UNIVERSITY OF ILORIN

THE TWO HUNDRED AND EIGHTIETH (280TH)
INAUGURAL LECTURE

"RADICALISM, RASCALITY AND RESENTMENT IN THE EBB OF MARINE AND BLUE ECONOMY"

By

PROFESSOR ABDULRAZAQ OWOLABI ABDULKADIR
LL.B (Ilorin); BL, LL.M (O.A.U., Ile-Ife); Ph.D. (IIUM, Malaysia)

DEPARTMENT OF PRIVATE AND PROPERTY LAW,
FACULTY OF LAW
UNIVERSITY OF ILORIN, NIGERIA

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The Vice-Chancellor

Professor Wahab Olasupo Egbewole, SAN
LL.B (Hons) (Ife); B.L (Lagos); LL.M (Ife); Ph.D. (Ilorin); FCArb; Fspsp

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PROFESSOR ABDULRAZAQ OWOLABI ABDULKADIR
LL.B (Ilorin); BL, LL.M (O.A.U., Ile-Ife); Ph.D. (IIUM, Malaysia)

PROFESSOR OF INTERNATIONAL MARITIME LAW
DEPARTMENT OF PRIVATE AND PROPERTY LAW,
FACULTY OF LAW
UNIVERSITY OF ILORIN, NIGERIA

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My Lords, Spiritual and Temporal,
Distinguished Invited Guests,
Gentlemen of the Press,
Students of Law and other students here present
Great students of the University of Ilorin,
Distinguished Ladies and Gentlemen.

Preamble

رَبِّاشْرَحْلِيصَدْرِي ۝ وَيَسِّرْلِيأَمْرِي ۝
وَاحْلُلْعُقْدَةًمِّنلِّسَانِي ۝ يَفْقَهُواقَوْلِي ۝

Robi IsraliSodiri, WaYasirili Amri, Waluli Uqsdhata Bilyani, Yafkahu Kahuli.Surah Taha (20:25-28).

I thank Allah for the privilege of life and His benevolence to pen down and assimilate, indeed Allah "taught man what he knew not" (Q 96 V 5). I appreciate Him for the rare privilege to witness today and for giving me such uncommon grace from birth till date. I adore Him and bear witness that none is praiseworthy except Him. I extend my tribute to the noblest of Prophet, Muhammed (SAW), his companion, household and those who followed him during adversity from Makkah to Medinah and all the generality of Ummah throughout the world.

Vice-Chancellor Sir, little did I know that I would stand before you today to present the**280th Inaugural Lecture** of this great citadel of learning entitled **Radicalism, Rascality and**

Resentment in the Ebb of Marine and Blue Economy. I first witnessed Inaugural presentation during my undergraduate when Professor Jacob Folorunsho Olorunfemi delivered his Inaugural Lecture entitled ***Better by Far*** and then the 61st in the series titled ***Eat and Die by Little*** by Professor Musbau Adewumi Akanji, Inaugural presentation was, to me, one of the academic adventures. I want to appreciate Mr. Vice-Chancellor for the opportunity given to me to present this 280thInaugural Lecture. It will interest you to know sir that, I was employed to this citadel of learning on the 15th March, 2010, when our current Vice-Chancellor was the Dean of Law. Incidentally, my elevation to the rank of professor was also pronounced during the same period of leadership of Professor Wahab Olasupo Egbewole, *SAN* as the Vice-Chancellor of the University of Ilorin. Each time I had cause to meet Professor Egbewole outside the four walls of the University, he would always ask, *Abdulrazaq, are you writing papers? When is your next promotion?* The push and impulse not to disappoint him and the likes of him, actually drove my desire to work more.

My employment at this University during the leadership of Prof. Is'haq Olanrewaju Oloyede, *CON* was facilitated by the Late Prof. Muhammed Mustapha Akanbi, SAN, the 152nd Inaugural Lecturer of this University, and former Vice-Chancellor of the Kwara State University, my benefactor, my mentor, whose benevolence brought me to the ivory tower. I pray Allah repose his soul, protect his family and meet them at every point of their needs. Vice-Chancellor Sir, I stand before you to present the 280th Inaugural Lecture of this great University to follow the path of outstanding scholars and indeed legal icons from the Faculty of Law to wit; Professor Abdulqadir Zubair (2003), Prof. W.O. Egbewole (2013), Prof. M. M. Akanbi (2014), Prof. A. A. Oba (2020), Prof. A.O. Omotosho (2020), Prof. N. M. Abdulraheem (2021), Prof. A. A. Alaro (2021),Prof. I.A. Abikan, Prof. B.A Omipidan, Prof. J.O. Olatoke, SAN (2023), Prof. S.M. Olokooba (2023), Prof. A.C Onuora-Oguno (2024), Prof. M. K. Adebayo (2024), Prof. M.T. Adekilekun, (2025), Prof. A. O. Amoloye-Adebayo (2025) and Prof. A.O. Sambo (2025).

Early Life

Vice-Chancellor Sir, some years after my birth at Amukoko, Ajeromi-Ifelodun Local Government Area of Lagos State, I started my primary school education at Ayetoro Gbede, in Ijumu Local Government of Kogi State. Owing to my father's relocation back to Ilorin, I continued my primary education at Al-Adabiyah Kamaliyah L.S.M.B, Ilorin. I had a stint at Banni Community Secondary School, Ilorin, before I moved and concluded my Secondary School Education at Moro Local Government Secondary, Olooru, Kwara State. I must state here without any equivocation that my transfer to Moro Local Government Secondary, Olooru, Kwara State was indeed a turning point in my educational progression. My transfer to this school was actually the initiative of my brother, Alh. Abdullahi A. Ambali (former Registrar, CAILS).In this school, we were privileged with dedicated teachers like Mr. Baba Abdullahi Alafara (now Professor Baba Abdullahi Alafara), Mrs. Funmilayo Ademokoya (now Mrs. Funmilayo Fulani), Mr. Abdulahi A. Ambali, Mr. Esan, late Barr. H.A. Hameed and host of others, whose dedication changed the narration of my attitude to education.

It may interest you Mr. Vice-Chancellor, that before this period, my determination was to possibly have an education up to secondary school and be engaged in an office, where I could possibly be employed to carry files. However, with the disposition of all these teachers, my attitude towards education changed. After my secondary education, I moved back to Lagos State despite my father's objection. In Lagos, I understood what it means *to make ends meet*. I struggled between Odo-Eran in Ajegunle to CMS, Apongbon, Balogun Market, Broad Street and Idumota, all in Lagos Island, to hawk cow meat, and here we are today, *Alhamdulillah.*

Accidental Maritime Interest

Vice-Chancellor Sir, I must admit that I never had any interaction with Maritime Law as a specialised area of law until my adventure to Obafemi Awolowo University, Ile-Ife. As a young lawyer, who had just been called to the Nigerian Bar with my friends, Abdulraheem Taoofeq, Imam-Tamim Muhammed

Kamaldeen, Adua Ismail Mustapha, S.M.H. Kosemani and our father and mentor Alh. Mahmud Abdulraheem, we all muted the idea of undertaking our LL.M (Master of Law) at O.A.U., Ile-Ife. I was reluctant to agree with them and my reason then was, *how much have we made with our LL.B and BL that you are suggesting we should go for our LL.M*? Eventually, when I discovered that every one of them had obtained forms except myself, I quickly obtained mine in an attempt not to be left behind, we were all admitted and the question that followed was which courses were to be picked. We all picked courses that fell on Thursdays, so that our legal practice and court activities in Ilorin would not be affected. Incidentally, International Maritime Law was on Thursdays and here came my first engagement with Prof. Ademola Popoola and International Maritime Law. Today, while I may not be able to claim by way of any statistics that I am the first Professor of International Maritime Law to deliver inaugural lecture in any of Nigerian universities, I can confirm that I am the first Professor in this area of interest in Kwara State, the first in Ilorin Emirate and the first in the University of Ilorin.

Introduction

Vice-Chancellor Sir, an anonymous said;

> *If life was Star Wars, the pirates seeking out their living in the exploited waters surrounding their exploited homelands are the rebels, and the USA and her allies are the Galactic Empire, with the first five Western Europeans colonizing countries as the sixth. Every people, from tribes to civilizations, since 1492, has either been decimated, exploited, dehumanized, disenfranchised, displaced by these people and their descendant governments and institutions. If we right this wrong, we will be on the road to recovery. Until then, they and others who have joined the fray, who have recently, bounced back from their tyranny, will drain the earth of her resources, essentially ending all animal life on it. As they rage against the dying of the light, they strip the gentleness from this.*

Some of the postulations of the above anonymous have come to pass, but the current administration of President Bola Ahmed Tinubu has established the Ministry of Marine and Blue Economy, a Ministry that is said to be long overdue in the face of Nigeria's waning economic fortunes. Economy or life generally has its origin in oceans, which comprise of over 95% of the biosphere. The ocean continues supporting all lives, without caring what humans do towards it, by absorbing carbon dioxide, generating oxygen, nutrients recycling and regulating the climate and temperature across the globe. It is in recognition of the importance of the oceans and the marine ecosystem that the concept of blue economy came to the fore and has become a vital concept across the globe. Nigeria has 3,000-Kilometer-Inland waterways and 870-Kilometer coastline, as well as a wide range of natural resources such as natural gas, hydrocarbon bauxite zinc, copper, mineral ores, lead, gypsum and other varieties of raw minerals. Nigeria has thus taken a cue from the global trend of ensuring a working blue economy by establishing frameworks in this direction.

Blue Economy as a Trending Concept

The term "blue economy" was coined by Professor Gunter Pauli as an economic ideology in 1994 when he was asked by the United Nations to consider future business models ahead of the COP3 Meeting held in Japan, where the Kyoto Protocol was passed on the 11th December, 1997(Pauli, 2010**)**. The blue economy is, perhaps, one of the most trending concepts in the emerging economy across the globe. The blue economies alongside the green economy have been given significant attention as alternate approaches to tackle the growing financial vulnerability and uncertainty. This is more so because activities in the marine economy, which may involve activities that occur in the coastal areas, ocean and great lakes are of great importance for the economic growth, provision of jobs and livelihoods around the world, especially in coastal communities (**Abdulkadir**, Ayodele, Abdulraheem & Ariyoosu, 2025).

The concept of green or blue economy often was defined by the United Nations Environment Programme (UNEP) as one that culminates into an improved human well-being and social equity, and at the same time reduces the environmental risks and

ecological scarcities significantly. The economic activities of the marine are usually regarded as playing a pivotal role in severe hunger and poverty alleviation by providing jobs and plethora of economic opportunities (Jacob & Umoh, 2022). It provides food and livelihood for a substantial fragment of the global population and also serves as a means of transportation for 80% of trade globally (Akanbi, Imam-Tamim & **Abdulkadir**, 2012). The tourism industry has also found a key resource in coastal fronts and marine, provide basis for tourism development for the common concepts of sand, sea and sun and aids the diverse and increasing sphere of nature-based tourism. There are several legal regimes in Nigeria that are designed for the attainment and sustainability of the blue economy. These include: The1999 Constitution of Federal Republic of Nigeria (As Amended), Oil Navigable Water Act, Oil Pipelines Act, Oil Terminal Dues Act, Sea Fisheries Act, National Environmental Standards and Regulations and Enforcement Agency (NESREA) Act and NOSDRA.

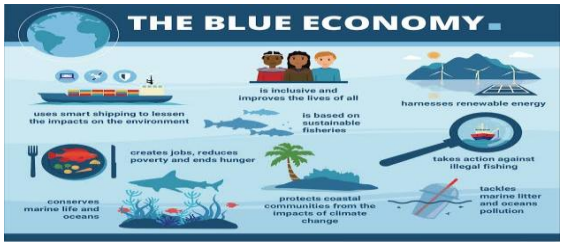

Figure 1: Blue Economy Opportunities (**Abdulkadir**, Ayodele, Abdulraheem & Ariyoosu, 2025)

Research has shown as depicted in Figure 1 that the blue economy is not only critical for a diverse range of ecosystems and species, but also for livelihoods, food chains and stability of the environment or a global population approaching about nine billion people. It is noteworthy that the blue economy is not peculiar to a particular country, rather, its relevance cuts across the globe and can thus be applicable on various scales ranging from local to global. Figure 1 captures range of opportunities in the marine and blue economy. Nigeria has also taken a cue from the global trend of ensuring a working blue economy, which

prompted the erstwhile Vice President of Nigeria, Professor Yemi Osinbajo to inaugurate an Expanded Committee on Sustainable Blue Economy in Nigeria (ECSBEN),(Punch Newspaper, 17th January, 2022**)**. At the event, the former Vice President expressed that:

> *The blue economy offers a whole new vista of opportunity for economic activity especially in areas close to oceans, rivers and coasts, but more importantly, perhaps the entire country, because practically everywhere has some body of water that can be exploited* (p.5).

Mr. Vice-Chancellor, it is in furtherance of the step taken by the previous administration in Nigeria that the current administration established the Ministry of Marine and Blue Economy. It is, in fact, referred to as a "vital sector" in Nigeria as gleaned from Figure 2.

Figure 2: Sustainable Blue Economy (**Abdulkadir**, Ayodele, Abdulraheem & Ariyoosu, 2025)

The implication of Figure 2 to the blue economy for sustainable development is that the economic development is inclusive as well as environmentally sound and to be ventured in a way that does not deplete the natural resources depended upon by the societies in the long term. The key component of the blue economy is the need to strike a balance between the economic, social and security dimensions of sustainable development pertaining to oceans, the latter being the major focus of this lecture, bearing in mind the motive for such dispositions.

Striking the Enemy's Lair

Vice-Chancellor Sir, to legally decimate the claim of 'no crime without law' (*Nulla Poene Sine Lege*), there must be

established legal frameworks that must strike the enemy of states. In the same token, to assert the criminal character of any individual whether for terrorist activities, political motives, or peril of the sea, one needs to consider the definition attributed to the relevant criminal offences under the specific terrorist or counter-terrorist legislation. Under the international context, an act would need to fall within specific provisions relating to individuals or organisations, which are listed in the various United Nations Anti-Terrorist Resolutions in order to be considered an offence. Some of these resolutions include, the *United Nations Global Counter-terrorism Strategies*, which was adopted in 2006 with the aim of enhancing national, regional and international efforts to counter-terrorism.

Another one is the *International Convention for the Suppression of Terrorist Bombings 1997*, which creates a regime of universal jurisdictions over terrorist bombings. We also have the *International Convention for the Suppression of Financing of Terrorism 1990,* which requires state to prevent countering the financing of terrorists.

Radicalism, Rascality and Resentment

Mr. Vice-Chancellor, radicalism is an extreme or militant behaviour often driven by ideological or political motivations like terrorism, piracy, hijacking, and armed robbery at sea. In other words, radicalism at sea is the unconventionally actions, ideologies or movements that challenge the norms, practices, structures and other incidental dispositions that affect orderliness in the maritime domain. This concept of radicalism affects the exploitation and exploration of the resources at the sea and they include, piracy, smuggling, hijacking, terrorism, robbery at sea, trafficking, illegal fishing, pollution, stowaways, among others. On the other hand, rascality at sea, philologically refers to the intentional and unlawful acts of misconduct, dishonesty or misbehaviour like theft, vandalism, damage to a vessel and breach of maritime regulations and protocols by seafarers. Resentment at sea refers to feelings of bitterness, anger, frustration etc., resulting from lack of recognition, poor treatment of the dwellers of coaster communities etc. In other words, radicalism and rascality are forms of resentment. Mr. Vice-Chancellor, this lecture shall discuss all the identified indicators as they affect marine and blue economy.

From the foregoing, radicalism, rascality and resentment at sea can be akin to illicit, unethical or unlawful activities conducted by individuals or group of people in the maritime domain. One of the elements of resentment, as an indicator that affects marine and blue economy is malice. However, the question to ask is, whether acts of radicalism, rascality and resentment at sea could mean malice? Attacks against ship or cargo owners in order to prevent the lawful exploitation and exploration of the blue economy could be borne out of malice. People tend to show displeasure to a given state of thing and may be taken to be malice. By the provision of section58 of the Shipping and Trading Interest Act 1995, intention to destroy or damage any property or being reckless as to whether any property will be destroyed or damaged constitutes the offence of Malicious Damage.

The question of the applicability of malice as to peril of the sea arose in *Mandarin's* case *(1969) 1 Lloyd Rep. 293*. This concept was considered in connection with the concept of theft and takings at Sea. Lord Dening, MR in the case considers the ambit of the additional wordings to the provisions of the applicable Marine Cargo Policy comprising the old form of the Institute Strikes, Riot and Civil Commission Clauses and concluded that malice means spite, ill-will or the likes. Malice was construed in *Salem's* case, 1969 1 Lloyd Rep. 293 at page 298 where Judge Mustill describes it to mean fraudulently scheme by destruction of part of the cargo when the carrying vessel was scuttled by the conspirators as part of their overall fraudulent scheming. Although in the present case, the conspirators were held not to be inspired by personal malice against the owner of the oil, they simply wished to steal the cargo, the identity of the owner being immaterial or unknown to the conspirators is a clear case of rascality at the ebb of the blue economy.

This was also displayed in *Strive Shipping Cooperation v. Hellnic Mutual War Risk Association (Bermulda) Ltd* (2002) 2 Llyod Rep. 88, where Grecia Express sank and became a total loss as a consequence of the causative intervention of persons unknown, such unknown persons had acted 'maliciously' in striving mooring ropes and taking other steps to damage the vessel, which resulted in her sinking. The follow-up question is

whether radicalism and rascality as forms of resentment can be justified? Vice-Chancellor Sir, theorizing the resentment may be a leeway for the conundrum.

Theorising Resentment

Resentment has been theoretically defined as a chronic, interiorised form of vengefulness among the weak and powerless based on envy and impotence, thereby leading to passivity and inaction (Nietzsche, 2013). This definition was adopted by Max Scheler, 1961, a follower of Nietzsche who described resentment as lasting rancour and a self-poising of the mind leading to value delusion. This view by Nietzsche, and his allies, which conveys the connotation of lasting bitterness, intimately related to the etymological origin of the term 'resentment' derives its origin from the French verb of *Ressentir*. From the perspective of non-Nietzsche, resentment constitutes a form of moral anger or righteous indignation, in reaction to injury or inequality which inspires action, including class struggle (Abts & Baute, 2022). There appear to be connections between Radicalism, Rascality and Resentment. Resentment is a motivator and can drive individuals and groups to engage in rascality or radicalism. In other words, radicalism and rascality are expressions of resentment as may have arisen from feelings of injustice, frustration, anger, social injustice and oppression.

Mr. Vice-Chancellor, by this above theory, one can conclude that radicalism, rascality and resentment are fundamentally rooted in what sociologists call *relative deprivation*, which means a feeling that one is unfairly disadvantaged compared to a relevant referent (They have the power to deny us what is rightfully ours, which means *Oro' Aje wa ni won nje, sugbon won o funwa je*), thereby triggering the goal to retaliate. That is, the desire to alter the subjectively unacceptable situation and make the wrongdoers pay for the perceived wrongdoings. radicalism, rascality and resentment have been seen in different forms like piracy, human trafficking, illegal fishing, armed robbery at sea, hijacking of ships, terrorism, to mention but a few.

Piracy at Sea

Vice-Chancellor Sir, piracy according to Article 101 of the United Nations Convention on the Law of the Sea

(UNCLOS) 1982, is any illegal act of violence or detention or any act of depredation committed for private ends by the crew or the passengers of a private ship or private aircraft on the High Sea against another ship or against persons or property on board ship. In **Abdulkadir** (2015a), I have argued that piracy cannot occur within waters subject to the full sovereignty of a state and its territorial sea. I also contended that for an act to constitute piracy, it must be for a private gain or end and that the importance of a private end is what differentiates piracy from an act of terrorism. This is because, the act of terrorism is not ordinarily coordinated for private end. This view was also taken further with the contention that by Article 101 of 1982 UNCLOS, piracy cannot occur at sea except when two ships are involved in opposition to the view expressed by Kenny that piracy is any armed violence at sea, which is not a lawful act of war. Bob Kao (2016) from the Queen Mary University of London points out that there exists a distinction between attacks at sea and closer inland. The second category is not covered by the UNCLOS definition of piracy. Instead, it relies on a separate document, the International Maritime Organisation's (IMO) Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships, for a legal definition.

Similarly, Article 15 of the High Sea Convention of 1958 defines piracy as any illegal act of violence, detention or any act of depredation, committed for private ends by the crew or the passengers of a private ship or private aircraft on the high sea against another ship or against persons or property on board ship. In line with the provision of Article 101 of the UNCLOS,1982, **Abdulkadir** (2015a) argues that both definitions offered by the 1982 UNCLOS and 1958 High Sea Convention are too narrow to decimate the challenges posed by the modern-day piracy as manifested in 1985 when Achille Lauro incident occurred. After the adoption of 1982 UNCLOS, it became obvious that its conception of piracy failed to cover many of the violent crimes committed at sea. For example, on 7th October, 1985 four (4) armed stowaways on board the Italian Cruise Liner hijacked the ship and killed one Leon Klinghoffer, an American Jew, who was on a Wheelchair and threw the body overboard.

The location of the attack in Egyptian water placed the attack outside the *rem* of the definition of piracy under the 1982 UNCLOS. The international community despite cogent various interests in prosecuting the perpetrators could not prosecute the offenders for piracy but for other offences. After this incident, the International Community through the United Nations and IMO formulated the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention) which establishes a legal basis for the prosecution of maritime violence which is not covered by the 1982 UNCLOS piracy regime. Bateman (2011), argues that the position of IMO and the International Maritime Bureau (IMB) envisaged unlawful acts against ships during passage and in port or anchorage regardless of whether ships are inside or outside the territorial waters when the incident occurs. The point here is that piracy exists as a universal crime upon which all states are obliged to take action.

Gulf of Guinea: A Pirate Haven

Vice-Chancellor Sir, although there is no universally acceptable definition of Gulf of Guinea (GoG), (Onuhoa, 2012). The region has been defined as part of Atlantic Ocean South West of Africa. The region GoG encompasses over a dozen of countries from West and Central Africa. These include, Angola, Benin, Cameroun, Central Africa Republic, Cote-divoire, Democratic Republic of Congo, Equatorial, Guinea, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Liberia, Nigeria, Republic of Congo, Sao-Tome & Principe, Senegal, Sierra-Lone and Togo. The GoG is located mostly by the intersection of latitude OO (Equator) and Longitude OO (Greenwich Meridian, Anene 2006) and its geo-strategic maritime resources are quite attractive. The resources available in the region represent 70% of Africa's oil Production and it was forecasted that western oil companies will invest about $40-60 billion in the GoG alone over the next 20 years. It merits mentioning that piracy is one of the inhibiting factors against proper exploration of the blue economy that existed in human history as far back as people navigate the ocean as a means of trade and this makes the cankerworm a threat to all maritime states (Nong, 2009).The acts of piracy continue despite various efforts to address the scourge.

Mr. Vice-Chancellor, the dimension of piracy attacks in the GoG indicates that Nigerian pirates are Nigeria based, notwithstanding Benin Republic records of higher incidents in 2011 and 2012, (Akinsola, 2013). The International Bargaining Forum (IBF) in April 2012, labeled the territorial water within 12 nautical miles, off the coast of Benin & Nigeria as a zone with "High risk Area" and this also informed the IMB information to shippers to stay clear of Nigerian waters. The frequency of maritime piracy in the GoG remains an emerging threat to exploration of blue economy and economic development in Nigeria.

Figure 3: Display of Strength by Pirates. Source: Metal AI.

According to **Abdulkadir** (2014 &2015a), as indicated in Figure 3, the threat of insecurity posed by piratical activities may develop to uncontrollable monster, therefore the need for proactive measure to tame the unruly eccentricity of the attacks. It was reported that over the last several years, pirates, armed robbery and Kidnapping for Ransom(KFR) groups were known to have operated off the Nigeria, Benin, Cameroon, Coted'ivore, Equatorial Guinea, Gabon, Ghana, Sao Tome & Principe & Togo's Coast (Moneke, 2012). These groups fired at vessels during boarding and some boarding by these groups were successful, whereby the groups kidnapped senior crew members like Masters and Chief Engineers or any Western/foreign members. The kidnapped crew members are normally taken ashore in the Niger Delta region where ransoms were demanded in exchange for the safe return of those captives. For Example, two kidnapping for ransom occurred on the 1st of January, 2024, where crew members of Tuvalu Flag Tanker were kidnapped at 46 Nautical Miles from Bioko Island, Equatorial Guinea.

Also, on the 29th May, 2024, two crew members of a general cargo ship were kidnapped, 25 Nautical Miles, South of Bioko Island, Equatorial Guinea. These have been affecting maximum exploration of the resources in this area which has in turn informed the decision by the U.S Department of State travel advisers, warning ships, transiting this area to be extremely careful and vigilant. This often results in cancellation of navigation by mariners as the area poses a high risk. The implication of piratical and kidnapping cocooned and subsequent boycott of the GoG by mariners, have no doubt constituted economic backwardness to the country. In 2008-2009, about 91 and 114 incidents were recorded in GoG, the incident of 14 cases in 2012 was said to be a reprieve when compared to 2008-2009 cases. It has been argued that the figure only represents a disguised reprieve owing to the amnesty program of the Federal Government of Nigeria during the time under consideration.

Figure 4: Kidnapped Expatriates by Pirates

In 2010, it was reported that a total of 18 attacks involving the kidnap of expatriates for ransom were recorded. It has been contended that piracy has traditionally been of subsistence character with relatively small shored-based groups marauding on sea as they approach Lagos. Subsistence piracy and fishery disputes are common occurrences along the Bakkasi/Cross River and Akwa-Ibom coast where attacks intensified merely, as a result of unsettled Bakkasi peninsular crisis and corrupt Nigerian licensing practices for fishing vessels (Abdul kader & **Abdulkadir**, 2013).

One notable incident of 2010 in the GoG was the hijack of the Product Tanker Valle Dicor-Doba on 24th December, 2010 and the actual theft of 500 tonnes of petrol by supposedly

Nigerian pirates. This is the sad testimony of Nigeria's maritime domain which has become haven for pirates. It is however surprising that despite the above narration of kidnapping for ransom and theft of oil by militants, private security companies have been engaged to provide security in the Nigerian maritime domain instead of the Nigerian Navy, who have the constitutional responsibility of securing the territorial integrity of the country. Abdul kader & **Abdulkadir** (2013) argued that privatisation of the maritime domain is against the spirit of Section 217 CFRN 1999 (As amended) which assigned the role of defending Nigeria's territorial integrity and borders against external aggression. The Nigerian Navy should rather be empowered to devise strategies to increase security surveillance, especially, concerning traditional security threat, while internal security should be the business of the Nigerian police. Abdul kader and **Abdulkadir** (2013) posed the following unresolved questions about the privatisation of maritime security:

i. Since the government has privatised port and enforcement of security in the maritime domain, what would now constitute the constitutional roles of the Nigerian Navy and the likes?
ii. In case of traditional maritime security threats from other states, what roles can a private outfit play in subverting the threat?
iii. Is a private security company capable of protecting national security, assets arising from port and maritime borders?
iv. Is it reasonable for a government to enter into a concession concerning its national security with private individual?
v. Would privatising maritime security not amount to a country compromising its sovereignty to such an individual?

It is our position that privatisation of maritime security and enforcement is not the solution to insecurity pervading the maritime domain. Abdul kader and **Abdulkadir** (2013) observed that the Nigerian government's deployment of private security companies to secure its maritime domain is a serious aberration

and slavish application of the practices in both Asia and the Western World. For example, in jurisdictions like Asia and Australia, what is obtainable is that shippers, who wish to strengthen security in the course of transiting and navigating the Sea, engage the service of private security companies in order to avert any ensuing feud and other maritime insecurity in the course of voyage. For example, when Exxon Mobil was attacked in 2011, the company was forced to close down for about 4 months. During the same period, Super Ferry 40 that lost about 100 lives to an attack, engaged companies like *Hart*, which is based in the U.S and the U.K with no permanent staff was engaged to strengthen their security in the course of voyage based on shippers' agreement simpliciter. It is important to mention that these security companies are mostly owned by ex-military personnel unlike Nigeria's situation, where these companies are under the control of ex-militants, whose antecedents range from bunkering, kidnapping of expatriates, among others.

Even at that, the practice in the Western and Arabian worlds is for shippers to engage private security to render services like tracking of their clients' ships, training of crew, provision of security personal to escort ship, investigating and recovering of missing or hijacked ships, negotiating with attackers in the case of kidnapping and hostage of crew members, among others. Despite this arrangement in the Western and Arabian worlds, the spirit of radicalism and rascality are not in any way suppressed. For example, the Arabian Peninsula and Somalia sourced piracy, off the *Horn of Africa* and the *Gulf of Aden* remained problematic, regardless of the unprecedented presence of the Navy(how much more private security companies). Out of 439 attacks that occurred at the High Sea in 2011 alone, 236 happened in the Africa vicinity, which represents 53%, the world over (IBM, 2011). The incidents accounted for economic loss to shippers amounting to $159.62 million paid as ransom to secure the release of 31 ships hijacked by attackers (hijacked vessels including; Irene-Xl and Sambo Dream). This was apart from the $12 Million that was paid for the release of MV-Zirkv that was held for 73 days. Abdul kader and **Abdulkadir** (2013) have maintained that the arrangement of

concessioning maritime security surveillance to private security companies is a dangerous phenomenon and a depiction of a weak state and weak regime.

Maritime Terrorism

Vice-Chancellor Sir, maritime terrorism is another form of radicalism and rascality militating against maximum exploration of the marine and blue economy in the world. In as much as the *1923 International Regime of Maritime Ports* allows the right of access of foreign flagged vessels to port states, especially foreign vessels that meet the requirement or conditions stated by the port state, the activities of terrorists in maritime domain have not given room for utilization of the opportunities embedded in blue economy (**Abdulkadir** & Arikewuyo, 2020a; **Abdulkadir**, 2014).Maritime terrorism refers to acts of violence, sabotage or intimidation committed at sea or against maritime targets with the intention of creating fear, disrupting global orderliness or achieving political or ideological goals. The IMO in an attempt to address and prevent the action of terrorists came up with the *Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988*known as the SUA Convention. In the same vein, the Nigeria government in an attempt to adopt the above provisions of the SUA Convention in line with the power granted under section 12 (I) of the CFRN 1999 (As Altered) and the court decision in *General Sanni Abacha v. Chief Gani Fawehinmin* (2000) 6 NWLR (Pt.672) 228, promulgated *Terrorism Prevention and Prohibiting Act, 2022.*

By the provisions of sections 2(3)(iv) and 37 of this Act, an act of terrorism in relation to the destruction of a ship, port facilities, fixed platform located at continental shelf, seizure of the ship, stowaways in container, diversion of a ship for an act of terrorism are prohibited. It may also take the form of an Asymmetric maritime dimension posed by radical non-state actors (Nirmala, 2012). Asymmetric security, especially by way of containerization has been identified as the most pervasive challenge to international economic development. A distinct development in international security with respect to the post-Cold war era is the problem and phenomenal rise of asymmetric

threats. **Abdulkadir** (2014) argued that with the development towards globalization and increasing interconnection between states, it was obvious that this kind of threat goes beyond the state system. This is because, the threats or activities have exposed innocent citizens to series of attacks onshore and off shore. In an attempt to accomplish their mission, terrorists import arms through containers that pass-through ports with or no inspection (Nirmala, 2012). This little or no inspection at ports thrives because of a lack of coordination among maritime agencies. It has been said that extremism is not a new phenomenon and the goals of extremists range from drawing attention to themselves or showing grievances.

Figure 5: Example of Ocean-going ship with containers. Source: Maersk Line.

Afghan Gun-Running Culture and Nigeria Woes

Vice-Chancellor Sir, it is on record that a radical shift in the character of extremists happened during the time of Soviet military involvement in Afghanistan between 1979-1989, where the acts were of serious magnitude, largely because it was premised on religion. What was responsible for the Afghan gunning running was the fight against godless communists, which generated religious acrimony and a strong Afghan resistance. In fact, it has been stated that the gun running culture that bedeviled the region and beyond, is a product of this development. It has been argued that the gun running culture of Afghan region found its way to Nigeria, where these asymmetric threats have been seen in different explosive devices, banditry, terrorism, kidnapping for ransom etc. which have become the order of the day and there appears no reprieve in sight (**Abdulkadir**, 2014). This challenge has turned out to be a trans-boundary concern, (**Abdulkadir**, 2015b).

Fight against Trans-National Crimes

Trans-national crimes are crimes that involve more than one country or jurisdiction and it often has significant effects on global stability, security and economy. Trans-national crimes require a coordinated response from law enforcement agencies, government and international organisations to investigate. Maritime Domain or international waters of which Nigeria's waters is one, has been found asserted to be a conduit through which trans-national crimes are being committed. Starr (2014) argues that Nigerian waters have become the least safe in the world. A significant proportion of Nigeria's economy and wealth are buried in her blue ocean and within her territorial waters, indicating that maritime security has a direct bearing on Nigeria's ability to secure its national assets, which is a vital interest for the country. The quality of Nigeria's maritime security capability also has serious implications for fighting trans-national crimes. The limited capacity of the Nigerian Ports Authority (NPA) to maintain security at the Nigerian ports, and what comes in and out of them, further compound the problems. A vivid example of the possibility of trans-national extremism in Nigeria was the case of an Iranian by name Azim Agahajani and a Nigerian Ali Jega, who claimed to be importing wool, glass and pellets of stones in their Bill of Lading, but were caught importing a consignment of 13x20ftContainer Lading with ammunition like bombs, rockets and Granites (**Abdulkadir,** 2014). The propensity of Nigerians to waters is shown in the below figure:

Figure 6: Proximity of Dwellers to Water in Nigeria (Nigerian Port Hinterland Connectivity, 2025)

Vice-Chancellor Sir, as shown in Figure 6 above, the proximity of residential areas to the maritime domain is worrisome due to potential dangers and risks involved. The main provision of the *Terrorism (Prevention and Prohibition) Act 2022*, which imposes a duty on the master of the ship to report information concerning passengers on board or about to board regarding the act of terrorism in the maritime domain cannot be tamed by the density or propensity nature of people's abode to maritime areas in Nigeria. Lack of perimeter fence around the maritime domain compromises the security of the areas.

Deleterious Destruction of Marine Mammals: Hopelessness for Present and Future Generations

Vice-Chancellor Sir, it is clear that pollution of the marine environment has contributed to the deleterious environmental pollution of the blue economy. It is astonishing how the international legal regimes coupled with scientific uncertainty and how in fact, it accommodates the objective of protecting marine pollution and promoting economic buoyancy of the sea. The attempt to address the radicalism and rascality of pollution of marine environment, which are considered multi-faceted, began in Stockholm in 1972 and this was followed by the conference held in *Rio De Janeiro,* in 1992.

Vice-Chancellor Sir, the solemn question to ask ourselves, is whether our dispositions suggest protecting or improving on our marine environment in terms of our attitude, wanton discharge of oil, toxic substances etc., to sustain our marine environment for present and future generations? It may be stated that since the discovery of oil in the 50s, Nigeria as a country has suffered the negative environmental consequences of oil development. **Abdulkadir** and Arikewuyo-Ajumobi (2017) argue that the growth of the country's oil industry coupled with population exploration and inadequate environmental enforcement regulations, especially in the Niger Delta region is one of the indices responsible for the environmental woes of the country. The harmful effects of the Oil Spill on the marine environment are alarming. Oil Spill in the Niger-Delta had been a regular occurrence and the resultant effect has caused significant tension between the people living in the region and the multi-national oil companies operating in the areas. This oil

spill has the potential to travel a long distance to destroy marine mammals. An example of this is the Ido Oil spill which traveled from Akwa-Ibom to Lagos State dispatching oil through the coastal states up to the Lagos coastal area. The effect of this oil spill was felt in the coastal areas of Cross Rivers, Akwa-Ibom, Rivers, Bayelsa, Delta, Ondo and Lagos State.

Rascal Discharge at Sea

Mr. Vice-Chancellor, oil and oily residual discharge from vessels represent a significant threat to the marine ecosystem. In other words, this type of pollution is a deliberate washing of tanks by vessels into the marine, thus affecting the marine mammals and marine living resources. *The International Convention for the Prevention of Pollution, known as MARPOL 1973 and its Protocol of 1978,* was proclaimed to regulate operational discharges from ships. In order to carry out the intent and purpose of this Convention, Ireland and Australia have designated certain areas known as *Special Area* to discharge oil at sea. **Abdulkadir** and Arikewuyo-Ajumobi (2017) state that Nigeria needs to borrow a cue from Ireland and Australia and designate a special area within the Nigeria maritime domain for the purpose of discharging oil.

Deliberate and Radical Recycling of Ship

Vice-Chancellor Sir, it is saying the obvious that some shipshave been manufactured for more than four decades and most of those ships have broken up many times, because they have reached the end of their economic life. However, in a most dramatic manner, Nigerians have witnessed reconstruction of one-time wrecked vessel in the country. This recycling process has been said to have adverse effects on the marine environment. For example, in May 2006, North Sea ministers have agreed that since coming into force of *Bergen Declaration, 2002,* for the protection of the sea, efforts are in top gear to address the environmental and socio- economic issues concerning ship recycling within the IMO, ILO and the Basel Convention.

Rascality in the Importation of Toxic Waste

The trans-movement of hazardous waste like toxic waste posed a significant security and health risk to our community.

The practice of importing toxic waste is considered as a form of environmental pollution that is capable of causing devastating consequences on local eco-system. The *Basel Convention 1989* which came into force in 1992 regulates trans-boundary movement of toxic waste. The Convention aims to prevent the transfer of hazardous waste from developed countries to developing ones particularly where regulations concerning the importation of toxic waste are weak. This trans-boundary movement is often carried out with impunity or no authorization from the developing countries. This practice is a serious violation of International Law and it is considered as a security threat to the developing nations. Vice-Chancellor Sir, radicalism in the context of wanton movement of hazardous waste is an extreme disregard for the well-being of developing nations by the developed ones. Hence, despite international regulations as seen in *Basel Convention*, enforcement in this regard appears toothless. Instances are obvious where developed nations have imported toxic wastes that are injurious for human consumption to developing nations.

MV Marevia Carriage of Electronic and Toxic Waste to Nigeria

Vice-Chancellor Sir, on the 5th of January 2013, a merchant vessel known as MV Marevia sailed through the sea from the U.K. to the Nigeria maritime domain, specifically at Tin-Can Port, Lagos to unload e-waste consisting of old and outdated electronic gadgets and materials such as refrigerators containing greenhouses gases, which are considered dangerous to human health.

Figure 8: MV Marevia Carriage of Toxic Waste to Nigeria in 2013 (Vanguard, January 15, 2013)

The question that comes to mind is whether the NPA, NIMASA, NESREA and other relevant agencies gave any clearance to MV Marevia before such importation. This is because the carriage of dangerous goods to a port state like Nigeria requires disclosure and clearance before such importation. Vice-Chancellor Sir, in the case of MV Marevia carriage of toxic waste to Nigeria, there was no evidence of disclosure and information to government agencies saddled with such responsibilities. However, Vice-Chancellor sir, it may interest you to note that MV Marevia was eventually penalized in the sum of $1Million by the Nigerian Government. This penalty howsoever gratifying, is not in accordance with the extant provision of the law (**Abdulkadir**, 2015b; **Abdulkadir** & Abdulraheem, 2020).

Mr. Vice-Chancellor, in order to appreciate or determine the legality or otherwise of the penalty imposed on MV Marevia, reference to the legal framework on the importation of dangerous or harmful substances into Nigeria is pertinent. By Section 45 (1) (a) of NIMASA Act, Cap, 161 LFN 2004, the Act prohibits the importation of harmful substances except in accordance with the provision of the Act. By the NIMASA Act, all ships to which the Act applies are prohibited from carrying harmful substances in package form except:

i. there is a special list stating the harmful substances on board and their location;
ii. there is a detail storage plan enumerating the location of all the harmful substances on board ship and
iii. the copies of the documents referred in (1) and (2) above are, retained by the ship owner or his representative onshore until the harmful substances are unloaded on the ship.

Based on the above provisions of the law, it is apparent that the importation of dangerous or harmful substances is not totally prohibited only that ship owners are under obligation to fulfill the requirements of section 45(5) of NIMASA Act. A closer look at the provisions of NIMASA Act and other ancillary enactments reveal that there is nowhere in the law where the penalty of $1 Million is stated. **Abdulkadir** (2015b) noted that

the penalty for the breach of the provision of the law concerning ship owners who carry harmful substance without the requisite manifest is One Million Naira (₦1,000,000) only in addition to the forfeitures of the substances imported. Vice-Chancellor Sir, One Million Naira which is about $645.16 now or $6,339 as of the time the research was carried out, is not synonymous with $1 Million which is in the region of ₦1.5 billion now as against ₦157 Million in 2014 when $1 to Naira was about ₦150 Naira. I must point out that I am not averse to the imposition of a fine or in any way supporting the activities of MV Marevia, however there is a need to abide by sacrosanct provisions of the law and if the government is willing to increase the penalty of a given offence, the proper thing to do is to amend the law. The sum of 1Million Naira that is stated under the law is a maximum fine and it can only be imposed on the ship owner upon conviction. A conviction envisaged by law was stated by the Supreme Court of Nigeria in the cases *State v. Alagbe (2003) 1 NWLR (Pt.801) 1* and *Ogunbayo v. State (2007) LLSR-SC,* has a verdict by a court of competent jurisdiction based on criminal prosecution by which the question of guilt is determined by a court where the accused has been adjudged guilt and accordingly sentenced. Section 58(1) of NIMASA ACT provides as follow:

> *A person who falls to comply with any provision of this law or any regulation made under this Act, commits an offence and unless another penalty is established for such offence in this Act is in addition to the forfeiture of any article sized is liable upon conviction to a fine not exceeding one million Naira or imprisonment.*

Abdulkadir (2015b) contends that this development is a serious aberration and counter-productive as it tends to hinder commerce and the development of the blue economy. If the government is of the view that the sum imposed by law is paltry, it is better to amend the law rather than violate the extant provision of the law.

Masquasar Incident of 1989

Mr. Vice-Chancellor, the Masquasar incident of 1989 was another display of radicalism and rascality in maritime realm, which indeed affects the development of the marine and

blue economy. In this incident, Masquasar loaded 257, 700 tonnes of Chemicals, 700,000 tonnes of highly toxic Acry Lonitrile and various amounts of Styrene and Caustic Soda which exploded in the process and the menthol burnt and killed all 23 crew members.

Mont Blanc Incident of 1917

Mr. Vice-Chancellor, this incident occurred in Halifas, Canada in 1917 and caused 3,000 deaths, 9,000 persons sustained various degrees of injuries and about 6,000 homes were destroyed as a result of overloading of more than 2,600 tonnes of explosives at the height of World War I. The above are tips of the iceberg of the devastating consequences of importation of toxic and harmful substances. However, this is not to say that hazardous substances have no value to economy, all that is required is that transportation of explosive and causatives chemicals must be done in accordance with the special regulation and procedure stated under the law as narrated above (Kosemani & **Abdulkadir,** 2020).The display of radicalism and rascality in the movement of harmful substances in the name of making more money by shippers can be costly to the development of the blue economy, (**Abdulkadir**, 2015b). Therefore, the need by shippers to identify dangerous goods and classify them in the cause of voyage is imperative for the sustenance of the blue economy.

In *Islamic Investment S.A v. Transorient Shipping Ltd (1999) 1 Lloyd Rep 1*, a cargo of bagged fishmeal in the course of carriage became hot and eventually damaged the cargo. This incident was also responsible for the delay in the discharge of the fishmeal. By the provision of Clause 27 of the Charter Party Agreement, fishmeal based on the IMO rules must be shipped under deck, loaded and stowed. It was argued in this case that carriage of dangerous cargo by vessel is being regulated in order to avert injury to passengers and ships. Hence, the provision is silent on potential damages to other goods contained in the same ship. It needs to be emphasized, that as of the time this proceeding came up, the International Maritime Dangerous Goods (IMDG) Code of 1992 had stated that transport by sea of dangerous goods is regulated in order to reasonably prevent injury to persons or damage to the ship. For this reason, it was

maintained that there is nothing suggestive of risk of damage to others goods.

The court accordingly held that the commutative effect of Clause 27 is to ensure compliance with the regulation as a contractual undertaking and indeed not necessarily restricted to the reason why regulations were adopted by the IMO. **Abdulkadir** (2015b) advocates that the obligations of maintaining ship safety and environmental protection by flag states are essential in the climate of the increased maritime domain and indeed a greater environmental awareness. The importance of rigorous assessment services by flag states is essential to avert littering the maritime domain and nations generally with harmful substances. The introduction of a bio-system by U.S for vessel that consistently violates international regulation is apt to ensure the ideal of IMO Regulation. Three (3) ships were banned in 2010 by the U.S Coast Guard on account of maritime violence.

Display of Radicalism and Rascality in Illegal Fishery at Sea

Vice-Chancellor Sir, there have been displays of radicalism and rascality in the mode of harvesting various spices of fish in the maritime domain. The fish harvesting has been taken to the extreme and in fact reckless behaviours exhibited by individuals and groups involved in the illegal, unreported and unregulated fishing are magnitude. The illegal, unreported and unregulated (IUU) fishing is a significant threat to the global fishery and the livelihood of the community whose means of sustenance are dependent largely on fishing. The display of radicalism and rascality manifests itself through fishing without permission, ignoring catch limits and concealing or misreporting catches despite the provision of UNCLOS limiting control and extraction to coastal states, (Ismail, Imam-Tamim & **Abdulkadir**, 2010). Radicalism and rascality also manifest itself through the following:

1. Violence and Intimidation- These practices are often adopted by perpetrators in an attempt to evade arrest or silence the whistleblower.
2. Disregard for Regulation- This is often adopted by IUU perpetrators in order to circumvent the regulation concerning catch limits or closed areas.

3. Environmental Damages- IUU perpetrators engage in environmental degradation which in turn affects other blue economic gain.
4. Human Rights Abuses-IUU perpetrators engage in human rights abuses which include human trafficking and exploitation of vulnerable communities (**Abdulkadir**, Ismail & Imam-Tamim, 2010).
5. Vessel Hijacking- IUU perpetrators often hijack vessels in the course of this illegal business and use the same to perpetrate illegal fishing, (Abdulkadir & **Abdulkadir,** 2019).

Vice-Chancellor Sir, what is worrisome in all the instances identified above as found in our research, is the practice of "looking the other way" and corruption on the part of personnel who are to enforce the provisions of the law regarding unethical and illegal exploitation of the marine and blue economic. **Abdulkadir** (2015a) observes that Marine Police and Naval personnel have been identified as culprits and complicit in piratical activities and illegal fishing as they receive money and give classified information to pirates. It was reported that the Nigerian Navy mandated vessel owners to deposit 20-30 bags containing fish to the Navy, mostly on daily basis (Prama & Pitcher, 2012). The corruption indices of Navy have resulted in significant disadvantage and economic loss to the fishing business of vessel owners.

Display of Radicalism and rascality in Human Trafficking and Slavery at Sea

Vice-Chancellor Sir, in the context of modern-day maritime threat in the ebb of marine and blue economy, the display of illegal movement of people as well as smuggling of immigrants and trafficking of humans by way of coercion or deception are serious factors to the maximum exploration and exploitation of potentials of the marine environment. Organised crime like forced labour is also a form of radicalism displayed on water. By the provision of section 13 of *Trafficking in Persons (Prohibition) Enforcement and Administration Act* 2015:

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13 (1) All acts of human trafficking are prohibited in Nigeria:

(2) Any person who recruits, transports, transfers, harbours or receives another person by means of:

(a) Threat or use of force or other forms of coercion;

(b) Abduction, fraud, deception, abuse of power or position of vulnerability or

(c) Giving or receiving of payments or benefits to achieve the consent of a person having control of another person, for the purpose of exploitation of that person, commits an offence and is liable on conviction to imprisonment for a term of not less than 2 years and a fine of not less than ₦250,000.00

It is important to mention that slavery through the sea is another form of rascality at sea. Slavery or sea- based slavery refers to the exploitation and force labour of individual on vessels at sea. An act of isolation and confinement of a person on vessel at sea is a form of slavery. There are international conventions that aim to suppress slave trade; prominent among these conventions are; *the 1926 Convention to Suppress the Slave Trade and Slavery, the 1956 Convention on the Abolition of Slavery*, etc.

Vice-Chancellor Sir, it may interest you to note that as of 31st December 2002, 199 states were parties to the 1956 Convention, however, neither the 1926 or 1956 conventions confer any specific right of enforcement against non-national vessels on the High Sea. It is against this backdrop that

Abdulkadir (2023) argues that prescriptive jurisdiction is constrained by factors such as the location of the offence, whether within or outside the territory and the nationality of the individual involved.

Rattling Radicalism, Rascality and Resentment with Raw Power

Vice-Chancellor Sir, the issue of addressing **Radicalism, Rascality and Resentment in the Ebb of Marine and Blue Economy**, which has been admitted to be a crusade against terror is a general responsibility of committees of nations. By implication, all states of the world are expected, through a concerted effort to reach a compromise to address the problem. The crusade against terror is not the sole responsibility of the U.S. Admittedly, the crusade of fighting terror is not for numb States, the broader international community to rise to the need for international rule of law as well as the utility of international law as central pillars of the international community. In this wise, the disposition of the United States through their various regimes in an attempt to fight terror and other acts of terrorism by introducing a new principle of international law which permits *preemptive strike* by a given nation against another, borne out of its own volition to say the least, represents a quantum and indeed a highly dangerous innovation which may spell a doom for the entire international community. The question to ask is, whether the principle being adopted by the US (as one of the Galactic empire according to the anonymous referred in the earlier part of this lecture) ever won any war and attained any peace in the world history?

It is my contention sir that preemptive strike approach will bring about militarization of crimes in the long run this is because this strategy will result in a *"might is right scenario"*. This situation was demonstrated in Afghanistan where President George Bush Jr. declared a war on terrorism. The first stage of this war was a full-scale military operation in Afghanistan. This operation destroyed the Taliban and Al-Qaeda as fighting forces and replaced the Taliban regime with an internationally approved transition government. As expected of a nation unilaterally holding itself out as a sole enterprise of the crusade of terror, the US fell into the same trap that ensnared those who allegedly

committed the crime. It is our contention Mr. Vice-Chancellor sir, that the use of massive military force however so selectively and carefully carried out may be counterproductive and this is why Professor Christopher Blackesle cautions that care must be taken to ensure that international and domestic action is akin to obtain justice and prosecute perpetrators, should not descend to simple vengeance. It is important to mention that where the sole crusader against terror in deviance to the international rule of engagement mercilessly destroys an entity, the tendency is that the causality toll will rise and we are all lost, yet it may be a war without end.

The idea of enforcement action in the maritime domain without authorization of the United Nations Security Council threatens the core of the international security architecture. Maritime is intrinsically linked to global peace as the security in this maritime domain influences the economic stability of the states that rely on water. In other words, security threats in marine areas have significant repercussions for states that depend on maritime trade for economic sustenance. Therefore, states exercise of power in the maritime domain is determined by several factors to wit; territorial jurisdiction, exclusive economic zone, contiguous zone, high sea etc. We also have prescriptive jurisdiction, adjudicatory jurisdiction and enforcement jurisdiction. Mr. Vice-Chancellor Sir, I must acknowledge that a state prescriptive jurisdiction is constrained by the location of the offence, whether within or outside its territory. It has been observed by **Abdulkadir** (2023) and indeed in contradistinction to the exclusive jurisdiction granted to the flag state on the high sea under Article 92 of the UNCLOS that the US in an attempt to take the entire sea including the High Seas as its enterprise (this acclaimed crusader against maritime terror) have been exercising jurisdiction outside its territory against the international law, custom, norms or agreements on the pretext of passive personality or nationality jurisdiction. By nationality principle states may exercise jurisdiction to try offenders based on the nationality of either the perpetrator or the victim of an offence.

Mr. Vice-Chancellor, the above was demonstrated in *US v. Roberts (Supp 2d 601, (E.D.LA.1998),* where a crew member was charged with engaging in a sexual act with a minor while off

the coast of Mexico. The victim was an American citizen and the accused who was to be tried in the U.S challenged the jurisdiction of the U.S court having regard to the provision of Article 92 of the 1982 UNCLOS which granted the flag state the jurisdictional competence to determine offences committed on board on the High Seas. It is amazing that despite the extant provision of the UNCLOS, some countries like the U.S, Australia, France, etc. promulgated national laws like the Special and Territorial Jurisdiction Act 2023, Australian Criminal Code Act 1995, France Penal Code 2005 etc. to negate the provision of Article 92 which empowers the flag state to exercise exclusive jurisdiction for the offences committed on the High Sea. Therefore, the exercise of jurisdiction by the U.S in *Robert's case* to the effect that the victim was a U.S citizen and that the ship involved had U.S port as the port of embarkation and disembarkations to confer jurisdiction on the U.S court, even though the offence was committed Off the coast of Mexico is to say the least, a serious aberration that projects U.S citizen as more important than other nationals (Aparo kankogaju Aparo kan lo, a fi eyitioba gun oriebe)which literally means: No quail is taller than another quail except for the one that ascends a ridge).

This also runs contrary to the intent and affirmation of the comity of Nations as contained in the 1982 UNCLOS, hence, the Special Maritime and Territorial Jurisdiction of the U.S 1948, now section 7 of the Special and Territorial Jurisdiction 2023 are of no moment and step back on maritime security. The principle of passive personality or nationality, which culminated in the promulgation of section 7 of the Special and Territorial Jurisdiction Act, 2023, Australian Criminal Code Act 1995, France Penal Code 2005 also opposed to *principle of fair hearing as encapsulated in audi alterem partem*, (You cannot be a judge in your own cause) (*Julius Berger Nig. Plc v. A.P.I Ltd (2022) 11 NWLR Pt.1842, at 201* and *Adewunmi v. Nigerian Eagle Flower Mills (2014), 14 NWLR, Pt. 1428 at 443*), **Abdulkadir** (2024)or at best *forum shopping* to suit the interest of the US. Apart from the fact that it gives room for multiple countries to lay claim to jurisdiction, it would take a camel to pass through a needle before an accused can get justice in such a situation.

Deleterious Display of Radicalism, Rascality Resentment: National Security Implications

The problem of radicalism and rascality in the form of piracy, slave trade, kidnapping, illicit trafficking, illegal fishing etc have their primes in the Niger-Delta of the country. This is because, some dwellers of Niger Delta region have lost their means of livelihood as a result of the activities of exploration of multi-national companies which have contaminated their waters which is a major economic sustainability of the people of the area (**Abdulkadir**, 2015a).Bad governance onshore is patent and this has actually affected effective and efficient enforcement paradigm against the multi-national companies that are degrading the environment on the ground of oil spillage. However, one of the factors affecting proper implementation of the law is corruption (Ali, 2012), therefore, those who have lost their means of sustenance can be conveniently linked or lured into terrorist organizations, thereby posing a significant threat to national security. This has also been argued to be a potential proliferation for small arms and light weapon, there by exuberating the existing security challenges **Abdulkadir** (2015a).

Vice Chancellor Sir, it was reported (Punch, October 26, 2012) that on the 1st of March, 2008 alone, over 50 cases of attacks on fishery trawlers resulted in 10 deaths were recorded. Also, out of 30 deaths recorded in the first half of 2009, about 50%occurred in the Nigerian maritime domain. This apart from environmental implications and devastating consequences on marine eco-system and biodiversity, especially when humans fail to observe the concept of *Amanah* in relation to marine living resources (**Abdulkadir**, 2014d; Ijaiya, **Abdulkadir** & Arikewuyo-Ajumobi, 2014e; **Abdulkadir** & Abdulraheem, 2018). Additionally, radicalism and rascality have the potential of undermining diplomatic relations and violations of human rights as unrest in maritime domain have the capability of triggering intervention of foreign military forces and private security companies. For example, the unrest in Somalia created additional problems with the emergence of foreign Naval and private security companies as fishermen's rights were being violated on the pretext that they were pirates.

Reformation in the Ebb of Marine and Blue Economy

Vice-Chancellor Sir, the reformation required to address the spate of radicalism and rascality in maritime *rem* are multi-faceted, thereby requiring a multi-dimensional approach. Some of the reformations needed to withstand the challenges of maritime security are institutional based. By the same token, the challenges which radicalism and rascality in the ebb of marine and blue economy require is legislative reforms, while economic and socio-reformation are the harbinger required to tame the spate of insecurity.

I shall take this reformation in *seriatim*:

Institutional Reform

To surmount the challenges of trans-boundary harms, radicalism and rascality in the maritime domain, there is an urgent need to re-strategize and beef up enforcement strategies. For example, in the course of my journey into the research world, I have found that the NIMASA, established by the provision of section 1(1) of NIMASA Act Cap. 161, LFN 2004, is empowered to examine and seize any substance, goods, vessels etc that are considered harmful to the Nigeria maritime domain. It is however worrisome to find that this Agency lacks the power to execute some of its functions. For example, **Abdulkadir** (2016) found that the power of detention of a ship granted under section 40 of NIMASA Act is ambiguous as NIMASA lacks facilities to keep and maintain seized ship on one hand and prosecutorial power to institute criminal action against the owner of ship on the other hand. **Abdulkadir** (2016) suggested that instead of NIMASA seeking the *fiat* of the Attorney of Federation to prosecute offending vessels, officers in the chambers of the AGF may be stationed with NIMASA to prosecute the offenders.

The machinery that is being used to keep and maintain the seized ship by NIMASA is the Nigerian Navy. It has been reported that the maintenance of seized ships imposed a serious financial burden on the Nigerian Navy (**Abdulkadir** & Lawal, 2023b). This is due to the expensive resources required to keep them in the utmost conditions. This in addition to delays in court proceedings which may bring about the destruction of sized ships. **Abdulkadir** and Lawal (2023b) posited that for the

operational effectiveness of seized ships, it is proper that alternative condition should be considered instead of mainly keeping the ship while the proceeding against it is pending. Some of the vessels seized are either sunk in Nigerian waters or sustained serious damages due to lack of maintenance. From the data collected, (**Abdulkadir** & Lawal (2023b) observed that over 30 seized ships are currently located in Port Harcourt, 10 in Warri Port and 30 in Bayesla State as of the time this research was carried out. This generally affects the productive and business capacity of seized ships. It was suggested that the U.S practice of designated court allowing ship owners to post a bond or order appropriate security to mitigate the adverse effect on commercial activities of the seized ship, once the bond is accepted the ship will be returned to the owner while the legal proceeding continues and if perchance the judgment is entered against the ship, the insurer who posed the security will be responsible for satisfying the debt. This will no doubt minimize the loss and damages of the seized ship owners (**Abdukadir** & Lawal, 2023b).

Legislative Reforms

Vice-Chancellor Sir, there is a need to make some radical overhauling of our legal landscape affecting maritime business. Some of these legal frameworks are due for amendment as shippers or investors have taken advantage of some lacunae in the legal framework. For example, the question of what constitutes a vessel under sections 2 and 22 (5) (m) of the Cabotage Act 2003, for the purpose of payment of 2% surcharge by vessel is that:

> *vessel includes any description of vessel, ship, boat, hovercraft or craft including air cruise vehicles, dynamically supported craft designed or used or capable of being used solely or partially for marine navigations and use for the carriage on, through or under water of persons or property without regard to method or lack of propulsion.*

On the other hand, section 22 (5) (m) defines vessel to mean, *any other craft or vessel use for carriage on through or under water of person, property or any substance whatsoever.*

It is crystal from the above that any object that is capable of propulsion on water is under the category of vessel for the purpose of payment of 2% surcharge envisaged under the Cabotage Act, 2003. However, in *Transocean Support Service Nig Ltd & Others V. NIMASA & Anor. (Appeal No: CA/L/503/2016)*, the question of whether oil drilling rigs could be regarded as a vessel for the purpose of paying 2% surcharge was raised before the court. The Appellant Counsel took advantage of the provision of sections 2 and 22 (5) (m) of the Cabotage Act 2003 and contended that the sections did not mention oil rigs to be vessels. Therefore, oil rigs operating within the coastal area of Nigeria will not pay the 2% surcharge envisaged under the said sections. The Court of Appeal while delivering its judgment on 24th June, 2019, held that the drilling rig does not fall within the definition of vessel under the Cabotage Act, 2003 and that any attempt by NIMASA to make subsidiary legislation to expand the provision of the law was ultra vires and improper.

Mr. Vice-Chancellor, many shippers and oil rig owners through display of rascality have taken advantage of this lacuna in the Cabotage Act to avoid or run away from payment of revenue due to the country and this is contrary to the universal practice whereby oil rigs have been considered to be vessels. In the U.S for example and specifically in *Re-Sedco Inc. 543f Supp 561 (S.D. TES 1982)*, there was a question of whether rig was a vessel to invoke the Limitation of Liability Act. The court held that semi-submersible oil rigs have been long held to be vessels, therefore vessels used on lakes, rivers or inland navigation including carnal boats, barges, lighters, etc are vessels. Also, in *Offshore Company v. Robinson* 266, F.2D 769, 779 (5th Circuit 1959), the court held that vessels include every description of watercraft or other artificial contrivances used or capable of being used as a means of transportation on water. In the circumstance, the decision of the court in *Transocean & Others* which is in the same pedestal with *Sea Drill Mobile Unit Nig Ltd v. The Honourable, Minister & Others, CA/L/CV/1049/219, Noble Drilling Nig Ltd V. NIMASA & ANOR SC400/2014*, still pending before the Supreme Court should be decided to meaning that an oil drilling machine was certainly built with the intent that it will be used in navigation for conducting oil drilling on

water, offshore suppliers' services within the Nigerian waters which pre-supposes vessel. By the International Maritime Law, it is my contention that an oil rig is deemed a vessel upon the following characteristics:

i. **Non-permanent Attachment to the Shore or Seabed**: Where an oil drilling rig is not permanently attached to the shore or seabed and can traverse, it is regarded as a vessel which must pay a surcharge. There is no evidence either in fact or before the court in the case under consideration that the oil drilling rig was permanently attached to the shore or seabed to exonerate it from the payment of a surcharge.

ii. **Peril of Sea**: An oil drilling rig that could be subject to peril of the sea, is a vessel. There is nothing to suggest that an oil drilling rig in the circumstances of the above cases cannot be a subject of the peril of the sea. Perils of the sea are the risks or hazards that are connected with maritime transportation. These risks may include collisions, storms, piracy, terrorism, weather or other unforeseen events capable of causing loss during transit. The question in the above cases is, whether oil drilling rig in the above cases cannot fall into any of these categories, if the answer is negative, then the oil drilling rig is a vessel for the purpose of paying 2% surcharge.

iii. **Oil Drilling Rigs Designed to Navigate**: In the above cases, oil drilling rigs were designed to navigate or voyage to the sea to perform a fixed object and thereafter traverse back after the conclusion of the fixed exercise. It is therefore a vessel under section 2 of the Cabotage Act, 2003 for the purpose of paying surcharge.

iv. **Oil Drilling Rigs are Mobile:** Another internationally recognised attribute of a vessel is that it must be built to be mobile. The oil rigs in the above cases were characterized with the element of mobility, hence a vessel was liable to pay the surcharge.

Figure 9: Oil Drilling Rig at Sea Source: Meta AI

Mr. Vice-Chancellor, it is crystal from the above that an oil rig can be conveniently regarded as a vessel and where this appears incongruous to shippers which in turn would mean shortchanging of funds due to Government coffer, the Federal Government can through executive bill, howsoever amend the provision of Coastal and Inland Shipping (Cabotage Act, 2003) to reflect oil drilling rigs and other ancillaries as vessels). This will no doubt remove the country from the deliberate avoidance and loss of millions of dollars payable by shippers or multinationals in the name of oil drilling rigs not being included in the definition of vessel under the Act.

Social and Economic Reformation

Mr. Vice-Chancellor, to prevent or reduce radicalism, rascality and resentment in the exploration of marine and blue economy, the following economic and social reforms are required:

i. **Job Creation and Skill Development**: There is a need for the government to invest in education, training and job creation that will be useful for the exploitation and exploration of the marine and blue economy.

ii. **Infrastructural Development**: There is a need for the government to upgrade our ports, jetties and other facilities that can support the growth of marine and blue economic activities.

iii. **Protection of Cultural Heritage**: There is a need for the government to preserve and promote the cultural heritage of coastal communities including their traditional fishing practices and customs so that it will not be eroded by international trawlers who are more

sophisticated in fishing catches than the traditional method.

iv. **Conflict Resolution Mechanism**: There is a need for the government to establish and adopt mechanisms that are acceptable and practicable to members of the coastal community in resolving grievances relating to the marine and blue economy (**Abdulkadir,** Abdulraheem & Arikewuyo-Ajumobi, 2024).

Challenges and Negative Influences on the Institutionalisation of New Norms

The GoG states face certain systemic hurdles inhibiting compliance with some frameworks. Some are discussed in the following paragraphs, though the list is not exhaustive.

Trust Building through Cooperation

As scholars of International Relations from the Neoliberal school of thought, Alan Laifer, 2024, agrees with remarks that, trust-building through cooperation is an important component in creating multinational regimes and rules. According to a 2015 Royal Danish Defence College report on maritime security in the GoG, high levels of distrust and, in some cases, territorial disputes are present among neighbouring countries in the GoG. If endemic to local political systems, one can observe how these factors are antithetical to sustained regional cooperation and institution-building. As articulated by various scholars, the overall rate of trust in institutions is generally low in sub-Saharan Africa. This trend is prevalent among the young, urban and educated populations, but it is especially apparent in localised ethnic communities which perceive unfair treatment by national governments.

Taking this argument further and seeing that the states of sub-Saharan Africa and the GoG are virtually exclusively multi-ethnic societies, the trust levels are bound to be geographically specific. The Niger Delta harbours a prominent case of such ethnic group, the Ijaw, which tends to interpret their minority status as a tool of political control by the majority ethnic groups. This feeds a vicious cycle of lower access to essential social services, though the problem is being addressed by state governments in Nigeria through ongoing infrastructure projects. Likewise, it fosters a proclivity for engaging in unreported

employment, thus depriving the federal government of funds, which could be directed towards diminishing the problem.

Single Window Platform

Single window platform is another reformation that is required for proper exploration of marine and blue economy. The wealth beneath the ocean floor cannot be attained where rascality is at play among the major player in marine and blue economy. By single window platform we mean an integrated or facilities which allow shippers or international traders to have standardized information and documentation with a single entry point to fulfill import, export as well as transit related requirements. The United Nations Economic for European have being playing commendable roles towards the implantation of this policy. Single window platform aims at harmonizing and simplifying the long and stressful procedure of the international trade to be able to flow between the traders and the government. This practice allows traders to submit all the data needed for the transportation and admissibility of goods at the ports. **Abdulkadir**, Ariyoosu and Oladepo (2021) found that in recent times, there have been uneasiness among the port agencies as to who should control single window platform. For example, in January 2017, the Nigeria Port Authority and Nigerian Customs Service made efforts to make clearing of goods at port stress free, however what the Nigerian Customs service implemented was not the single window but system automation.

Abdulkadir, Ariyoosu and Oladepo (2021), contend that single window platform where implemented will reduce the stressful procedure in Nigerian ports as it would project or predate the time for the arrival or taken off of cargo. Single window platform is like a bus stop for all traders engaging in transportation business. Thus, the Federal Government must put interest of all individuals into consideration. Single Window Platform is a mother under which all the authorities regulating port in Nigeria are situated. **Abdulkadir**, Ariyoosu and Oladepo (2021) observed that while Nigeria had the idea of implementing Single Window Platform before Ghana, Ghana had implemented the program when we are still struggling with automation process which is just a form of ICT. It is however gratifying to note that President Bola Ahmed Tinubu after our research in this area and specifically in April 2024 launched the National Single

Widow Platform initiative with the aim of simplifying trade processes, reduced paper work and increase effectiveness in port operation. This initiative, for it to achieve the desired result, the President needs to give further support for it to enjoy legal basis/foundations and this will no doubt dissuade shippers who have started investing in other western African coast to prefer the Nigerian Maritime hub for investment.

International Ship and Port Facility Security Code

Vice-Chancellor Sir, in the wake of insecurity in the maritime domain, especially in relation to both port facilities and individual vessels involved in international trade, the IMO and other international organisations while attempting to address the challenges of port security post-9/11 began to develop maritime security system with vital elements for enhancing international maritime security. Maritime security has its goal at ensuring the freedom of navigation, the flow of commerce, the protection of ocean resource, as well security of the maritime domain from non-state, states, terrorism, piracy, drug trafficking and other forms of transnational crimes.

According to Raymond and Arthur 2008, safe arrival of cargo at its destination without any interference or being subjected to criminal activity is synonymous to maritime security. The ISPS Code was established to identify and allow preventive measure against security insurgencies which were threatening the security of vessels. The Code applies to passengers and cargo vessels of 500 gross tonnage and above. The degree to which the Code applies to vessels is determined by the type of vessels, in other words ISPS Code does not apply to war ship, government ship and fishing vessels, since they are not being used for commercial purpose. **Abdulkadir** (2013) contended that fishing and government vessels can be used to commit any or all of the offences at sea, especially when fishing and government vessels are being subject of hijacking by rascals on water. It would be recalled that during Indonesia-Malaysia confrontation which occurred from 1962 to 1966, the Indonesia Irregular-forces attempted to penetrate into Malaysia through waters by using trawlers and fishing boats. Although, they were later captured, therefore the exemption granted by ISPS Code leaves more to be desired.

Container Security Initiative

Another security challenge present in maritime shipping is the transportation of cargoes through containers. Thousands of containers enter ports everyday and thereafter infiltrate the main land. A single lapse or omission in the security arrangement concerning containers has the potential of devastating a whole nation. For example, a detonation of a single nuclear or radiological device smuggled into a container would have a serious impact on both world trade and economy. One of the strategies adopted to address problems associated with container is Container Security Initiative (CSI). This is another strategy for tackling security in port and it is designed to strengthen port protection through international cooperation, whereby technology in relation thereto is located in some strategic ports the world over. The CSI, *inter-alia*:

i. identifies high risk containers through the use of advance information before loading into a vessel;
ii. knows whether cargo has been tampered with after security screening and this is done by using a smarter tamper evidence; and
iii. pre-screens high risk containers including radiation detectors and large scale x-ray imaging equipment so that security inspections can be done quickly without delaying flow of legitimate cargos.

Proliferation Security Initiative

Proliferation Security Initiative (PSI) focuses on the prevention of the spread of Weapons of Mass Destructions (WMDs) through global routes and international straits. PSI was established to strengthen the enforcement of the maritime laws considering the fact that 80% of the global trade is conducted through ocean transit (**Abdulkadir,** 2016). Participant states have the responsibility to impede and stop the trafficking in WMDs, the mode deployed in the delivery and other strategy connected thereto. The regime of PSI gives opportunity for maximum exploration and exploitation of the resources of the sea.

Conclusion

The wave of radicalism, rascality and resentment in the ebb of marine and blue economy has been a serious concern since the period of antiquity. These issues remain in the world oceans, thereby affecting maximum exploitation and exploration of the resources of the sea, despite various strategies deployed to curtail them. Various devices like have been deployed to tame the scourge. In order to achieve unity of purpose in terms of war on terror, collaborations among nations have been one of the strategies adopted. Most of the world's powerful nations have also adopted national legislation in contradistinction to the general alignment by nations, with a view to combat **Radicalism, Rascality and Resentment in the Ebb of Marine and Blue Economy**, although this has been observed as neither winning any war nor attained any peace in the world ocean. Rather, it is my position that such pre-emptive strike approach will bring about militarisation of crimes in the long run, because this strategy will result in a 'might is right' scenario.

Vice-Chancellor Sir, one thing that is causing resentment in the Niger Delta of Nigeria is the harmful effects of the Oil Spill on the marine environment which has been a regular occurrence with the resultant effect being is the tension between the people living in the region and the multi-national oil companies operating in the areas. However, the high level of distrust between the people and the government on one hand and people with multinational companies is imminent and aggravating the already tensed situation as gleaned in the displays of **Radicalism, Rascality and Resentment** within the Nigerian maritime domain. Invariably, the systemic causes of **Radicalism, Rascality and Resentment** must be fully addressed in order to achieve a long-term decrease in illicit maritime activities.

Recommendations

It is apparent that resources capable of sustaining human means of livelihood are available at sea, being common heritage of mankind. However, there are impediments militating against proper exploration and exploitation of these natural resources as could be gleaned in radicalism, rascality and resentment in the ebb of marine and blue economy. To this end, I humbly make the following recommendations in order to tame the scourge of radicalism, rascality and resentment bedeviling proper exploration of the blue economy.

1. **Beyond Military Involvement**: Military capacity should not often be invoked, but rather good governance and political regime are the main determinants of the non-pervasiveness of piracy in the GoG region.

2. **Reorientation of the Nigerian Armed Personnel:** There is need for reorientation of the Nigerian Armed Personnel like Marine Police, and Naval Officers to appreciate the onerous responsibility of upholding the integrity and oath of office in discharging their responsibilities. Corrupt practices by these personnel are generally responsible for some avoidable importation of arms, ammunitions and illegal unreported and unregulated fishing. The request for 20-30 bags of fish from the vessel owner is a typical example of abuse of office playing out in maritime domain.

3. **International Maritime Mobile Satellite or Digital Selective Calling Equipment:** It is recommended that when shipboard personnel detect pirate before they board the ship, a piracy/Armed robbery attack message should be sent through the International Maritime Mobile Satellite or Digital Selective Calling (DSC) equipment on distress and safety frequencies, provided that the ship has not been ordered to maintain radio silence. Where radio silence has been ordered by pirates, the order should be complied with, in order to avert physical violence or death to the crew.

4. **Abolition of the Principle of Passive Personality or Nationality Principle**: The principle of passive personality or nationality which culminated in the promulgation of section 7 of the Special and Territorial Jurisdiction Act 2023, Australian Criminal Code Act 1995, France Penal Code 2005 are not in *tandem* with Article 92 of the UNCLOS and also opposed to *Principle of Audi Alterem Partem*. Therefore, since Article 92 is concomitant to the consensus of comity of nations, the provision of the UNCLOS should take precedent for progress and development of the marine practice. The passive personality or nationality gives room for *forum shopping* to suit the interest of 'super powers'. Apart from the fact that it gives room for multiple countries to lay claim to jurisdiction, it would take a camel to pass through a needle before an accused can get justice in such situation. Therefore, the *status quo* as contained in Article 92 of the UNCLOS should be maintained.

5. **Designation of Special Court for Shipping Cases**: Since the NIMASA lacks the capacity and facilities to keep and maintain seized ships which in turn affects their productive capacity, the U.S practice of designated court allowing ship owners to post a bond or order appropriate security to mitigate the adverse effect on commercial activities of the seized ship. This will no doubt minimize the loss and damages of the seized ship owners.

6. **Amendment of Cabotage Act, 2003**: There is a need to make amendment to the provision of sections 2 and 22 (5) (m) of the Cabotage Act 2003 to specifically include Oil Drilling Rig for the purpose of paying 2% surcharge. This is because shippers or investors have been taken advantage of this lacuna in the Act.

7. **Revisiting Privatisation of Maritime Security:** Government should reconsider privatization of maritime security and enforcement in the Nigerian maritime

domain as this is not the solution to insecurity pervading the maritime domain. The Nigerian government's deployment of private security companies to secure its maritime domain is a serious aberration and slavish application of the practices in both Asia and the Western World.

8. **Enforcement of Maritime Security by Military Personnel:** Enforcement by military personnel by states against another state must secure the Approval of the United Nations Security Council. Enforcement action in the maritime domain without authorisation of the UN Security Council threatens the core of the international security architecture. Since, maritime is intrinsically linked to global peace as the security in this maritime domain influences the economic stability of the states that rely on water, security threats in marine areas have significant repercussions for states that depend on maritime trade for economic sustenance.

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