentially a war situation to the application of limited force at sea in internal and external matters, peacekeeping and humanitarian assistance.

At the wake of the Third United Nations Convention on the Law of the Sea (UNCLOS III), the geographical and functional responsibilities of coastal states increased tremendously. This makes it necessary for maritime nations to seek greater range of sea power to address the multiplicity of responsibilities they assumed in the expanded enclosure of ocean space. This is because the successful execution of these responsibilities not only required maritime nations to survey their areas of jurisdiction but also to locate and identify illegal and unauthorized activities. This means that coastal states need to acquire flexible capabilities for conducting maritime security enforcement measures and



outreach tailored to the needs and circumstances of each state. This also requires the necessity to employ a variety of tools that would ensure continuous presence in the waters of national jurisdiction. The option of for credible exercise of sea power thus depends on a country's maritime security environment and the domestic and foreign policy goals that influence a maritime nation (Crikard and Donalson, 1996). The task of this paper is to discuss maritime security environment and the domestic and foreign policy goals which are supposed to influence maritime strategy and hence maritime defence in Nigeria. The paper also highlights the systemic challenges of maritime security to Nigeria's economic development with a view to setting the stage for strategic policy options that would enhance maritime security of the country.

Conceptual Considerations

i) Maritime Security

Maritime security cannot be defined in a simple or single sentence. This is primarily because what may constitute maritime threat in one place may be different in another, as maritime criminals operate differently in different parts of the world and this has a trickle-down effect on the legitimate economy. Such variation determines both policy strategy and responses. Neethling (2014), referred to maritime security as:

the freedom from or absence of those acts which could negatively impact on the natural integrity and resilience of any navigable waterway, or which undermine the safety of persons, infrastructure, cargo, vessels and other conveyance legitimately existing in, conducting lawful transactions on or transiting through territorial and international water ways.

This definition implies an unhindered access for trade and safe navigation of people, cargo, vessels and other conveyances. But maritime security in its generic can be explained from two components or even conceptualized from a number of perspectives. The first is that which relates to traditional naval security along international water ways in terms of navigation, transport and communication. This has to do with the maintenance of international peace and security as well as sovereignty, territorial integrity and political independence in respect of the sea areas of a coastal state. It also covers security from all crimes at sea including the safety of seafarers and fishers. Thus, the peaceful use or freedom to conduct any type of activities in the sea may mean the absence of violent and destructive relationship between people and the oceans.

The second component is one which relates to the larger part of environmental security which links to contestation over ocean resources (resource security) and the ecological fall out they produce. This is the point of safety, security and freedom from the threat to human activities in the marine environment. Thus, the spate of human violence and abuse as a result of unsustainable use and illegal activities in the oceans have resulted in wanton destruction of the living creatures and biomass of the sea, leading to unbalanced relationship between man and the oceans. This unbalanced relationship is central to maritime security. Maritime insecurity in this regard is connected to the triple threat of global warming, loss of marine biodiversity and pollution.

Maritime security in Africa impacts seriously on the economic development of coastal states in that an unsecured maritime domain may deny a coastal state of the benefits of its exclusive economic zone, including fishing and off-shore resource exploitation which can



only be realized if there is an effective maritime security regime. Thus, the Brenthurst Discussion Paper 2010/03 proposed a definition of maritime security for Africa to include “anything that creates, sustains or improves the secure use of Africa’s waterway and the infrastructure that supports these waterways”. In this context maritime security takes cognizance of measures that are employed to make the maritime space safe. It also provides an explanation to what constitutes the maritime space, such as rivers, dams, lakes as well as the seas off the coast of Africa. Such definition suggests the incorporation of national security into the protection of the territorial waters to checkmate not only crime but also the protection of associated infrastructures, and thus ensures national territorial sovereignty.

The world’s seas and oceans face the changing dynamics of maritime security and risks, with those around the African waters, particularly the Horn of Africa and the Gulf of Guinea, taking insurmountable proportions. The International Maritime Bureau (IMB) and the International Maritime Organization (IMO) have reported increased wave of piracy and robbery at sea off the Horn of Africa and the Gulf of Guinea in different ways. Typical in the waters off the coast of Somalia pirates mostly hold captive ship crews for ransom, while pirates along the West African coast principally disrupt vital commerce by stealing crude oil, fish and other cargo in transit, injuring or killing crew members in the process. Similarly, attacks off the coast of West African states cover an increasingly wider area, particularly the Gulf of Guinea and are more violent than those taking place off Somali coast. This posed serious threat to national security and economic wellbeing of countries along the Gulf of Guinea, most especially Nigeria.

Piracy is thus a growing challenge, so are crude oil theft, drugs smuggling and other forms of illegal activities which have links with the broader regional problems of corruption, insurgency and radicalization. Regional maritime security is important to the energy security of a number of international actors. At the same time maritime resources such as fish, aquaculture and intact ecosystems directly contribute to the livelihoods of many Africans.

Maritime insecurity also impacts heavily on peace and security in Africa. Sea rights and border crimes, piracy, pollution, migration, illegal trafficking of resources, persons, weapons, and drugs are threats perceived by many African states. This has serious impact on communities living close to the sea and the national economies of the affected countries as well as bilateral and multilateral relations on the larger scale. Maritime conflicts are expected to grow in magnitude, given that the Indian, Pacific and Atlantic oceans have become major energy transport corridors at a time of increasing off-shore and inland African hydrocarbon discoveries, so the geopolitical interests of old global powers (USA and EU) as well as new ones (Denmark, India, China, and Brazil) have, more than ever, assume maritime dimensions.

From a theoretical point of view, we classify maritime threats from the perspective of “bad order at sea” as Vrey (2010) sees it. Bad order at sea emerged from steep rise in maritime threats often widely grouped under the rubric of piracy although several maritime security threats cut across piracy as conceptualized above. In the late 1980s the growing problem of disorder at sea began to take disproportionate shape with the situation in East and West African waters creating a new wave of maritime domain awareness in Africa leading to both national and trans-national cooperation “to prevent or deal with the threats to humanitarian and commercial interests and the endangerment of important resources and



sea ways” (Vrey, 2010:18). The threats continued to have negative impact on resources, transport and trade, and the sea as a means of exchanging information to improve human development. These threats compelled the United Nations and the IMO to amend their earlier resolutions meant to fight piracy, yet it become difficult for governments and their agencies to respond to maritime threats due the indoctrinate approach to piracy issues.

Dillion (2005) attempted a typology of maritime threats around piracy and argued that several maritime crimes are committed under the cover of piracy defined as:

An act of boarding or attempting to board any ship with the apparent intent to commit theft or any other crime and wit the apparent intent or capability to use force in the furtherance of that act.

He suggested an expanded categorization to maritime corruption (acts of extortion or collaboration against marine vessels by government officials and/port authorities), sea piracy (attacks that take place in ports while the ship is berthed or anchored) and maritime terrorism (crimes against ships by terrorist organization). In this perspective Onuoha (2013) theatrically categorized maritime security threats into two main dimensions: the “intrinsic” and “extrinsic” and the associated threats. In the intrinsic type the associated threats affect the integrity of the pristine state of the waters and marine resources, where the primary beneficiaries, whether negative or positive, are local and coastal communities. The common threats related to the intrinsic dimension of maritime security are marine environment pollution resulting from such threats as oil spillage, dumping of toxic or e-waste and poaching. The major culprits in this respect are state actors and foreign capital as the case in Ogoniland and dumping of nuclear waste in Koko in 1982 (Tagowa, 1984).

The extrinsic dimension of maritime security has its core elements as safety, offshore facilities and persons operating them. The beneficiaries are states, foreign multinationals and shipping companies and this has impact on the physical and personal security. The common threat from this dimension of maritime security comes from pirates, maritime terrorists, sea accidents and youth restiveness and the major culprits are criminal gangs and other non-state actors. Thus, according to Onuoha (2013: 4), the extrinsic dimension has gained emphasis in recent times for two reasons: First is the increasing threat of transnational organized crimes --

maritime piracy, drug trafficking, dumping of waste, and arms smuggling among others -- that are facilitated through maritime channels. The second and more important reason relates to the growing threat of terrorism, especially since the September 2011 (otherwise known as the 9/11 attacks).

This led the adoption of some measures by the international community to improve maritime security such as the International Shipping and Port Facility (ISPS) Code Proliferation Security Initiative (PIS), Container Security Initiative (CSI), and the Customs Trade Partnership against Terrorism (CPCT). These measures are being implemented in Nigeria; yet maritime security threats are in the increase impacting negatively on Nigeria’s economy.

ii) Economic Development

Like maritime security, economic development is difficult to conceptualise because of the variegated use of the term. In the traditional economic theory development is seen from two main perspectives. First, from the perspective of increase in Goss National Income (GNI) of 5-7 percent, and second from the perspective of growth in income per capita



which accounts for the ability of a nation to expand its output rate much higher than the growth of its population (Tadaro and Smith, 2006). This definition does not appear appealing in respect of a developing country like Nigeria.

This paper will rather subscribe to the definition which considers development from in terms redistribution of poverty, reduction of inequality and reduction of unemployment within a given economy. This surrounds the definition provided in Dudley Seers trio questions on “poverty”, ‘unemployment’ and ‘inequality’ (Tadaro and Smith, 2006:16). Economic development should therefore be considered in terms qualitative transformation of material, physical and interactive wellbeing of a given society. This qualitative transformation must be as a result of planned activities of individuals, groups, or entities to increase and expand their productivity including life expectancy, literacy rate, employment opportunities and access to basic necessities of life such as food clothing and shelter, as well as maintaining an ecological balance of their environment.

This type of development can be linked or described as ‘social’ and ‘political’ development’ which Clunies-Ross, et al (2009:22) summarized as encompassing the components of development other than what is measured by income per head:

... namely what is measured and indicated by degree of equality in income distribution, proportions of the population below international poverty line, educational enrolments, literacy rates, life expectation, infant and maternal, nutrition standards, gender equality. Political Dimensions such as political participation, or access to means for assertion of rights, may be included...or else separately covered political development.

It is therefore expected that a secured maritime domain environment will enhance the above type of economic development in the context of an enhanced maritime security.

Theoretical Considerations

Theoretically, the challenges of maritime security can be explained from the perspective of the “risk equation” (Pham 2015). According to Pham (2015: 1), the three elements of the risk equation are ‘threat’, ‘vulnerability’ and ‘cost.’ Threat in this respect is the frequency or likelihood of a risky impact or an adverse event happening. Nigeria’s affluence in terms of natural resource endowment is affected by different types of security threats ranging from general security to maritime security governance with a consequence of causing development deficits.

Vulnerability is also the likelihood of a particular threat category to succeed on a particular target. Most of Nigeria’s oil and gas production lines are on the littoral and the Niger Delta offshore fields. The renewed crisis in the Niger Delta with the hit and run attacks by the NDA has quadrupled vulnerability and made vigilance harder for Nigeria’s armed forces and security agencies with less capacities for combined blue-water and brown-water strategy. This has negative impact on Nigeria’s economic development.

Cost is related to the total cost of the impact of a particular threat that affects a vulnerable target. Two types of costs can be distinguished in this respect: the “hard” and “soft” costs (Pham 2015: 3). Hard costs are the actual damages caused by a threat in terms of disruption to production and additional environmental degradation caused spillages generated from criminal and deliberate destruction of oil facilities. Soft costs are the



reduction or denial to the market of products and other consequences tied to the market forces, such as decline revenue, employment, etc. Although the collapse of oil price in the international market has caused shocks on the Nigerian economy, the continued cuts in Nigeria's oil production as a result of destruction of oil facilities is already devastating to the country's economic development.

Nigeria as a Maritime Nation

Nigeria is centrally and strategically located on the Gulf of Guinea, that part of the Atlantic Ocean indenting the West Coast of Africa between Cape Palmas in Liberia and Cape Lepez in Gabon. She has a coastline of 420 nautical miles which provides her with a potential claim of political and economic jurisdiction of sea area of 4,980 square nautical miles as far as the provisions of UNCLOS III are concerned. This area, it has been argued, can also be extended to about 84,000 square nautical miles or 210,900km² in terms of functional jurisdiction in respect of the doctrines of continental shelf and Exclusive Economic Zone (EEZ) which provides additional area of sea for the purpose of exploration and exploitation of the resources of the seabed and subsoil of the submarine area of the zones. However, this description of Nigeria's ocean space appears more hypothetical than real, going by the enclosed nature of the Gulf of Guinea and the number of countries sharing the sea area of the Gulf. Apparently, there is no clear delimitation of maritime boundaries among the countries sharing the Gulf of Guinea. Thus, Nigeria's ocean space from a superficial view may extend to include not only that of Sao Tome and Principe but may also cover the Island of Fernando Po, hence, Equatorial Guinea's EEZ and Continental Shelf (CS).

The marine environment and its resources have invaluable implications for Nigeria's economy and military strategy. With a naval strength of about 6,000 men in addition to an amphibious wing of the army, Nigeria is perhaps the biggest naval power in black Africa in terms of manpower. Apart from this, other socio-economic indicators show that Nigeria's leading position not only in West and Central Africa sub-regions, but in the entire African continent is not in doubt. Thus, Nigeria could rightly be described as a sub-regional or continental maritime power.

Besides, Nigeria is separated from Equatorial Guinea by a 55-nautical-mile (100 kilometres) sea distance, presupposing that the delimitation of both EEZ and CS will apply in the territorial seas of both countries. While there are no records to show the extent of the CS of Fernando Po, Nigeria's CS along the Calabar River (the closest part of Nigeria's territory to Fernando Po) is 40 nautical miles towards the sea. Generally, Nigeria's CS ranges from 26 kilometres off Lagos to 56 kilometres off Cape Formosa and increases to about 64 kilometres off Calabar (Davies, 1984). Therefore, its limit of 40 nautical miles towards Fernando Po appears very close to the territorial sea of Equatorial Guinea and much within her contiguous zone.

The same goes with the issue of overlapping claims of EEZ which each country is entitled to considering the fact that Equatorial Guinea is divided into two portions (mainland and island) which are separated at the nearest point of a 90 - nautical-mile sea distance. According to Article 46 of UNCLOS III, the two portions are not only entitled to territorial seas but also to other zones. This means that the territorial sea of Equatorial Guinea, putting the two portions (mainland and island) together, will extend 90 nautical miles seaward in the gulf more than if the mainland alone were to claim a similar territorial



sea. Secondly, an appropriate limit of Nigeria's EEZ and CS will pass mid-way between the two islands of Sao Tome and Principe (which form an independent state and separated by a sea distance of 120 nautical miles from the west coast of Rio Muni, mainland Equatorial Guinea), thus creating another overlapping claim. Presently, there is a Joint Management Zone (JMZ) agreement between Nigeria and Equatorial Guinea to engage in joint exploration of oil.

As a maritime nation with circumscribed borders, Nigeria's maritime concerns cover a variety of interests. These include exploration and exploitation of the resources of the sea (living and non-living resources), transport and communication, military and strategic interests, marine scientific research and transfer of technology, hydrographical survey and nautical charting, marine environment protection and preservation, coastal zone management, enforcement of fiscal measures and other regulations, recreation and coastal tourism (Tagowa, 2006).

According to the US National Intelligence Council (NIC) the West African supply of hydrocarbon is expected to reach 20 percent by the end of 2015 (Pham 2015). A combination of all these maritime interests constitutes the architects of Nigeria's economic development. The frequency and adverse effect of maritime security threats are bound to have negative impact on Nigeria's economic development. This poses a number of challenges to maritime security in Nigeria.

Maritime Security and Nigeria's Economic Development

The threats in the Niger Delta, especially the renewed one by NDA has reduced Nigeria's oil and gas production by over 50 percent. According to the US National Strategy for Maritime Security (NSMS), while the actors threatening the maritime domain continue to grow in number and capability, they can be broadly grouped into nation state actors, terrorists, transnational criminals and pirates (NSMS, 2005). Indeed, while the focus of the US strategy is inter-state-caused threats to maritime security, the challenge of maritime security in Nigeria is here seen as state-inflicted insecurity. Thus, the governance environment in Africa and Nigeria in particular can be said to have added more impetus to maritime security threats. The sporadic attacks by groups with local grievances, especially the Niger Delta youths and the high unemployment in the country add up to generate all dimensions of maritime security threats. That is why it is not possible "to disentangle the threat to maritime safety and security from the legion of challenges linked to political and governance" crises in Nigeria (Ukeje & Ela, 2013: 11). As maritime criminals "are not born at sea": crimes on sea are land-based but take place on the sea; they are therefore attractive businesses that onshore conditions combine in unfortunate ways to provide more conducive environment for such criminal activities to thrive (Jacobsen & Nordby, 2015).

A number of land-based factors have generated this thought. First, despite the frequency of maritime security threats in Nigeria, critics have pointed out that maritime security "interest at the national level remains limited" (Murphy, in Jacobsen & Nordby, 2015). They argue that the Gulf of Guinea region has been noted to be suffering from "Sea Blindness": defined as 'lack of general maritime knowledge at the political level and among the public at large' (Osei-Tutu, in Jacobsen & Nordby, 2015). According to Jacobsen & Nordby (2015: 14 -15):



Up till now, states in the region have mainly focussed on land security issues and preserving sovereignty within their territorial borders. Governments in the region have consequently been late to realise how their absence in the maritime domain [...] also undermine security on land (Osinowo, 2015: 2 ...). Importantly, ‘sea blindness’ has been highlighted as a critical obstacle to effectively tackling the threat of piracy in the region; the intractability of maritime security challenges in the region is magnified by what might be described as long history of ‘policy blindness’ towards coastal waters.

Put in another way, the long period of lack of political interests in maritime security affairs meant that little efforts have been made to combat maritime crimes in the Gulf of Guinea region and Nigeria is not an exception. Therefore, sea blindness must be recognized as an important onshore challenge that inhibits the level of political engagement needed in order to effectively tackle security issues generally. This explains why this author had earlier established in a separate study that even though there is a level of awareness of the importance of maritime domain awareness in Nigeria, the country does not have a comprehensive ocean policy; as such a policy could have built in a maritime security component (Tagowa, 1999). This followed the preamble of the UNCLOS III which states that “the problems of ocean space are closely interrelated and need to be considered as a whole.”

Other land-based factors that impact on maritime security are the governance deficits which generated an army of poverty, unemployment and unemployed youths; both inter-state and political disputes; corruption and weak governance; and legal challenges. Of course the general unemployment in the country has been identified as one of the conditions that make maritime crimes realistically attractive. The overgrown army of jobless youth in the Niger Delta easily make them easy prey for recruitment for violent conflicts and maritime criminality. The region particularly harbours about 30 percent of Nigeria’s population and 13 percent of the people are unemployed and so many of them engage in illegal maritime activities such as piracy and oil theft which support illegal refineries onshore (Catham House, 2013). As was rightly observed:

Oil theft and illegal refining in the Niger Delta are increasing problems, causing significant economic and environmental degradation. These activities are not new but since the end of the militant crisis in 2009 their scale has grown beyond recognition as thousands of demobilized militants have turned to crime as a source of income. While they appear chaotic, these activities are structured and organized. Some of those involved are working for local markets inefficiently refining products for communities desperate for fuel and power. Some – far larger in scale, organization and significance – are managing an international export business with tentacles across the globe (Catham House, 2013:11)

Political disputes, corruption and weak governance in Nigeria have combined to worsen the maritime security threats in Nigeria. In respect of political disputes, two types of conflicts generate maritime criminality. The first is the one related to the Movement for the Emancipation of the Niger Delta (MEND) which targets the expression of its grievances through oil theft and smuggling as “re-appropriation of wealth and a form of protest”



(UNOC in Jacobsen & Nordby, 2015:16). For example, in 2010 MEND had threatened to undertake ‘an all-out onslaught’ on oil companies unless more resources were allocated to the people of the Niger Delta. Despite the amnesty, establishment of a Ministry for the Niger Delta and the Niger Delta Development Commission (NDDC), threats by the Niger Delta youth and MEND are still prevalent with new waves of disturbance on oil production and pipeline vandalism. The second and the latest that added another dimension of the criminality is the Niger-Delta Avengers who in the face of the collapsed oil prices and economic downturn in the country are carrying out the greatest destruction to oil infrastructure in the Niger-Delta and consequently crippling oil production and export in the country.

The third political dispute that increases maritime criminality in the area has to do with inter-state dispute; worthy of note is the dispute over the land and maritime boundary of the Bakassi Peninsular. Throughout the period of the dispute when Nigeria and Cameroon could not agree on where the maritime boundary should be, the area became a ‘safe haven’ for maritime criminals and pirates. Even though the land and maritime boundary dispute has been settled by the ICJ judgement of October 2002 with the ceding of Bakassi peninsular to Cameroon, two issues continue to linger on with consequent impact to maritime security. The first issue is that not all citizens of Nigeria living in Bakassi agreed with the ICJ ruling. This has given rise to a group known as Bakassi Freedom Fighters (BFF). The activities of this group have direct impact on Maritime criminality. The second issue is that the long-standing dispute has generated a kind of distrust between Nigeria and Cameroon with negative implication on maritime security cooperation for both countries. This is more especially with the continued dispute over fisheries rights and the newly discovered offshore reserves (IPI, 2008, Vircoulon, 2012, Jacobsen and Nordley, 2015) near and around the ‘disputed’ areas.

Corruption and weak governance in Nigeria are some of the factors that breed maritime insecurity in Nigerian waters. As Phelps (2010: 6) rightly noted:

the inefficiency in the port procedures and deficiencies in force performance coupled with weak governance and the widely acknowledged corruption at all levels of government create a permissive environment for criminal elements. These inherent weaknesses are manifested in the Niger Delta which currently is in abeyance....

The inherent weaknesses do not only manifest in the Niger Delta but also the weak measures taken to curb corruption in Nigeria. This creates complicity judging by the “speed and precision with which maritime attacks take place suggesting that some offshore crews may be complicit in the theft and illicit sales of oil and other proceeds of maritime criminality” (Osinowo, 2015:3). This establishes intrinsic links between political criminal actors reflecting the origins of gangs which were probably formed and armed by politicians to support their political ambitions. In some cases, groups of militants may conduct organized criminal activities like oil theft, piracy and robbery at sea or kidnap for ransom to generate funding to support political activities on land (Phelps, 2010).

Apart from the challenges enumerated above there are legal challenges such as non-availability of the “necessary mix of jurisdictional provisions, offence-creating legislations and prosecutorial and judicial capacity to undertake piracy prosecutions” (Jacobsen and



Nordley, 2015: 12). This is prompted by four interrelated legal challenges, viz, inefficient laws, ineffective implementation, evidence collection and inadequate law enforcement. It is on record that there over 30 maritime related laws in Nigeria (Tagowa, 1999). These legislations also serve as an eye opener to Nigerian nationalists who enshrined in the republican and independence constitutions the powers of the federal government to make laws on petroleum and other resources of the sea. It was for this reason, that subsequent governments have enacted more laws to address the country's economic and strategic interests. But most of these laws are outdated and inefficient. Secondly, out of a summary of 145 international maritime conventions compiled by the author, Nigeria is party to only 45 conventions: 7 out 10 conventions on public international law; 5 out of 21 conventions on maritime jurisdiction; 14 out 22 conventions on arbitration and enforcement; 2 out of 6 conventions on safety of navigation; 7 out of 24 conventions on property transactions and rights; 6 out of 38 conventions on carriage of goods and passengers; and 4 out of 24 conventions on Employment Protection and preservation of marine environment.

The maritime domain is a market of several security threats such as piracy and sea robbery, oil theft and illegal, unreported and unregulated (IUU), fishing, human smuggling and trafficking, sabotage of oil infrastructure, drug trafficking, arms smuggling, dumping of wastes, environmental degradation and poaching of valuable aquatic resources. For example, between 1991 and 2013, a total of 734 attacks took place in the Gulf of Guinea and Nigerian waters accounted for 335 (44 percent) of such cases (Onouha, 2013). In the same period Nigeria lost an estimated 400,000 barrels of crude oil per day through illegal bunkering, vandalism of oil infrastructure and halt in production. In the same vein over 40 percent of fish in West African waters are captured illegally and governments of coastal states of the sub-region lost over \$5billion to foreign distant fishermen (Onouha, 2013). Similarly, both the Nigerian waterways (coastal and inland) have been a beehive of trafficking in small and light weapons (SALWs) and this explains in part the extensive criminalization of coastal areas. SALWs emanate from five sources into Nigeria: past conflicts in West Africa; weapons rented or sold by corrupt security officers; weapons transferred from sympathetic government officials; and a relatively small number of weapons imported from outside the country (*Nigerian Tribune*, 2013). The offshore connections provide an avalanche of the linkages to the coastal inland and landed activities of the traffickers.

The United Nations raised alarm that there are 500 million illicit weapons in Africa and Nigeria alone accounts for over 350 million of such arms as a result of spill-over effects from Libya, Mali and other places (UN, 2016). The proliferation of SALW is the cause of high death toll directly inflicted by their indirect and pernicious consequences of humanitarian and socio-economic dimensions. As Chuma-Okoro (2014) noted, the proliferation and misuse of SALW have also been felt through the prevalence of organised armed violence and criminality, which have become the defining characteristics of the socio-political landscape of Nigeria. Nigeria cannot be said to be a country at war but it is predominantly militarised and in fact "plagued by armed criminality and internecine armed conflicts" (Chuma-Okoro 2014: 1). This criminality is linked to the recurrent ethno-religious crises in Plateau, Taraba and other states in Nigeria, the Niger Delta resource control struggle, armed robbery, assassinations, the recent kidnapping phenomenon and other criminal activities.





The cost of maritime insecurity to Nigeria's economic development is enormous and can hardly be quantified in terms of its tangible and intangible impacts, especially in the current period of economic recession. Insecurity in the maritime domain creates loss of invaluable property, bodily injuries to crews, and dislocation of trade and investments as Nigerian waters are considered one of the areas with the highest risks in the world to conduct maritime business. Thus, given the risk involved, transporting goods to Nigeria attracts huge premium and high operating costs compared to other parts of the world. In 2012, for example, the Global Labour Federation for Transport Industry (GLFTI) described Nigerian waters as a "high risk" area (Onuoha, 2012). An IMB Director once remarked that:

Whilst Somalia is, rightly, getting a lot of media attention for its piracy problems, a worrying trend is emerging off the coast of Nigeria. We have noted a higher level of violence in attacks off Nigeria than any other region in the world (ONI, 2009).

This has placed Nigerian waters at par with the Gulf of Aden and Somalia in the Horn of Africa due to increased insecurity. At times seafarers might refuse entry or ask for double pay of wages and death/disability compensation while entering Nigerian waters. For example, since 2012 the cost of stolen cargo and insurance premium in Nigeria has increased from \$2billion to about \$7billion (Baldauf in Onouha, 2012). This has negative impact on income of ports for cost of goods destined for Nigeria. Thus, maritime insecurity also has negative impact on livelihood of people as well as food supply. In 2008 the Nigerian Trawlers Owners Association recalled about 200 vessels from trawling Nigerian waters. This led to a loss of estimated 20,000 jobs and a corresponding 100 percent decrease in seafood in the local market (Onouha, 2012).

Efforts at Addressing Maritime Insecurity in Nigeria

As noted earlier, Nigeria has enormous maritime interest to protect not only as a maritime nation, but also as a potential continental, regional and sub-regional power. This has prompted Nigeria defence strategies to strategise on how to protect the maritime sector. Since the increasing maritime insecurity, Nigerian Armed Forces have mooted a number of operations from the Joint Task Force (JTF) in the maritime areas into several operations, such as Operation Pulo Shield, Operation Restore Hope and now Operation Crocodile Smile. These operations were originally intended to reduce incidents of pipeline vandalism, crude oil theft, illegal bunkering and refining, as well as other forms of maritime crimes like piracy and robbery at sea, trafficking of SALW, etc. At the wake of the renewed vandalism in the Niger Delta, Nigeria's maritime security strategy has continued to undergo a variety of reviews. Since 2014, the Nigerian Navy (NN) Trident Maritime Strategy has again been reviewed with the emergence of the Total Spectrum Maritime Strategy (TSMS). This has given birth to the Operation Crocodile Smile (OCS) being carried out in the Niger Delta to address the current Niger Delta Avengers (NDA) threats.

Increased insecurity in the maritime domain has made the Nigerian government to initiate several nations, bilateral, regional and extra continental maritime security arrangements to improve maritime security. First, as a maritime nation Nigeria has queued behind the international community to domesticate some measures adopted at various



international fora to improve maritime security. Such measures include the International Shipping and Port Facility (ISPS) Code, Proliferation Security Initiative (PIS), Container Security Initiative (CSI), and the Customs Trade Partnership against Terrorism (CPCT). These measures are being implemented in Nigeria; yet maritime security threats are in the increase impacting negatively on Nigeria's economy.

Currently there is a four-layered maritime security architecture and institutions designed to support national efforts to address the numerous maritime security challenges in Nigeria, Africa and the Gulf of Guinea in general. The four-layered approach has established structures at the African, west and central Africa and extra-continental levels. First, at the extra-continental level, the G7 Friends of the Gulf of Guinea Group (G7++FOGG) composed of Germany, UK, Canada, Italy, Japan, US, France, Belgium, South Korea, Denmark, Norway, the Netherlands, Portugal, Switzerland, EU, UNODC and INTERPOL (with Brazil as an observer) have developed interest on the security of the GOG. The focus of the group is how to raise funds to address piracy by strengthening the MITSC-GOG in Accra in the form of capacity building. The participation of this group in the GOG affairs serve as important lesson that non-continental powers are interested in capacity building and also establish linkage between donor countries and states of the Gulf of Guinea.

At the African level, the African Union (AU) adopted the 2050 integrated maritime strategy (AIM) in January 2014 which came up with a number of maritime goals that are spread over the next 35 years for African states to address a variety of security challenges to achieve the economic challenges confronting them from maritime perspectives. The importance of the 2050 AIM strategy is that it proposed a Plan of Action (PoA) for operationalization and addresses a variety of maritime security issues and "particularly as it goes beyond piracy to address various other security challenges such as IUU fishing, smuggling and terrorism strategy" (Jacobson and Nordby, 2015:2). Maritime observers are of the view that despite the weakness of the AU 2050 AIM strategy, it has enhanced maritime domain awareness in Africa (Ukeje and Mvomo, Ela, 2013 and Jacobson and Nordby 2015).

At the West and Central Africa Level, the maritime organisation of west and central Africa (MOWCA) is the oldest maritime institution established to "serve the regional international community for handling all maritime matters that are of regional character" (AMSSA, 2008). Although MOWCA appears more like a west and central Africa shipping and port management association outfit than maritime security architecture, it has issued a memorandum of Understanding (MoU) for a sub-regional integrated coast Guard network for the two sub-regions it covers, especially as the guard system is intended to address the challenges of piracy. Besides, MOWCA's MoU intended to establish national Maritime Rescue coordinating centers (MRCC) for maritime safety and rescue with the four zones, the Yaoundé regional submit of 2013 expanded the zones to six.

At the ECOWAS level, the ECOWAS Integrated Maritime Safety (EIMS) is another maritime security integrated outfit that followed the AU's 2050 AIM strategy. AIMS aims at the economic opportunities in the Maritime domains, including internal water ways and lakes, and addressing land based reasons for maritime insecurity. The Gulf of Guinea Commission (GGC) was created in 1999 with the aim of harmonizing policies on the management of oil and natural resources to avoid conflict of interest in exploration of





activities. Indeed, the interest of MOWCA and GGC have so far become interwoven as combating piracy and other matters of maritime security have become their collective focus.

The Yaoundé Summit on inter-regional cooperation of 2013 discussed the regional maritime arrangement of the ECCA established in 2009. The discussion developed and adopted a maritime security strategy based on six principles. These include: information management; community surveillance through the detection and sharing of assets; legal and functional harmonization of states' action at sea; self financing through communities; logistics; and institutionalization of maritime conference for central Africa (UN 2012). The ECCA strategy created three maritime security operational zones, named A, B and C, each with an operational centre. After the Yaoundé submit in 2013, ECOWAS decided to copy the approach and established similar structure with its own maritime security zones, E, F and G with a pilot project with an operational centre in Cotonou (Zone E) to cover the waters of Nigeria, Togo and Benin. It is expected that if this initiative works, ECOWAS may contain the spread of piracy in the Gulf of Guinea. Other institutional arrangements with Maritime security relevance are the Maritime Trade Information sharing centre of the Gulf of Guinea (MTISC-GOG). Located in Accra (Ghana) the centre was initiated in 2014. MTISC-GOG develops, maintains and shares details of information on the maritime domain, especially on piracy and armed robbery at sea and other related maritime security issues.

A critical look at this multilayered approach to maritime security shows clearly that the efforts cannot adequately address the real drivers of maritime insecurity in Africa going by the notion of sea blindness as defined on this paper, hence there is still a lack of general maritime knowledge and awareness at both political and the public at large. Until recently the government in Nigeria in particular has often focused on inland domestic security issues at the expense of maritime security with serious impact on land as currently being experienced in the Niger Delta crisis. One might ask: to what extent have the multilayered security institutions in West Africa addressed issues related to unemployment, political disputes, corruption, weak governance and legal challenges that trigger maritime insecurity? It is imperative to understand that the drivers of maritime insecurity are onshore-based. Unfortunately, the AU 2050 AIM Strategy, the ECOWAS EIM Strategy, the G7+ + FOGG, the MOWCA Maritime Security actions, GOC Maritime Security outfit and Yaoundé Inter-Regional Cooperation resolutions, as ambitious as they are, do not address the land-based causes of maritime insecurity. As some maritime experts observed:

Implementing a new institutional structure, as set out in the AIM Strategy, may indeed be a good idea but this solution completely disregards the land based reasons for and root causes leading to the correct condition of maritime insecurity.... in other words, the AU's strategy does not approach the issue from the perspective that addresses the various challenges, including good governance, reduction of corruption, marginalization, etc. (Jacobsen and Nordby, 2015:27)

This further explains our assertion that the motivations for maritime crime are shore-based and must be addressed from that perspective as maritime criminals are 'not born on the sea.'

It should also be noted that multilayered approach to related issues, though claiming 'integration' in their conceptualization, is bound to breed competition. Already some





features of conflicts of responsibilities are being experienced in the relationship between MOWCA, MTISC-GOG and others, just as there is currently a conflict of responsibility between the Nigerian Navy and the Nigerian Security and Civil Defence Corps (NSCDC), the latter conflict over which agency should issue licence and monitor Private Maritime Security Companies (PMSC) (Kanu, 2016).

Security experts also believe that multilayered approach to security issues has the tendency to encounter a number of risks which must be surmounted. These risks include the risk of confusing incapacity with political unwillingness; risk of the capacity to deal with the root causes of maritime insecurity; risk of overlooking alternative areas and opportunities for assistance; risk of divergent perceptions of maritime security issues; and risk of both duplicating competition among regional institutions and donor efforts. These risks can undermine the effectiveness of multilayer approach. There is also the risk of military capacity which might end up in worsening the security situation as can be observed in the initial military action against Boko Haram in the Northeast and the operations against the Niger Delta Avengers.

Conclusion and Recommendations

The paper provides a synopsis on maritime security and economic development in Nigeria. This is based on the premise that there are opportunities for growth and prosperity from the sea which coastal states take advantage when all ocean activities are carried out as free as possible. When the ocean environment is safe or unsafe it will have multiplier effect on the peoples' activities on land and hence the entire economic development. In the same vein, any unsafe situation in the sea can send negative impact on land hence motivation for maritime crime is driven from land. Similarly, the process or largesse from maritime crimes are disposed off or enjoyed on land. This supports the argument in this paper that maritime criminals are not born at sea. Therefore, the challenges of maritime security must also be addressed from onshore since in all facets of economic growth and development, the maritime sector "must feature prominently in any plan of sustained economic growth" (Baker, 2011:1). Thus, the significance of the sea as the driver of growth and prosperity has placed premium on maritime security issues. This explains the convergence of interest on the maritime domain leading national, regional, sub-regional and extra-continental attention on sea waters.

The Nigerian maritime security environment is faced with challenges of insecurity and as a sub-regional maritime power, Nigeria's maritime interest should be paramount in her consideration of national planning efforts. The planning should be one that addresses human security development from the perspective of maritime security. Addressing this will require initiating projects that would address good governance that will translate to increased employment, poverty reduction, food security and provision of basic necessities of life to the majority of the population. While enhanced military capacity is being canvassed by continental and extra-continental powers and donor nations, excessive use of military option to contain maritime criminals may have intrinsic risks as pointed out earlier in this paper. It is necessary to identify the risks of approaches to maritime security, from the national to extra-continental levels. Therefore, the requisite approach that will achieve the needed effectiveness should be one that undertakes a balance of risks.



Generally, support from donor countries are mostly directed at enhancing military capacity, but such support is sometimes observed to be counterproductive as donor support may be discredited in the real sense of not achieving its purpose from the eyes of the recipient nation or regional actors. Besides the risks:

capacity building projects that focus on enhancing military capacity may also entail another set of risk, projects may also suffer from lack of local/regional ownership which in turn will affect their sustainability or they may overlap with similar activities carried out by their external actors to such an extent that they will result in little more than duplication of existing efforts (Jacobsen and Nordby, 2015:53).

To this end, recipients of assistance from donors should weigh not only the motives but also the risks associated with such assistance. However, assistance should be paid to short and long term initiatives that will address political disputes, corruption and good governance and to open up national “eyes” against sea blindness.

To address these challenges maritime security planning cannot be effective without a comprehensive ocean governance system. In this regard, the development of a comprehensive National Ocean Policy becomes a necessary action plan in Nigeria. An ocean policy is required to harmonize the country’s plethora of maritime laws and agencies, address the haphazard approach and multilayered efforts in order to surmount the risks associated with duplication of efforts and sectoral competition, planning and management of sustainably multiple usages and improve conservation of the oceans, coastline and internal water ways. This again reaffirms the preamble of the United Nations Convention on the Law of the Sea (1982) that “the problems of ocean space are closely interrelated and needs to be considered as a whole.”

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