

Maritime Piracy in Nigeria: Old Wine in New Bottles?

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Focused on maritime piracy in the oil-producing Niger Delta (Nigeria), this article addresses three main questions. First, how can we measure the escalation or decrease of criminal violence at sea? Secondly, what is the relationship between piracy and the (permanent) crisis of the state in Africa? Finally, what is the relationship between violence at sea and conflicts onshore? Actually, there are not enough data to monitor the real trend of maritime piracy in Nigeria. Another difficulty is that statistics and the international community focus on attacks against “big” commercial boats and the oil industry. As a result, they ignore “small” trawlers and fishermen who are the first victims of pirates in terms of homicides. Moreover, a quantitative monitoring does not give details on the political economy of piracy. Too often, security analysts provide simplistic explanations that point to usual stereotypes on Africa: poverty, the failure of the state, etc. But the problem is more complex. The modernisation of maritime piracy is different from a quantitative growth and has a lot to do with the local dynamics of political conflicts and crime in the oil-producing coastal states of Nigeria.

A state of terrorism has been established in the Benin, Sapele and Warri districts by the parading of War Canoes on the public waterways, and many of the natives are thereby prevented from pursuing in peace and security their ordinary vocations in life.

—Oil Rivers Protectorate, British Proclamation banning war canoes, July 1894

The Measure of the Problem and the Problem of Measure

According to the number of pirate attacks recorded by the International Maritime Bureau (IMB), Nigeria is the second most dangerous country in the world, after Somalia but before Indonesia and the Straights of Malacca since 2008. Such a fact is hardly disputed by academics and security analysts. Maritime piracy is supposedly on the rise and journalists are usually too happy to report on a worsening situation. Yet numbers do count and one can challenge the way they are produced.

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The main source in this regard is the Piracy Reporting Centre based in Kuala Lumpur, Malaysia, since 1992. It depends on a Bureau, the IMB, established in 1981 by the International Chamber of Commerce (ICC) to act as a focal point in the fight against all types of maritime crime and malpractice. Its methodology relies on private sources that record the number of attacks on a voluntary basis. From a geographical point of view, it covers the whole world. And it gets real time information supplied by maritime police or the victims of pirates.

Such a system has both advantages and limits. A commercial device, it is security-wise. But it is not scientific. Set up in 1992, it does not give long-term trends. Moreover, it ignores historical and social contexts. Its database is not available to the public and not open to crosschecking by academics. Last but not least, the IMB's figures raise several methodological issues that have to do with its indicator, the way statistics are produced, and the legal definition of judicial categories. According to section 101 of the 1982 United Nations Convention on the Law of the Sea, for instance, maritime piracy is limited to attacks that occur on "the high seas," "outside the jurisdiction of any state." Attacks that take place within the territorial waters are regarded as armed robbery. The IMB's definition is much larger in this regard, focusing on all types of maritime crime and malpractice within or outside 12 nautical miles.

But the main problem has to do with the indicator used by the IMB, for the number of attacks can be misleading.¹ The issue is: Can we really compare the deliberate killing of a crew and the crash of two ships with no injuries? From the Stockholm International Peace Research Institute (SIPRI) to the Human Security Centre in Vancouver, most research centers specialized on armed conflicts do use the body-count as a reliable indicator, not the number of attacks. NigeriaWatch.org, for instance, records violent deaths off the Nigerian shore. Hence its data are a bit different (see Figure 1). Finally, the way the IMB records attacks is also a problem, for it relies on "big" boats that use the Ship Security Alert System (SSAS). As a result, its panel is neither exhaustive nor representative. Indeed, the Global Maritime Distress Safety System is not compulsory for "small" boats. Many of them find its specific radio carriage requirements too expensive. Hence they cannot call for help when attacked. They simply are invisible in the statistics.

Regarding Nigeria, other sources than the IMB thus show that the main victims of pirates are fishing trawlers, not oil tankers or cargos. This conclusion is shared by NIMASA (Nigerian Maritime Administration & Safety Agency), a governmental outfit, and trade unions such as NITOA (Nigerian Trawler Owners Association) and the Nigerian Merchant Navy Officers and Water Transport Senior Staff Association. According to the chairwoman of NITOA, for instance, the fishing industry was so often attacked by pirates that it operated with only 150 registered trawlers in 2010, against 250 in 2003.² This is because trawlers are soft targets, easy to climb. Unlike Southeast Asia, moreover, pirates seldom seize boats for their intrinsic value, but rather to extort ransoms. So they hardly try to attack oil super-tankers, since they cannot remove their cargo.

The Patterns of Maritime Piracy in Nigeria

The patterns of piracy in Nigeria are quite specific in this regard. Unlike maritime Southeast Asia, first, the Gulf of Biafra does not have many islets to shelter pirates lying in wait to attack boats outside of the Niger Delta.³ Historically, pirates used to ambush passing vessels in places like the Cawthron Channel near Bonny, in between the sea and the river proper. A legacy of the slave trade, war canoes levied "traditional duties" called *comey* during

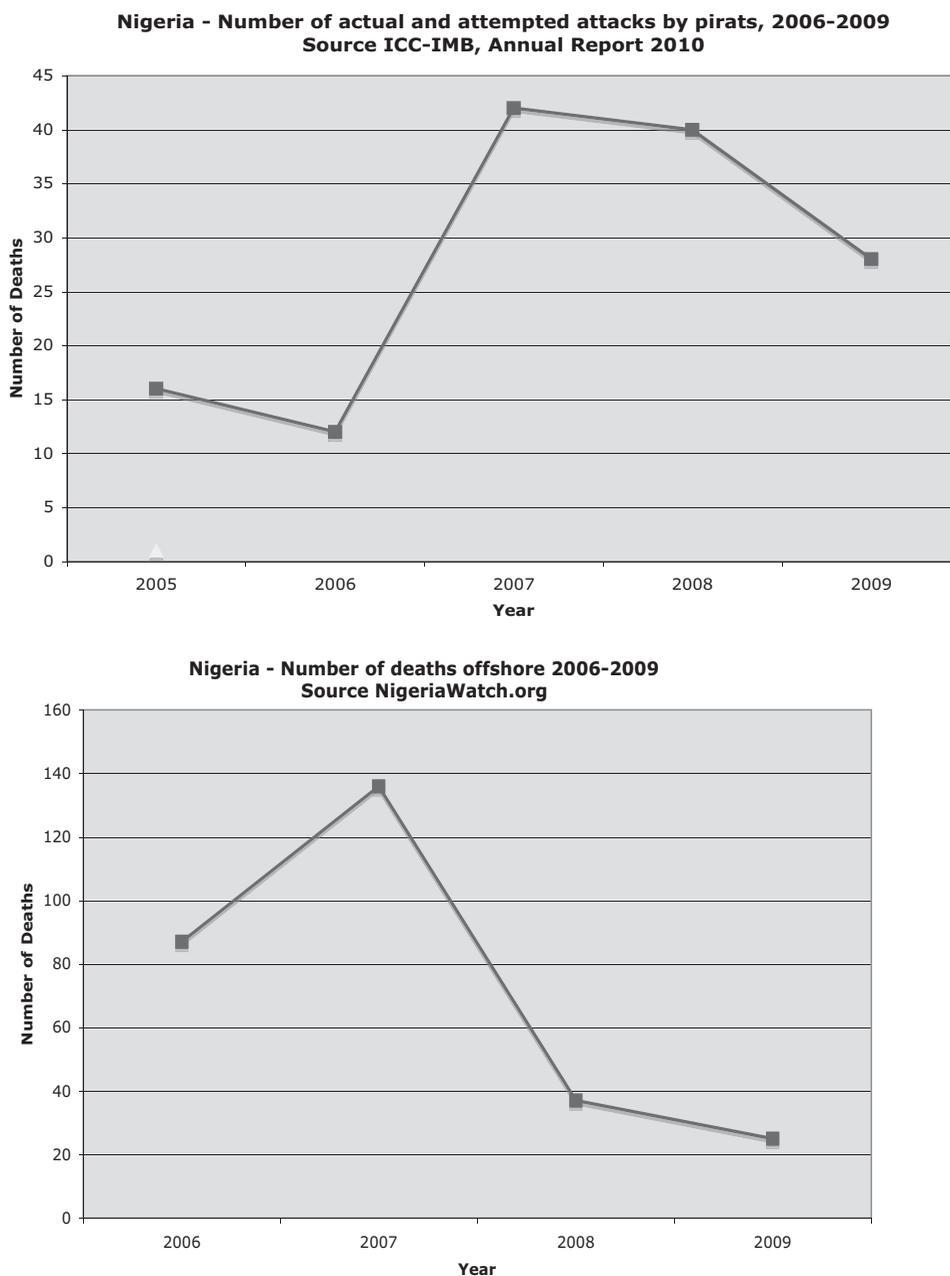


Figure 1. Piracy according to Nigeria Watch and the IMB. (Color figure available online).

the colonial times. Such “security fees” resorted to a kind of protection racket in order to keep a monopoly on foreign trade and to tax Europeans that tried to reach markets in the hinterland. This tradition still exist today, as with “Captain” Nemi Tamunoyalla Oputebeya X, the leader of the fishermen (*koniju*) of Koni-Ama in the city of Okrika on the way to Port Harcourt.⁴

In the 1990s, for instance, coastal communities of the delta regularly attacked passing boats on an ad hoc basis, following opportunities. These pirates were akin to sea robbers and were not very organized, unlike the smugglers who operated from Oron to run all sorts of trafficking (including arms and refined oil) toward Cameroon. Armed fishermen would stay close to the shore, steal any valuables available, and share the booty with their relatives in the villages nearby: radio equipments, cash, telephones, and so on. But the stolen vessels were not seized, and their crew were not kidnapped for a ransom. In other words, it was petty theft, a bit like the sea robbers who still operate today around the Lagos anchorage, without any relation to Niger Delta militants.

Since then, piracy has gotten more sophisticated. Technically, the introduction of cell phones helped to stage attacks. If pirates usually have no Global Positioning System (GPS), no night vision and no ladders to climb an oil rig or a supply boat, they modernized their weapons and their vessels. From street demonstrations and international lobbying to sabotages and armed struggle, the politicization of rebel and criminal groups certainly played an important role in this regard.⁵ Indeed, it explains why piracy shifted from Lagos to the Niger Delta. The pattern was quite different during the oil boom of the 1970s. In 1980 for instance, a year when the situation got so bad that the International Association of Port Authorities called for a boycott of Nigeria, the Lagos anchorage recorded 51 attacks, as against 6 in Port Harcourt and 3 in the rest of the delta.⁶ But nowadays, most attacks happen in the Niger Delta. This shift parallels the politicization and the sophistication of gangs led by uneducated people like Ateke Tom in Okrika, who got connected with the University of Port Harcourt's "cult societies." It also reflects the militarization of the protest for a local control of oil resources under the aegis of the NDPVF (Niger Delta People's Volunteer Force) in 2004, then the MEND (Movement for the Emancipation of the Niger Delta) since 2006. Compared to the Biafra War in 1967–1970 or the Ogoni Crisis of 1995, the rate of homicides did not rise, but terrorist acts and "bunkering" became more common. As a result, attacks offshore got widespread, targeting oil platforms or big ships, and reaching the Bakassi Peninsula in Cameroon or even Bata in Equatorial Guinea.

Today, maritime piracy in the Niger Delta is not limited to petty crime anymore. It includes kidnapping, arms smuggling, and "bunkering," that is, the illicit tapping, theft, and sale of crude oil in big quantities. Generally speaking, pirates do not try to seize boats, even if they sometimes hijack a fishing trawler to attack other vessels, as they did with the *Rose 4* in 2010. Despite media coverage, the kidnapping of the employees of transnational corporations is not a big business. Ransoms are usually paid in Naira because European companies are not allowed to import loads of cash in hard currencies.⁷ So kidnappers do not need international connections to cash the money. Apparently, their modus operandi is quite different from the one of bunkerers, drug dealers, or arms smugglers. A famous arms trafficker like Henry Okah, for instance, started by selling guns to both the Istekiri and the Ijaw during the Warri communal crisis of 1997. He then organized connections in the Nigerian diaspora in Britain and set up a base in South Africa, from where he supplied the MEND and maybe the Bakassi "freedom fighters" on the disputed border with Cameroon.⁸

Likewise, bunkering is an international business where Lebanese or Eastern European "traders" finance tankers and export oil to refineries in countries like Ivory Coast or Senegal. It is quite different from the illicit tapping of pipelines for local refinement within the Niger Delta. Bunkering for international sale is organized on a much larger scale and usually goes together with the forgery of bills of lading to understate the amounts of oil actually and legally lifted for export. As for the Nigerian partners and bunkerers, they are unionized, must pay a fee to the Navy and have to "settle" (bribe) the local communities to have access to oil theft opportunities and negotiate an acceptable date for their operation, so that they

are not disturbed by a naval presence. The larger barges cost more than \$50,000 and carry up to 5,000 barrels. According to various estimates, between 100 and 250 million barrels of crude oil are stolen every year. With an average black market price of \$25 per barrel in 2005, this represents an income of \$1.5–4 billion, and a loss of \$2.5–6.2 billion to the government and \$121–302 million to the oil-producing companies.⁹

In this regard, piracy, in all its various forms, is undoubtedly an affair of maritime “specialists,” sometimes with international connections. Speaking about the Lagos anchorage, a NIMASA official claimed that it was simply “an extended version of crime onshore.”¹⁰ But since most Africans of the hinterland cannot swim, offshore attacks do not seem to involve many urban armed robbers. Around Lagos, a good number of pirates are young boys and fishermen from coastal communities. Likewise, sea robbers from the Niger Delta can swim and drive a speedboat. They connect with gangsters onshore through the so-called cult societies, that is, mafias and students fraternities that draw their philosophy from the marine world. Active since the 1980s, these criminal organizations rely on national networks, supply weapons and bear names like the Pyrates (Seadogs), the Buccaneers, the Corsairs, and the Vikings, whose base in the University of Port Harcourt is coded “Alpha Marine.” Their rites are different from those of pre-colonial secret societies, yet invoke traditional divinities such as Egbesu, the Ijaw god of war. From Bonny, for instance, a female water spirit, *agaba*, inspired new lodges that extended up to the cities of Port Harcourt (with the Millennium Boys, 007, and Diobu United) and Calabar (with the Bayside Boys and the School Boys), then spread to Ibibio, Ogoni, Igbo, and Annang rural areas along a regional and cross-ethnic pattern of diffusion.¹¹

The Political and Criminal Context in the Niger Delta

In other words, both the criminalization of politics and the politicization of crime contributed to the modernization of maritime piracy in the Niger Delta. Greed and grievance went altogether. On the one hand, the struggle for a regional control of oil resources is certainly political, as the militants advocate the so-called derivation principle and opposes the “federal character” of the Nigerian Republic, whereby richer States (in the South) are supposed to fund the poorer (in the Muslim North). On the other hand, nobody can deny the criminal dimension of fighters who are made up of sea robbers, street gangsters, and mafia-like “cultists” belonging to secret societies. In this regard, it is not poverty that explains maritime piracy in the Niger Delta, but political corruption and the oil wealth that attracts all sorts of thieves, blue and white collars alike. By all standards, the population of the region is richer than the inhabitants of the Sahel in Northern Nigeria. If poverty was a proper explanation, countries like DRC (Democratic Republic of Congo) or Mozambique should also record high levels of maritime piracy, which is not the case. In the same vein, one could argue that wealth does not always attract pirates, as in Angola, where oil production is mainly offshore and more difficult to reach.

So greed and frustration can go together with political grievances. Like in Somalia, some Nigerian pirates argue that they resort to crime to react to the illegal fishing of foreign vessels, which deprive them of their livelihood, not to mention oil pollution. In the 1990s, some attacks offshore were already related to grievances against oil companies that did not respect their memorandum of understanding with coastal communities. Trade unions also played a role. They are quite powerful in the oil industry, and some of their members are involved in the attacks by giving information to the pirates or by staging wildcat strikes. In April 2003, for instance, oil workers aboard four Transocean’s rigs held over 200 foreign and Nigerian employees of Halliburton, Schlumberger, Total, and Shell to protest against

the firing of five union officers and the privileges of expatriates who were transported to deep-sea platforms by helicopter, instead of boats for the locals.

Moreover, one should not forget that pirates and gangsters are often manipulated by corrupt politicians against their opponents, especially during election times. Before the elections of April 2011, for instance, sea robbers were contracted to disturb the oil industry and show that the federal government or the Rivers State governor were not able to maintain law and order. Thus Ikiba Sotonye “Obese” who used to work for Farah Dagogo’s faction in the MEND, refused the amnesty of June 2009 and resumed offshore kidnappings in July 2010 before being caught by the Army the following November. Allegedly funded by Henry Okah, he wanted to prove that the rebels were still active and operational. Kidnappings were used to send a political signal in this regard. Unlike Al Qaeda in Mauritania, Niger, or Mali, all hostages were released and none were executed. Ikiba Sotonye “Obese” kidnapped expatriates not only to make money, but also to use them as a human shield and protect his camp onshore when he cashed a ransom and released former hostages. This strategy was rather effective: during a few months, transnational corporations succeeded in restraining the security forces from attacking the rebels, fearing they would lose their employees on the battlefield (indeed, the only kidnapping that resulted in the death of an oil worker was the result of a bungled Nigerian Army rescue operations a few years ago).

In any case, ransom money would not have been enough to keep a pirates’ private army. Political contracts were a capital source of income to buy new boats and weapons. Officially, nobody pays the pirates to release hostages. Yet it is said unofficially that the value of a “batch” of expatriates varies between 40,000 Euro for Eastern Europeans and 300,000 Euro for Western Europeans and Northern Americans. For Ikiba Sotonye “Obese,” other sources of income included small attacks where his “boys” stole valuables but did not kidnap the crew, as well as protection racket and security services for fishing trawlers that had to embark some of the sea robbers. Bunkering is an activity that requires another type of boats, so one is not very sure that it was also a source of income for “deep-offshore” pirates. All in all, the revenue of Obese’s gang probably did not exceed half a million dollars during five months of operations. By contrast, Table 1 shows that the cost of a pirates’ private army varied between one and three million dollars during this period. This is a low estimate. Some security sources mentioned that Ikiba Sotonye “Obese” had up to 25 speedboats and 300 men. But we calculated the cost according to the number of speedboats involved in each attack: between 4 on 7 November 2010 and a maximum of 12 on 22 September 2010.

The Weaknesses of the Failed States Theory

Undoubtedly, close links between politics and crime are important to understand the causes and purposes of maritime violence, even if they tend to confuse the issue. According to conventional wisdom, weakened states facilitate piracy and piracy reduces the authority of the state. But historically, the booty of seadogs also built the fortune of city-states like Singapore, Dubai, and Hong Kong, while the corsairs played the role of a private maritime police for European kingdoms overseas. The relationship between piracy and state control is quite complex. It is definitely not one way. In Africa, the failed states theory seems obvious when comparing South Africa and Somalia. Yet the weakness of a central government does not always explain the modernization or the rise of maritime piracy. Hence we should wonder why we do not record high levels of maritime piracy in the Democratic Republic of Congo today, or in war-torn Angola and Mozambique during the 1980s.

One of the problems of the failed states theory is that it makes us think that governments used to exert a Weberian monopoly on violence, when they never did.¹² Actually, the

Table 1
The business plan of a pirate, Ikiba Sotonye “Obese” (July–November 2010)

The revenue of kidnappings: An estimate			
Date	Location	Kidnapped personnel	Ransom estimate
2 July 2010	Bonny Fairway Buoy, BBC Palonia, German-flagged cargo ship	7 Russians, 2 Ukrainians, 2 Germans, 1 Lithuanian	Released on 4 July. No ransom paid?
10 August 2010	Bonny Fairway Buoy, 2 supply vessels (MV Oron & Blessing)	6 Indonesians, 3 Nigerians	n.a.
11 August 2010	Bonny Fairway Buoy, Cargo UAL Tycoon	2 Russians, 1 Ghanaian	60,000\$
22 September 2010	Addax’ offshore oilfield (Sinopec), French-flagged vessel Bourbon Alexandre, then Jacson 22 and 30	3 French, 2 Nigerians, 1 Thai	Released on 10 November 2010. Bet. 100,000 and 300,000 Euro. Average = 265,000\$
1 October 2010	Bonny Fairway Buoy, Tanker ship MT Eckhardt	3 nationalities unknown	n.a.
1 October 2010	Bonny Fairway Buoy, MV Walvis 1	2 Honduras	n.a.
17 October 2010	Off Cross River, Manipolo vessel	4 Nigerians	n.a.
7 November 2010	Afren’s Okoro offshore oilfield (TransOcean)	2 American, 2 French, 1 Canadian, 2 Indonesians	0 (Released by the Army on 17 November 2010)
14 November 2010	ExxonMobil’s Qua Iboe offshore oilfield	8 Nigerians	0 (Released by the Army on 17 November 2010)
Total			325,000\$
The cost of a pirates’ army: An Estimate			
Cost per unit		Total	
75 hp boat motor: 8,000\$		For 12 boats, 2 each: 192,000\$	
Hull: 20,000\$		For 12 boats: 240,000\$	
Manpower per diem & dash: 170\$max (including contractors & mercenaries on an ad hoc basis)		9 passengers max per boat for 5 months: 170\$ × 108 men × 153 days = approx. \$2.8 million. If we consider that the “boys” were only operational during one whole month out of five, the cost still exceeds 550,000\$	
Hull: 20,000\$		For 12 boats: 240,000\$	
Kalashnikov: 250\$ (average bet. 100–400\$) + 50\$ (ammunition)		7 max per boat: 300\$ × 12 boats × 7 = approx. 25,000\$	
RPG 200 mm, machine gun : 2000\$ each		1 RPG, 1 machine gun for 4 boats: 8000\$ + 1000\$ (ammunition)	
Automatic Rifle 7.62 mm: 1000\$		2000\$	
Grand total		Bet. 1,258,000\$–3,508,000\$	

Source: Fieldwork. According to other studies, the prices of small arms in the delta were slightly higher in 2003: \$570 for a shotgun, \$850 for a Kalashnikov rifle and up to \$2,150 for a “bazooka”. See Amadu Sesay & Antonia Simbine, eds., *Small Arms and Light Weapons. Proliferation and Collection in the Niger Delta, Nigeria* (Ibadan: College Press & Publishers, 2006), p. 52.)

weakness of the African state is a structural colonial legacy. It is not a post–Cold War problem only, and it is extremely difficult to find a reliable indicator to measure the strength of a government and its correlation with piracy. In the case of Nigeria, the state was certainly much weaker during the Biafra War (1967–1970), when secessionists challenged its national unity, its sovereignty, and its territorial integrity.¹³ Until recently, the MEND did not officially fight for independence. And except for a few radicals, militants do not contest the authority of the state as long as they can get what they consider to be their fair share of the “national cake.”

Moreover, the role of the Nigerian government is quite ambiguous, since some of its members collude with the rebels. Security forces (Police, Navy, and Army) do not only attack the militants; they also participate in bunkering and piracy. As for the corrupt governors of the oil-producing Rivers, Bayelsa and Delta States, they use gangsters to get rid of opponents, yet fund the dominant People’s Democratic Party (PDP). In other words, the Nigerian state is very active because it is itself involved in maritime piracy.

An analysis of governmental agencies says a lot in this regard. The Army, to start with, often concludes shady deals with the “militants” to share the booty and negotiate a status quo. Just to give one example out of many: a leaked Military Intelligence Investigation Report of November 2007 recently revealed that the current National Security Adviser to President Goodluck Jonathan, General Andrew Azazi, who was chief of army staff at the time, facilitated the release and even promoted officers who sold weapons to Henry Okah’s brother, a kingpin of the MEND.¹⁴ General Andrew Azazi, an Ijaw who hails from Bayelsa State like President Goodluck Jonathan, probably knows the “militants” personally. It is difficult to know if he covered the diversion and sale of Nigerian army weaponry to the MEND because he wanted deliberately to infiltrate the rebels or because of social pressures on his family and clan. In any case, General Andrew Azazi was not removed from his post and still advised President Goodluck Jonathan before the crucial elections of April 2011.

It is also on record that the Navy is extremely corrupt. It got involved in the illegal drug trade as soon as the 1980s, first in India, then in the Freeport of Monrovia when the Nigerian Army led the ECOMOG (Economic Community of West African States Cease-fire Monitoring Group) in war-torn Liberia in the 1990s.¹⁵ Ten years later, the Navy was very active in bunkering. Its implication was so visible that in 2004, President Olusegun Obasanjo had to dismiss two rear admirals who were involved in the disappearance from Navy custody in Warri of a Russian tanker full of stolen crude oil. Today, insiders in the Navy, Customs, and Port Authorities still inform pirates and militants on the location of boats and the value of their cargo. Some of them even provide copies of the bills of lading.¹⁶ Indeed, corruption is rife in all governmental agencies, including the Nigeria Port Authority (NPA), whose former chairman, Chief Bode George, is currently in jail for a whopping N84 billion contract inflation scam.

Take NIMASA. Based in Lagos and established by a law of 2007 (the Nigerian Maritime Administration and Safety Agency Act), it merged two former parastatals of the Federal Ministry of Transport, dating back from 1984: the National Maritime Authority and the Joint Maritime Labour Industrial Council. A civilian agency, it has its own fleet and one helicopter for search and rescue, but it is not allowed to carry arms and has to cooperate with the Navy in cases of pirate attacks. Since 1987, it also heads a regional maritime organization that includes nine coastal countries, from Togo to the Democratic Republic of Congo. After the end of the military regime in 1999, it was revitalized and infiltrated by corrupt politicians like James Ibori, the embattled governor of Delta State, extradited from Dubai to London on various charges of money laundering. Thus in 2008, the Director General of NIMASA, Raymond Temisan Omatseye, was nominated on Ibori’s

recommendation. In late 2010, he was eventually arrested by the EFCC (Economic and Financial Crimes Commission) over allegation of fraud, contract inflation, and financial mismanagement. He was replaced by Ziakede Akpobolokemi, a close friend to one of the leading figure of MEND, Government Ekpemepkulo, popularly known as “Tompson”!

Conclusion and Solutions?

One question then comes to mind: How to fight maritime piracy with, or against a corrupt state? If we are to consider the problem as a social and a public affair, and not only as an issue for those who want to continue “business as usual,” one should review the various solutions that have been proposed or implemented. Oil and maritime companies certainly did not help when they bribed gangsters or paid ransoms that incited pirates to commit more kidnappings. In addition, their strategies did not concern the main victims of the pirates (i.e., “poor” fishermen). So security advisers recommended a military response. But, as we have seen, the Nigerian security forces are not reliable: since the end of the military regime in 1999, various cooperation programs (especially American and British) never really succeeded in professionalizing the Army or the Navy, which remain very corrupt. More equipment would not change much in this regard. In October 2005, the opening of a new naval base at Bonny, for instance, did not improve the situation. Moreover, the use of brutal force is likely to provoke collateral damages among the civilians, and strengthen the social support for rebels seen as defending oppressed people. Specialists themselves argue that the use of arms or private security firms “could mark the beginning of a spiral of violence.”¹⁷ In Nigeria, the priority is to restrain security forces, not to let them get loose. In any case, the Federal Government is keen to keep its sovereignty and its virtual monopoly on the use of legitimate violence. It does not allow private security firms to carry weapons and refused any foreign military intervention in the Gulf of Biafra, especially when the Americans established an Africom (United States Africa Command).

Another possibility would be to improve the judicial system, for corruption and a sense of impunity encourage sea robbers to develop their criminal organization. According to NIMASA officials, only two or three pirates are prosecuted every year. A civilian agency, NIMASA is definitely not equipped to tackle the problem. It operates only in the Lagos anchorage, not in the delta, and has to rely on the Navy in case of pirate attacks. So the authorities demand foreign cooperation to stop the transport and the sale of stolen oil or weapons outside of Nigerian waters.¹⁸ They feel more comfortable with internationalizing the problem, rather than solving it at home. To fight against bunkering, for instance, they ask for a chemical analysis to identify crude oil and track down the thieves. Launched in 2003, the concept is similar to the Kimberley initiative of certification to stop the trafficking of “blood diamonds.” The requirement of electronic bills of lading is also supposed to prevent the fraudulent use of papers to rename ships and discharge their cargo under another flag. Proofs of purchase could help trace the trading history of super-tankers.

But a certification process raises issues that are both technical and political. Developing oil fingerprinting methodology, first, happens to be more difficult than for diamonds. The problems is also political. The Kimberley initiative relied on the private sector, nongovernmental organizations, and a few governments.¹⁹ In the case of oil, a certification process would require a close cooperation between transnational corporations, states, and paras-tatal companies, which control most of the production and are not accountable. Moreover, closing markets for illegal oil would not end the crisis and piracy in the Niger Delta. Rebels did not wait for the money of bunkering to start their armed struggle. A purely economic

analysis of the conflict would be misleading, as it would only emphasize its criminal element and ignore its political motives.²⁰

Bringing politics back in, many observers think that the actual solution to combat piracy would be to satisfy the demands of “militants.” Niger Deltans want to raise the derivation percentage that allocates 13 percent of oil revenue to oil-producing states. The problem is that the positive impact of a local control of resources would certainly be minimized by a massive diversion of public funds. The governors of oil-producing states are precisely the most corrupt of the Nigerian Federation, whereas states that benefit the least from oil rents and government subsidies experience less income inequality and fare much better from an economic point of view.²¹ To inject more money into the delta would not improve social services in this regard. On the contrary, it could worsen violence, as politics in Nigeria are often controlled by mafia-like “godfathers.”²² According to specialists, “there is no evidence that spending more money will lead to less conflict in the Niger Delta. If anything, there is ample evidence that providing more money to communities may even exacerbate conflict.”²³

To combat piracy, crime, and the politics of “godfatherism,” the ultimate and long-term solution is eventually to fight against corruption, both at the state level and within so-called civil society. Indeed, impunity and the diversion of public funds are the heart of the matter. For David Enweremadu, for instance, corruption explains why “increasing decentralisation of oil wealth . . . and rapid economic growth spurred by the rising prices of crude oil since 1999 have failed to bring peace and security to the people of the Niger Delta.” This Nigerian researcher also posits that “the issue is not really whether the 13% oil revenue is adequate or not. More important is the question of how funds allocated have been used.”²⁴ The problem is that regional governors who sponsor crime are not accountable. As maritime piracy is only one of many symptoms of a mafia-like political economy, the solution certainly rests in the improvement of local governance.

Notes

1. Nigerian Maritime Administration & Safety Agency (hereafter referred to as NIMASA) a governmental agency that represents Nigeria in the International Maritime Organisation, also uses this indicator. According to the agency’s figures, pirate attacks rose from 2009 to 2010.

2. Margaret Orakwusi, *Legal Tools For Combating Piracy In Nigerian Waters* (Lagos: Nigerian Trawler Owners Association, 2010), p. 15.

3. The Niger Delta is a geographical region that goes from Edo, near Benin City, up to Cross River and Calabar, along the Cameroonian border. From West to East, it encompasses the coastal states of Delta, Bayelsa, Rivers and Akwa Ibom. I refer to this region as the delta with a small “d”, not to be confused with the administrative entity of the Delta State (main city: Warri; headquarters: Asaba).

4. Author interview, Okrika, July 2004.

5. Ukoha Ukiwo, “From ‘pirates’ to ‘militants’: A historical perspective on anti-state and anti-oil company mobilization among the Ijaw of Warri, Western Niger Delta,” *African Affairs* 106(425) (2007), pp. 587–610. See also Jonathan Ayuba, “The democratisation of violence in the Niger Delta of Nigeria, 1999–2007.” in Victor Ojajorotu, ed., *Anatomy Of The Niger Delta Crisis: Causes, Consequences and Opportunities for Peace* (Berlin: Lit Verlag, 2011), pp. 131–143.

6. R. Akindele and M. Vogt, *Smuggling and Coastal Piracy in Nigeria* (Lagos: Nigerian Institute of International Affairs, 1983), p. 93.

7. The amounts involved are thus quite low compared to other countries. In Somalia, for instance, pirates negotiate ransoms in hard currencies and have more time against ship owners who face “direct costs associated with keeping their vessels off-line for extended periods”. It is also said

that “piracy may bring in 50% more than the livestock exports which are officially the country’s biggest earner of foreign exchange”. Cf. Brian Hesse, ed., *Somalia: State Collapse, Terrorism and Piracy* (London: Routledge, 2011), p. 85.

8. Himself involved in negotiations to release kidnapped expatriates, Henry Okah probably cashed much higher ransoms than the pirates under his command.

9. Dimieari Von Kemedi, *Fuelling the Violence: Non-State Armed Actors (Militia, Cults, and Gangs) in the Niger Delta* (Berkeley: University of California, 2006), p. 23.

10. Author interview, Lagos, November 2010.

11. David Pratten, “The Rugged Life”: Youth and violence in Southern Nigeria,” in Pal Ahluwalia Louise Bethlehem and Ruth Ginio, eds., *Violence and Non-Violence in Africa* (New York: Routledge, 2007), p. 89.

12. Marc-Antoine Pérouse de Montclos, “La Privatisation de la Sécurité en Afrique Noire: Vers un Etat Décomposé ou Reconstitué ?” *Sécurité Globale* 12 (2010), pp. 71–85.

13. See, for instance, Sayne Schatz, “Pirate Capitalism and the Inert Economy of Nigeria,” *Journal of Modern African Studies* 22(1) (1984), pp. 45–57.

14. Available at <http://www.saharareporters.com/report/secret-army-report-implicates-nsa-azazi-ibori-alamieyeseigha-henry-and-sunny-okah-sale-milita> (accessed 17 January 2010).

15. Marc-Antoine Pérouse de Montclos, “La Drogue au Nigeria, Une Affaire d’État,” *Le Monde Diplomatique* (June 1998), p. 6.

16. Of course, pirates do not always need this information to plan an attack. Sometimes, the type of vessel says enough about the value of a cargo. Oil supply boats, for instance, are known to carry expatriates that can be kidnapped and ransomed. Hence Bourbon, a French maritime company, had 200 expatriates out of a total of 1,200 employees and crew on some hundred boats in 2010. As a result, it was often targeted because it supplied almost half of the oil rigs and platforms in the Gulf of Biafra.

17. Lars Bangert Struwe, *For a Greater Horn of Africa Sea Patrol: A Strategic Analysis of the Somali Pirate Challenge* (Copenhagen: Danish Institute for Military Studies, 2009), p. 21.

18. Author interviews and meetings, Niger Delta officials London, Chatham House, February 2009.

19. Franziska Bieri, *From Blood Diamonds To The Kimberley Process: How NGOs Cleaned Up the Global Diamond Industry* (London: Ashgat, 2010), p. 159.

20. For this economic thesis, see Paul Collier and Anke Hoeffler, *Greed and Grievance in Civil War* (Washington, DC: World Bank, Policy Research Working Paper 2355, 2000), p. 44. For a discussion of this position, see Karen Ballentine and Jake Sherman, eds., *The Political Economy of Armed Conflict: Beyond Greed and Grievance* (Boulder, CO: Lynne Rienner Publishers, 2003), p. 317.

21. Ebenezer Aka, *Regional Disparities in Nigeria’s Development: Lessons and Challenges for the 21st Century* (Lanham, MD: University Press of America, 2000), p. 205.

22. Marc-Antoine Pérouse de Montclos, *Towards A New Type of Regime in Sub-Saharan Africa: Democratic Transitions but No Democracy* (Paris: Etudes de l’IFRI, 2009), p. 37. Available at <http://www.ifri.org/?page=contribution-detail&id=5946&lang=uk> (accessed 5 May 2011).

23. David Nyheim, Luc Zandvliet, and Lockton Morrissey, eds., *Peace And Security in the Niger Delta: Conflict Expert Group Baseline Report for Shell* (London: WAC Services, December 2003), p. 32.

24. David Enweremadu, *Ending the Vicious Circle: Oil, Corruption, and Violent Conflict in the Niger Delta* (Zaria: IFRA, polycop., 2009), pp. 3, 7.