

Beyond *African Pride*: Corruption mechanisms in the Nigerian Navy and maritime sector

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Abstract

This article reports on corruption mechanisms within the Nigerian Navy and the maritime sector in Nigeria. Beginning with an examination of the disappearance of the vessel *MT African Pride* in October 2003, the article shows that, far from being a one-off incident, the disappearance was indicative of the opportunism and criminality that naval operations within the oil-rich Niger Delta attracted. The Nigerian Ports Authority (NPA) and the Nigerian Maritime Administration and Safety Agency (NIMASA) constitute other case studies of maritime industry corruption examined here. Such cases highlight the exploitation of relations between the Navy and the civil maritime sector. Overall, the article identifies patterns of corruption mechanisms employed. These include the support of illegal oil bunkering, illicit agreements and contracts, unsanctioned oil tanker relocations, malfeasance in arms deals and other areas, and multiple instances of public office abuse.

The military and corruption in independent Nigeria: A brief history

Corruption in the Nigerian military is an institutional feature that goes back to the formative years of the institution as a professionalised force since Nigerian independence in the 1960s. Moreover, what eventually emerged as the more recognisable forms of corruption today – such as bribe-taking from civilians, unsanctioned civil–military contracts and support of maritime criminality by civilian actors – originated as abuse of military positions and appointments. Before that, corruption and unprofessionalism manifested in the more benign form of unusually close relationships between certain senior military personnel and the civil authorities. Indeed, these unsanctioned relationships between military personnel and civilian authorities and sectors, which underpin much of the analysis discussed in this article regarding the Navy and the maritime industry in Nigeria, warrant an inspection within the formative years of the military during the First Republic (1960–1966).

At the time, especially at the highest ranks and amongst the older senior officers, the political interests of the military and the interference in promotions and postings meant these were becoming increasingly compromised, with many senior army officers already too friendly with influential politicians. For example, Lt Col. Abogo Largema the pioneer Commanding Officer of 4th Battalion of the Nigerian Army was reportedly close enough to Chief Samuel Ládòkè Akíntólá, Premier of Western Nigeria and one of the Nigerian First Republic's most senior politicians, to train him in the use of firearms.¹⁷⁶ Some

friendships between politicians and the military had even more depth to them. The *Sardauna* of Sokoto, Sir Ahmadu Bello, was said to have an unusually close friendship with Brigadier Ademulegun.¹⁷⁷ Indeed, according to Lt Col. Ejoor, Ademulegun (who was the 1 Brigade Commander) and Sir Ahmadu Bello (who was both the head of the Northern People's Congress and the Premier of Northern Nigeria) were so close that, upon visiting Ademulegun on one occasion, Ejoor (who did not recognise the *Sardauna*) found Sir Ahmadu Bello sitting on the living room carpet. Ademulegun was nowhere to be found. Upon being introduced to this person as the *Sardauna* of Sokoto and the Northern Premier, Ejoor was said to have given Sir Ahmadu Bello a "trembling handshake", and then "staggered out of the backdoor and disappeared in utter confusion".¹⁷⁸ Such fraternisation between the older generation and the political elite did not sit well with young officers, such as Kaduna Nzeogwu, who wanted a clear and professional separation between the politicians and the army.¹⁷⁹ Indeed, institutional corruption and the unease caused by political misuse of the military was one of the reasons cited by Nzeogwu and the other disgruntled officers who staged the 15 January *coup d'état* that brought a bloody end to the First Republic in 1966.¹⁸⁰

Far from being a mere footnote within the history of the military institution in Nigeria, this theme of corruption and a lack of professionalism not only endured; it spread across the three service branches. In the decades that followed, as the coup culture of the military and praetorianism saw it claim the centre of political power and refuse to let go, the institution practised corruption with impunity. Moreover, by the 1980s, corruption and its practice in Nigeria had gone from bad to worse.

Between 1985 and the return to democratic rule in 1999, successive military regimes were blighted by corruption and repressive governance.¹⁸¹ Neopatrimonialism and personalisation of government rule underpinned the spread of corruption across the military, civil society and the private sector.¹⁸² Indeed, at a time, corruption in Nigeria was said to be the "national culture".¹⁸³ The scale of corruption during the 1990s is reflected in the Pius Okigbo Report, which noted that about \$12 billion in an oil windfall, accrued by the Nigerian government during the 1990 Gulf War, could not be accounted for by Babangida's military regime.¹⁸⁴

Matters arguably got even worse during the Abacha regime. Shortly after the dictator had died in 1998, a panel was set up to recover the looted funds of his military government between 1993 and 1998. The committee found that senior military leaders, but civilians too, in cahoots with the government, embezzled billions of dollars during the Abacha regime.¹⁸⁵ In addition, General Sani Abacha himself, who died before facing the charges levelled against him, was accused by the Obasanjo government of personally stealing at least \$4 billion.¹⁸⁶

Even Nigeria's last military regime, led by General Abdusalami Abubakar (1998–1999), was indicted by the Christopher Kolade Panel in its report, which accused the regime of "awarding, massively inflated, contracts, licences, awards, etc., usually to firms in which top echelon of the regime had substantial interests, causing a sharp drop in the country's external reserves".¹⁸⁷

As evidenced above, corruption within the Nigerian military was not a navy-only phenomenon. However, this article focuses on the Nigerian Navy service branch specifically. The article reports on the pathology of institutional corruption within the Navy, the close links between corruption in the Navy and the maritime industry, and how the Navy exploited its relations with the civil authority and maritime sector, which further engendered unprofessionalism and corruption.

Background: A history of corruption and unprofessionalism in the Nigerian Navy

Before corruption allegations brought the naval institution to new lows past the turn of the century, the Nigerian Navy nevertheless was the primary tool of military statecraft of the government in the quest to adopt an outward-looking foreign policy posture during the military interregnum. The interventions of the Navy within the military interregnum during the 1990s were a way for Nigerian military juntas to project their military power in support of regional allies.¹⁸⁸ During peacekeeping missions by the Economic Community of West African States Monitoring Group (ECOMOG) in Liberia, the Nigerian Naval Force, led by the amphibious warship, the NNS *Ambe* and two of the three FPB 57 Class Patrol/Missile Boats of the Navy, the NNS *Ekpe* and the NNS *Damisa*, for instance established a beachhead against rebel forces of Charles Taylor in the Freeport of Monrovia in August 1990; thus, becoming the first successful amphibious landing by a black African navy in a peacekeeping operation.¹⁸⁹ Moreover, over the lifetime of peacekeeping missions in Liberia and Sierra Leone, the Nigerian Navy transported troops, equipment, armaments and *matériel* and provided occasional artillery support from the coast against rebel positions inland.¹⁹⁰

Indeed, along the lines of the aforementioned antecedents, and as a former Nigerian Chief of Naval Staff (CNS), Vice Admiral GTA Adekeye points out the history of the Nigerian Navy presents an institution that surpassed practically every other black African navy at the time.¹⁹¹ Yet, not unlike the other service branches of the Nigerian military, depending on at which point in history the Navy was being examined, the establishment could look impressive (such as within the aforementioned amphibious landing). On the other hand, the Navy could appear practically unfit for operations. One example is that of Operation Sea Dog (1985), when the limited capacity of the Navy to conduct joint operations with the Army and Air Force was exposed.¹⁹² Another was evidenced in 2004, during Operation Takute Ekpe, which, as Rear Admiral Geoffrey Yanga puts it, “was a virtual failure for reasons of technical complexities, lack of joint training and communications”.¹⁹³ Moreover, quite aside from such operational challenges, as this article will argue, the Nigerian Navy had an entrenched and longstanding pathology: institutional corruption.¹⁹⁴

One aspect of this corruption – as it relates to the Navy specifically – is intuitive to identify. After all, the unique position of the Navy sets it apart as a service branch that could employ both large and small waterways to control, relocate and transport oversized cargo. The same maritime capabilities meant that, within specific theatres where resources were otherwise non-lootable – such as crude oil in the Niger Delta –

naval officials who went rogue extracted considerable rents from their illicit dealings. Such institutional corruption was a pathology that went to the most senior ranks of the Navy.

Marc-Antoine Pérouse de Montclos points to corrupt practices within the Nigerian Navy as being “on record”¹⁹⁵, noting that this record goes back to the illicit substance abuse trade as far back as the 1980s and in theatres as diverse as India and the Freeport of Monrovia, during the Nigerian Army-led ECOMOG mission to Liberia in the 1990s.¹⁹⁶ However, over the next decade, institutional corruption in the Nigerian Navy would reach new and higher levels. This would come as allegations of crude “oil bunkering”¹⁹⁷ assistance, illicit deals, abuse of power in its dealings with the NPA, and even unsanctioned movement of large oil vessels were made against senior naval officials.

Beginning with a detailed study of the *Africa Pride* case and other specific examples of unprofessionalism and corruption within the naval institution in Nigeria, this article will demonstrate the extent to which corruption is entrenched within the highest echelons of the Nigerian Navy, as well as the wider maritime institution in that country. The disappearance of the Russian oil tanker, MT *African Pride*, constitutes a milestone within the debate on government-enabled maritime criminality in Nigeria and is arguably the most infamous account of corruption within the Nigerian Navy. Indeed, so significant was the event that its actions led to members of the National Assembly staging sit-ins in protest for the first time in the history of the Navy history.¹⁹⁸

The disappearance of the *African Pride*: A case study of corruption in the Navy

A 30 000-tonne Russian tanker, *African Pride*, was initially intercepted on the high seas within Nigerian territorial waters on 8 October 2003.¹⁹⁹ The incident occurred near the Forcados oil export terminal of Royal Dutch Shell. Upon interception by the Nigerian Navy, *African Pride* was found to have 11 000 tonnes of crude oil, loaded as cargo without a manifest and authorisation. Consequently, the 13-man Russian crew of the ship were arrested and transported to a Lagos court for trial, on suspicion of engaging in illegal “oil bunkering”.²⁰⁰ According to Human Rights Watch, the practice of illegal “oil bunkering”, which was rampant in the Niger Delta particularly at the peak of the insurgency there, involved –

The illegal tapping directly into oil pipelines, often at manifolds or well-heads, and the extraction of crude oil which is piped into river barges that are hidden in small tributaries [creeks]. The crude is then transported to ships offshore for sale, often to other countries in West Africa but also to other farther destinations.²⁰¹

The Nigerian Navy intercepted, boarded and detained the *African Pride* as it attempted to leave Nigerian territorial waters, in an operation orchestrated by the NNS *Beecroft*, the largest operational base of the Navy.²⁰² The Commander of NNS *Beecroft* was Navy Captain Peter Duke, who had operational command of the mission that detained the *African Pride*.

After the vessel had been safely shepherded into dock, Rear Admiral Francis Agbiti – who at the time was the Chief of Training and Operations of the Navy, and so superseded Peter Duke’s operational command of NNS *Beecroft* – was ordered by the CNS to release the impounded vessel into police custody. Agbiti, however, refused to do so. Shortly afterwards, the *African Pride*, still with its valuable cargo on board, disappeared.²⁰³

Events surrounding this ‘disappearance’ of a 30 000-tonne sea vessel led the Nigerian House of Representatives to launch an inquiry. As a result, three rear admirals, the equivalent of two-star generals and a very senior Nigerian military rank, were implicated and faced charges regarding the missing vessel.²⁰⁴ Including Agbiti, those indicted were Rear Admiral Antonio Bob-Manuel (Deputy Commandant, Armed Forces Command and Staff College, Jaji-Kaduna) and Rear Admiral Samuel Kolawole, Flag Officer Commanding (FOC) Western Naval Command.²⁰⁵

One of these officers, Antonio Bob-Manuel, was acquitted. The remaining two, Rear Admirals Francis Echie Agbiti and Samuel B Kolawole, were found guilty under a military court – Agbiti, of “negligence and disobedience”, and Kolawole of “negligence, disobedience, lying and, the more serious crime, of conspiracy”.²⁰⁶ Both naval officers were dismissed.²⁰⁷

However, in the Supreme Court case, *Rear Admiral Francis Echie Agbiti v. the Nigerian Navy*, Agbiti’s conviction was overturned on appeal in February 2011.²⁰⁸ The overturning of the original court-martial decision was based on technicalities. The first technicality was that Major General Akpa and Air Vice-Marshal Odesola, the two non-naval members of the military court that convicted Agbiti, were his junior “by two days” and so could not pass sentence on their senior, according to Nigerian military court-martial rules.²⁰⁹ The second technicality was that two of the ruling naval officers were evidentially biased against the rear admiral. Specifically, Rear Admiral Ajayi, “was known to have disliked Agbiti from old”,²¹⁰ whereas Rear Admiral Oni, the military court’s other senior naval officer, was responsible for “sponsoring a publication”, against Agbiti, the *Insider Weekly* magazine even as the court-martial was ongoing.²¹¹ Vice Admiral Joseph Ajayi, who was the Chief of Defence Intelligence in the Nigerian military at the time of the trial, dismissed these objections as detracting from the evidence against the accused.²¹²

Despite the merits of Agbiti’s plea that the Supreme Court dismiss the verdict of his court martial as a “nullity”²¹³, for many Nigerians and external observers, the whole affair was soured. Public and external disappointment stemmed from the fact that, whereas both naval officers were convicted, neither was sentenced to gaol or even fined, at the least.²¹⁴

The relative leniency of dismissal from the Navy seemed a slap on the wrist of Agbiti and Kolawole, considering the criminal nature of the offence in question. This “merely compounded the cynicism felt by many ordinary Nigerians that there was much more to this case than met the eye, that it represented just a tiny part of the sprawling underworld of bunkering and smuggling”.²¹⁵ Indeed, that the two convicted admirals got off so “lightly without being sent to jail” did not reflect well on the view of criminality and

corruption within the Navy.²¹⁶ This was more so the case after Nigerian lawmakers had described the involvement by the Navy in the *African Pride* fiasco as “a national embarrassment” and a “shame” that belonged to the military interregnum, not to a democratic Nigeria that operated under the rule of law.²¹⁷

Public suspicions of a broader conspiracy and a potential government cover-up seemed validated after Bob-Manuel’s allegations that the brother of a former defence minister attempted to bribe him with a sum of £60 000 to release the *African Pride*. This allegation was given credence because Bob-Manuel was, at the time, the FOC within a coastal sector into which the *African Pride* had passed in the process of its “disappearance”.²¹⁸

Parliamentary attempts to resolve the *African Pride* case nevertheless led to enduring questions around corruption in the Nigerian Navy. At the very least, the initial verdict by the court martial came as “a harsh indictment of the navy itself”.²¹⁹ At worst, the incident revealed with evidential clarity what many had suspected for a while – “that top navy officers were deeply involved in bunkering”.²²⁰ The markers were numerous and, for the integrity of the Navy as a professional military institution, damning. First, according to military prosecutors, Rear Admiral Francis connived to attempt the release the *African Pride* from Navy custody the same day the vessel was detained. Furthermore, even as the vessel remained in custody three weeks later, its illegal cargo of crude oil was siphoned and towed to a different ship some three weeks later. Two naval ratings had to do this, junior seamen²²¹ who had received a “welfare package”, a payment from a senior officer to subordinates, to offload the crude oil cargo from the *African Pride* to a different vessel on the night of 31 October 2003.²²²

Second, court papers from the Navy court martial were categorical: Rear Admiral Kolawole was the senior Navy official who allowed Russian nationals “to visit the ship without authorisation and that he later ensured there was no guard on board the ship when it disappeared around 10 August 2004”.²²³

Third, documents that would have shown that the Navy had conducted an illegal activity were allegedly altered, removed and destroyed by the duo of Rear Admirals Agbiti and Kolawole, following the disappearance of the *African Pride*.

Fourth, two naval ratings, Suleiman Atan and Jonathan Ihejiawu, in providing witness to the court martial, stated under oath that they were bribed with a sum of ₦250 000 each (around US\$1 850, worth less than half that today) “to escort the MT African Pride from Lagos harbour to the high seas where its cargo was transferred to a waiting ship”²²⁴. The empty cargo was promptly replaced by seawater by the junior naval officers, who also said that one Lieutenant Commander Mohammed Abubakar was the one who paid them for this task on 31 October 2003. Atan and Ihejiawu also declared, again under oath at the court martial, that Lt Commander (Cdr) Abubakar passed on payment the aforementioned “welfare package” from the “Big Boys” in the Navy, down to them.²²⁵ The theme of ‘welfare’ within the military institution in Nigeria refers to informal sums of money typically given by senior officers to subordinates.

The aggregation of the above points leads to a strong indication of institutionalised corruption at the highest levels of the Nigerian Navy. In his verdict, Rear Admiral Joseph Ajayi, the president of the court martial, noted that both Agbiti and Kolawole, despite being a part of the same naval institution, had to be convicted because “no matter how painful, we shall be failing in our responsibility if the appropriate punishment is not meted out”.²²⁶ Indeed, due to the court-martial proceedings, “for the first time ever”, there was now “official confirmation of long-held suspicions that top navy officers were deeply involved in bunkering”.²²⁷

Nor was this the only instance. One report notes that corruption is so entrenched in the Navy that testimony to the *African Pride* inquiry suggests “that the overall head of the navy may himself have been involved in bunkering” as an extremely lucrative criminal enterprise.²²⁸ Specifically, Vice Admiral Sunday Afolayan, CNS, was accused by Navy Captain Peter Duke, formerly in charge of guarding arrested ships, of forcing him to release a vessel, the *Molab Trader*, detained for illegal oil bunkering. Captain Duke²²⁹ was the Naval Officer Commanding in charge of the NNS *Beecroft*, and found himself at the centre of the *African Pride* witness hearings at the House of Representatives.²³⁰

The Navy Chief, who was indicted by the House of Representatives Committee on the Navy, denied these allegations.²³¹ Afolayan responded by accusing Duke of “wanting to collect big scalps after being found guilty of falsifying documents and negligence of duty in a recent court-martial”.²³² In any event, Duke’s accusations against his superiors in the Navy may well have cost him his career. He progressed no further in the Navy, retiring as a captain before going into the private sector.²³³

Another critical incident that occurred around the same time as the disappearance of the *African Pride*, was the case of another missing oil tanker, the MT *Jimoh*. In September 2004, this vessel went missing from naval custody, leading to comparisons with the *African Pride* case. The MT *Jimoh* nevertheless reappeared weeks later at Dutch Island, not far from Port Harcourt in Rivers State, with a freshly painted name, MT *Lord*, emblazoned on its side. Like the *African Pride*, the blame was initially pinned in the Navy, who in turn blamed the police for their part in the fiasco. Suspicions being directed at naval officials were hardly unusual in this instance. After all, similar to the *African Pride* case, the chances of a large vessel like the *Jimoh* ‘disappearing’ from naval custody and then reappearing repainted and in proximity to several naval installations in Port Harcourt – without any illicit activity from within the Navy – were unlikely. With respect to senior naval officials implicated with the missing MT *Jimoh*, the most notable of these was the former Minister of State for the Navy, Dr Olu Agunloye.²³⁴ Agunloye would subsequently swear to an affidavit in the High Court of the Federal Capital Territory, Abuja, in which he denied “any major link with the missing vessels”.²³⁵

Agunloye would admit that he knew of Rear Admiral Bob-Manuel’s statement given to the House of Representatives as part of the latter’s deposition, which stated that a former minister pressurised Bob-Manuel into releasing one of the ships, the MT *African Pride*. However, Agunloye claimed that he was unaware that the “former minister” in question was supposedly him, until newspapers reports alluded to the link.²³⁶

The scale of the scandal involving the naval institution was such that, on 23 September 2004, a parliamentary committee investigating the case convened, making allegations of bribery involving senior figures. Furthermore, with naval officers “trading accusations” around the disappearance, parliamentary committee chairman Anthony Aziegbemi expressed disappointment at these developments, pointing to both incidents as episodes “that belonged to the old Nigeria”.²³⁷ On its part, the Navy would attempt to save face in noting that it was responsible for recapturing the vessel and arresting three people on board.²³⁸

Parliamentary officials were not the only ones to allude to naval corruption, as part of a broader phenomenon that exploited instability in the oil-rich Niger Delta region. Indeed, the institutional corruption in the Navy, both as an outcome and as a secondary driver of criminality and instability in the Niger Delta, has also been alluded to by its own officials.

For instance, in replacing Afoloyan as Chief of Staff of the Navy, Rear Admiral Ganiyu Tunde Adegboyega Adekeye highlighted the moral challenge of fighting illegal bunkerers in the Niger Delta area and the pressure under which senior naval officers were to assist criminality in what was essentially a cash cow for those officers so inclined. In Adekeye’s own words –

[I]t has been extremely difficult, we had always been under pressure by bunkerers from within and outside the Niger Delta region. They wanted us to yield to their request which has been against the interest of the economy of the nation.²³⁹

In another example coming from the apex of the Navy institution in Nigeria, the CNS, Vice Admiral Ibok-Ete Ibas, admitted to “the involvement of Naval personnel in illicit oil bunkering and theft in the country”.²⁴⁰ Vice Admiral Ibok-Ete Ibas conceded that, whereas the Navy had made gains in fighting illicit oil bunking, naval personnel still colluded with criminal elements “to sabotage this effort”.²⁴¹

Accounts such as these lead to a sobering and conflicting conclusion of the Navy institution in Nigeria. On the one hand, the development, restructuring and professionalisation of the Navy, since its early days as a small colonial boat force, are undeniable. As was mentioned in the background section of this article, at a time, the Navy was the most potent maritime force in black Africa and the pride of the country. Moreover, the Navy continues to be the foremost tool of military statecraft in Nigeria, as far as strategic force projection beyond Nigerian territorial waters is concerned.

Yet, on the other hand, the rich history of the Navy has been tainted by credible allegations of institutional corruption, which goes all the way up its ranks and extends into the broader maritime industry. By its own admission, the prominent rule of the Navy in anti-piracy operations against oil bunkerers in the Niger Delta has created an environment for many naval personnel to turn rogue and collude with criminal elements.²⁴² Moreover, the sheer number of general officers and flag officers – at a time, there were six times as many such senior officers as there were operational ships for them to command²⁴³ – is, in

itself, an institutional problem. Still, to capture the extent to which corruption across the maritime sector has enabled corruption within the Navy, it is vital to analyse the naval issue within the broader context.

For example, whereas the unusual disappearance and reappearance of crude oil tankers seized by the Navy tended to catch the public interest, other instances of malfeasance often slid under the radar. More specifically, the sheer scale of illicit deals within the maritime sector, which often involved the Navy, meant that the cases that made it to the courts or anti-corruption tribunals were scarcely the total of such dealings.²⁴⁴

One such illicit dealing linked to the maritime sector was the infamous Shaldag contract²⁴⁵. This defence procurement from 2010 saw the Israeli shipbuilder, Israeli Shipyards, win a \$25 million contract to deliver two fast assault boats to the Nigerian Navy. The problem with the Shaldag contract was that, at the time of procurement for the Navy, these boats were no more than \$5 million each. This meant that a gap of \$15 million existed within the transaction, which was shared by a range of people. The exact workings of how such sharing took place remain unclear. What is clear, is that Israeli police “established that the middleman, Amit Sade, received \$1.47 million in what is now termed [a] brokerage fee”. Moreover, three others were facing trial in Israeli courts over this deal.²⁴⁶

Corruption is an issue endemic across Nigeria, including within the tri-services, i.e. the army, navy, and air force. The Navy does not operate in a vacuum, and any rents extracted from illegal oil bunkering require a network of corrupt officials in the public, military and private sectors. With Nigeria often ranked amongst the most corrupt nations in the world,²⁴⁷ such a network that facilitates naval corruption is far from a stretch. Furthermore, as the Center for International Maritime Security suggests, it is only possible to understand institutional corruption in the Nigerian Navy by examining the broader picture of corruption in Nigeria as a whole.²⁴⁸ Indeed, the extent of this link, evidenced by case studies that highlight the indictment of corrupt senior government officials, warrants further examination.

Corruption in the broader maritime industry

Whereas the Nigerian Navy is the principal maritime agency in that country, several security sector agencies also operate within the maritime space. These include the Nigerian Maritime Police, which is a Nigeria Police Force branch, “with jurisdiction in the territorial inland waters, ports, and harbours”,²⁴⁹ the NPA and the NIMASA, which we shall discuss in detail. Moreover, additional agencies including the Economic and Financial Crimes Commission (EFCC), the National Drug Law Enforcement Agency, and the Director of Public Prosecutions all possess “specific maritime components”.²⁵⁰

Recognising the various actors within the Nigerian maritime space is important. As De Montclos points out, it is not just Navy personnel who “inform pirates and militants on the location of boats and the value of their cargo”; customs officials, as well as ports authorities are all in on this racket²⁵¹. A substantial paper trail is left behind when a large

vessel transports cargo from one location to another along a major maritime route – a paper trail that Nigerian Navy officials alone cannot possibly conceal.²⁵²

Moreover, such an expanded network of corrupt officials has been known to provide criminal syndicates and coastal pirates with bills of landing. These legal documents are typically issued by a carrier to a shipper. They detail the type, quantity and destination of goods transported along a given maritime route.²⁵³ A bill of landing can only be acquired by a senior navy officer, suggesting complicity within the higher echelons of the institution.

Similarly, corruption within the maritime industry in Nigeria has also led to the highest levels of this sector. For example, Navy Commodore (Cdre) (ret.) Bode George, a former one-star general within the Nigerian Navy, who later went on to serve as the chairman of the NPA, was first indicted in 2005 by the Nigerian Economic and Financial Crimes Commission (EFCC).²⁵⁴ The charges were dismissed. However, George had a history of allegations against him, going back to his days as a military governor of Ondo State, during the military interregnum (1988–1990).²⁵⁵

When interviewed in July 2002, Asiwaju Bola Tinubu, who was Lagos State Governor, was deeply critical of George, noting that the former military governor should face criminal investigation based on “his activity in Ondo State”.²⁵⁶ In Tinubu’s words:

The likes of Bode George have achieved nothing except military barrack activity. They have never governed before, he was put in Ondo just to go and look at the record. There is nothing to show for his tenure except embezzlement, corruption and abuse of power. Bode George and his fellow travellers who believe in military arbitrariness have to be told in clear terms that their time has passed, we are under democracy now.²⁵⁷

Whereas the conviction of George as the NPA chairman was indeed upheld in the courts, Tinubu’s allegations should be taken with a pinch of salt and regarded as altogether spurious, insofar as they were neither proved nor evidence-based. Nor was it all one-way traffic: George himself levelled similar allegations of corruption against Tinubu as the governor of Lagos state. Furthermore, the People’s Democratic Party, the ruling party at the time, rebuked Tinubu for his personal attacks on George, telling the governor to “address issues, not personalities”.²⁵⁸ Such allegations of corruption against political figures are far from unusual in Nigeria. The analysis presented in this article is restricted to the Navy, but this should not be seen as a marker that corruption by government workers in Nigeria is limited to the Navy.

Nevertheless, as it turned out, George would find himself facing official allegations of corruption decades later, as chairman of the NPA. In August 2008, the EFCC, under its new head, Farida Waziri, again had Bode George arrested with four others.²⁵⁹ Amongst the charges levelled against the former Navy general were disobedience to lawful order, conspiracy, abuse of office, “contracts splitting” and alleged illicit awarding of contracts worth some ₦84 billion during his tenure as chairman of the NPA.²⁶⁰

On 26 October 2009, Cdre (ret.) Bode George was found guilty in the Nigerian courts and, along with four others, was sentenced to 28 years in gaol.²⁶¹ This sentencing was hailed as a 'landmark' ruling by Justice Joseph Olubunmi Oyewole, who handed down the sentence.²⁶² As many feared would happen, that sentence was however drastically reduced to 30 months in October 2009.²⁶³ Fact remains, the disgraced Bode George, former director at the Nigerian National War College, served time in prison.²⁶⁴

A caveat is worth appending to this analysis of Bode George's role within high-level corruption at the NPA. George just happened to be a retired naval officer, and later NPA chairman, who was convicted and so fits within the narrative of exposed high-level corruption in the Navy and maritime industry. Corruption, both within the military and across civilian society, is too widespread for a few case studies to approximate the full picture. As one interviewee at the CLEEN Foundation put it, "for every corrupt official found out, dozens more are probably doing the same thing and getting away with it".²⁶⁵

A final instance of corruption within the Nigerian broader maritime sector was evidenced in the case of NIMASA. Formed on 1 August 2006, NIMASA was established via a merger of the National Maritime Authority (NMA) and the Joint Maritime Labour Industrial Council, former parastatals of the Federal Ministry of Transport.²⁶⁶ NIMASA provides both port authority and flag administration, but has a comprehensive set of operational functions and "in fact functions much like a coast guard".²⁶⁷

The NMA, which served as the predecessor of NIMASA, was established by the Shipping Policy Decree of 11 May 1987.²⁶⁸ The NMA took on some of the duties conducted by the early Nigerian Navy (there remains some duplication of tasks in this regard, such as search and rescue, monitoring of marine pollution, sea dumping and spillage in Nigerian territorial waters, as well as inspections).²⁶⁹ Through the NMA as its progenitor organisation, NIMASA therefore has a history that goes back to the military interregnum, although civilians have always headed the organisation. NIMASA has its own fleet of vessels as well as air assets for search and rescue operations.²⁷⁰

Over the years, however, NIMASA is said to have been "transformed from an industry's hope to a warehouse for political cash",²⁷¹ a holding organisation with a high turnover of chief executives, individuals referred to as "journeymen who are usually in a hurry to spend money on projects with little value to the shipping community".²⁷²

More maritime corruption case studies: NIMASA's 'journeymen' and gunboats from Norway

As an example in this section, convicted Delta State Governor, James Ibori, recommended the director general of NIMASA, Raymond Temisan Omatseye, for nomination in 2008.²⁷³ Two years later, in living up to his mentor's expectations, Omatseye had defrauded NIMASA to such a degree that he was arrested by the EFCC "over allegations of fraud, contract inflation, and financial mismanagement".²⁷⁴ In 2016, Omatseye was sent to gaol for five years as a consequence of a ₦1.5 billion scam.²⁷⁵ Yet, in 2017, the former NIMASA director general was set free when a different court reversed his initial conviction.²⁷⁶

Omatseye's replacement as director general of NIMASA, Patrick Akpobolokemi, was, quite ironically, "a close friend" of Government Ekpemekpolo, popularly known as 'Tompolo',²⁷⁷ who was said to have become "a regular face in the agency [NIMASA] soon after Akpobolokemi's appointment".²⁷⁸ Tompolo was a leading figure²⁷⁹ of the violent militant group, the Movement for the Emancipation of the Niger Delta and is considered one of the most important militant figures within the Niger Delta conflict.²⁸⁰ Tompolo was also prolific in the procurement of arms, and a war planner respected even by Nigerian military officials tasked with ending his militancy.²⁸¹

Frequent NIMASA visits by Tompolo, whose militants spent years "kidnapping oil workers, attacking oil fields, blowing up pipelines" and fighting the Nigerian Army and Navy,²⁸² led to a multi-billion naira contract awarded to Global West Vessel Specialists Nigeria Limited, a company owned by Tompolo.²⁸³

In 2014, reports emerged that Tompolo, using a linked company, Global West Vessel Specialists Nigeria Limited, struck an £8.1 million deal to purchase former gunships, "including the 2,530-tonne KNM Horten – from Norway via the U.K.-based CAS-Global".²⁸⁴ Given Tompolo's history, this deal that was allowed by both the Nigerian and the Norwegian governments, appeared unusual. Indeed, in Norway, the deal became the subject of a publicised parliamentary investigation, with the Norwegian Ministry of Defence forced to issue an apology for sanctioning the purchase.²⁸⁵ That there were illicit dealings involved is beyond question. As part of the enquiry, three Norwegian civil servants were indicted on corruption charges linked to the sale. Furthermore, two UK businessmen were also accused of offering a bribe to a Norwegian official.²⁸⁶ In May 2021, one of the Norwegian officials involved, Bjørn Stavrum, was sent to prison for five years in connection with payments by CAS-Global to him to help finalise the purchase.²⁸⁷

Stavrum, an *orlogskaptein* (OF-3, Lt Cdr-equivalent) of the Norwegian Navy, was said to have been offered bribe payments of \$242 000, spread across three sums, throughout 2014.²⁸⁸ This was to help obscure the fact that the gunboats would eventually be acquired by Tompolo.²⁸⁹ Nevertheless, by ignoring the significant potential risks around the sale of ex-military vessels to GWVSL, both the United Kingdom and Norway "were downplaying the possibility that Tompolo might challenge the government again".²⁹⁰ A Norwegian member of parliament, Erik Skutle, aired the broad political disquiet around the sales fiasco when he asked, "[d]oes this mean that anybody can buy these boats, as long as they sign a declaration? Even terrorists? How on earth could this happen?"²⁹¹

Along these lines, speaking during a parliamentary disciplinary committee enquiry into the sale of the battleships, Norway's Chief of Defence, Admiral Haakon Stephen Bruun-Hanssen, admitted in May 2015 that Norwegian military officials failed in their "diligence before selling the decommissioned ships" to Tompolo.²⁹² And Bruun-Hanssen's predecessor, General Harald Sunde, who was Norwegian defence chief when the sale was made, also apologised, noting his disappointment around the sale, but also blaming the breakdown of due diligence on the part of the Norway Defence Ministry in terms of a reorganisation at the logistics organisation of the defence department. This

reorganisation occurred at about the time when the deal was made and might have been responsible for any red flags around it being missed.²⁹³

Nigerian lawmakers were much less vocal about the sale, even though the purchase of the gunboats from Norway would have required an export license from Norway's Ministry of Foreign Affairs.²⁹⁴ Moreover, given Tompolo's history as a militant fighting against the Navy in the creeks, Akpobolokemi's alleged association with this individual, culminating in the purchase of gunboats, is significant. The ties between these two men became more evident after the workings of the Norwegian boat deal came into the public domain in December 2014. It was then that the director general of NIMASA, Patrick Akpobolokemi, noted that the gunboat purchase was conducted within the instrument of a public-private partnership, in conjunction with the Nigerian Navy.²⁹⁵ The Navy, Akpobolokemi said, re-armed the vessels to assist NIMASA. In Akpobolokemi's words:

As an arm of the government responsible for maritime safety, security and regulations amongst others, we work in conjunction with the Nigerian Navy and other relevant security agencies to use their men and arms to patrol and provide safety of the country's waterways, as mandated by the global body, the International Maritime Organisation (IMO). [...] It is the Navy that has fitted their guns on the vessels to aid their policing of the maritime domain.²⁹⁶

Akpobolokemi served as director general of NIMASA until the following year when President Goodluck Jonathan lost the election and was discharged by the new president, Muhammadu Buhari, some six weeks after coming into power, in July 2015.²⁹⁷ That same year, Akpobolokemi was arrested by the EFCC, while in court.²⁹⁸ In 2017, Akpobolokemi was arraigned by the EFCC in an ₦8.5 billion fraud case.²⁹⁹ Furthermore, in 2019, he was further accused by a prosecution witness at a Federal High Court of laundering ₦138 million.³⁰⁰

As of late 2021, Akpobolokemi remained under trial, with the Federal High Court in Lagos still taking depositions. As part of the extended corruption ("criminal breach of trust") trial against NIMASA officials, Nigerian Navy Captain (ret.) Ezekiel Bala Agaba, who was at the NIMASA Directorate of Intelligence gathering during Akpobolokemi's tenure as director general, was jailed for seven years.³⁰¹

The pattern of impunity in the Nigerian maritime industry continues. In May 2019, another NIMASA director general, Calistus Obi, was "convicted for knowingly converting and laundering ₦ 136 million meant for the corporation".³⁰² In November 2020, the EFCC re-arraigned Haruna Baba-Jauro and others on a charge of over ₦304 million fraud.³⁰³ Haruna Baba-Jauro succeeded Akpobolokemi as director general of NIMASA.

The list of convictions and allegations within the highest levels of NIMASA, the political narratives around these convictions and allegations, and the question of financial and economic crimes by officials in power, mirrored those within the Navy discussed earlier. These multiple instances indicate corruption within the Nigerian maritime sector, which

itself facilitates the same pathology within the presence of the Navy in the Niger Delta. Moreover, the link between the Navy and corruption cases within the broader maritime industry is also directly evident in the Norway gunboat purchase case, in which NIMASA identified the Navy as re-arming gunboats that should not have been purchased to begin with.

Furthermore, corruption within NIMASA also saw other service branches involved, such as in the money laundering trial of a former Chief of the Air Staff, Air Marshal Adesola Amosu (ret.) and others. Within the trial, it was alleged by a prosecution witness at a Federal High Court in Ikoyi, Lagos, that NIMASA credited ₦3 billion to the Nigerian Air Force (NAF) and that those funds, within the NAF Special Emergency Operations Account domiciled in Zenith Bank, were diverted to Amosu's personal use.

Alongside Amosu, the EFCC also launched proceedings against Air Vice-Marshal Jacobs Adigun, a former NAF Chief of Accounts and Budget, and Air Cdre Owodunni Olugbenga, a former NAF Director of Finance and Budget, for their alleged roles in the laundering of some ₦21 billion of NAF funds.³⁰⁴ Furthermore, between September 2014 and April 2015, NIMASA supposedly paid out ₦8.5 billion to the Joint Task Force (JTF) Operation Pulo Shield, the military operation countering insurgency by the armed militias in the Niger Delta.

The payment was broadly described as an “operations enhancer”³⁰⁵. Yet, over 70 per cent of the allocation (some ₦6.2 billion) was “handed over to an unknown ‘Private Citizen’”. No one also knows what happened to the balance – ₦2.3 billion”.³⁰⁶ However, Major General Emmanuel J Atewe (ret.), a former JTF Operation Pulo shield commander, stood trial for allegedly embezzling defence and security funds to the sum of around ₦8.5 billion received by the operation from NIMASA. Atewe was charged along with Akpobolokemi, the former NIMASA director general, and two other NIMASA staff, Josephine Otuaga and Kime Engonzu.³⁰⁷

Conclusion

This article considered a range of cases of corruption, illicit dealings, abuse of office and malfeasance in the Navy and broader maritime industry in Nigeria. The *MT African Pride* case arguably remains one of the most infamous instances of naval corruption within the higher echelons of the Navy. Nevertheless, this article showed that, to understand the nature and extent of corruption within the Navy and maritime sector, one has to look beyond such cases and investigate the relationships between both sectors, navy operations and even indicted personalities.

From its origins as largely benign relationships between senior military personnel and public officials, malfeasance in the military institution evolved into abuse of power and full-blown and large-scale corruption. Senior Nigerian military personnel and military generals, in particular, “form an important part of the contracting gang stealing from the country through defence and security contracting”.³⁰⁸ In 2018, no fewer than eight senior military and former military personnel were indicted by the EFCC or otherwise recommended for prosecution.³⁰⁹ Furthermore, in July 2016, the Third Interim Report

of the Presidential Committee on Audit of Defence Equipment Procurement from 2007 to 2015 by the investigative committee instituted by President Muhammadu Buhari, indicted no fewer than 18 senior military officials who played roles in military procurement, within the period under review.³¹⁰ The recommendation was that these individuals be further investigated.³¹¹

Whereas there was just a single direct reference to NIMASA within the above-mentioned panel report and no reference at all to the Navy, this article has shown the extent to which corruption is nevertheless entrenched in the Navy and the broader maritime industry. Indeed, as one report from the Anti-Corruption Resource Centre points out, “corruption is pervasive in the Nigerian maritime security sector and facilitates the very crimes that the Navy should be countering, such as smuggling, piracy, and oil theft”.³¹²

Even so, the forecast is not all gloomy. During military rule, corruption occurred with impunity. Over the past few years, this seems to have changed. The indictment of senior naval officials, the imprisonment of a former NPA chairman and officials, and ongoing EFCC cases against top NIMASA officials, including Akpobolokemi, are all developments that indicate maturity of the Nigerian justice system and a willingness to prosecute officials in high office. Moreover, the EFCC and the Navy appear increasingly willing to work closely together in the fight against corruption. In January 2022, the Navy handed over the impounded vessel, the *MTT4*, its cargo, and suspected crude oil thieves on board to the EFCC.³¹³ Such close partnerships between the military and the Nigerian anti-graft agency may be interpreted as a marker that the former is now more determined than before to follow the rule of law to the letter – something that could not always be said of the military in Nigerian history. Whether such progress and relationships will translate to more transparent naval practice and an end to the longstanding culture of corruption in the Nigerian Navy remains to be seen.

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