

# **A review of oil theft and the growing threats of maritime piracy in the Gulf of Guinea as organised crime by some Nigerian criminal enterprises like the Niger Delta gangs and Militants.**

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## **Abstract**

The paper examines the phenomenon of oil theft as an organised crime. Oil theft, popularly known, as oil bunkering is a phenomenon peculiar to the Nigerian state, a phenomenon that some argued only occurred in the country. This phenomenon happened in two main ways, first when individual thieves tap either an oil pipeline or a wellhead, secondly when multinational oil companies pump more oil than their licences permit. The first way is more common and the culprits are usually the Niger Delta gangs and militants, with an alleged support from some vested interests that includes security personnel and politicians. This paper not only examines this phenomenon as a form of an organised crime, but also the contemporary perpetrator's activities and the growing threats of their acts in the Gulf of Guinea.

**Keywords:** Gangs, Niger Delta Militants, Oil theft; Organised crime and piracy.

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## **I. Introduction**

Organised crime is a highly complex and one of the least understood crimes in today's world (Longo, 2014, Galliher, 1989, Gottschalk, 2010). A form of crime that has seen books both novels and fact based written on it, with many made into blockbuster movies like the Good fellas, Scarface and the Godfather. Lunde (2004) described organised crime as the world most successful industry. This form of crime could be local or international (transnational), could also be state or groups with what constitute it in the views of Gottschalk (2010, p.21) to be "confusing, puzzling, or simply contradictory". Like many social constructs, there is neither universally accepted nor a clear definition of the term organised crime (Galliher, 1989). Paoli and Fijnaut (2004) argued that partisan and objective deliberations still oscillate in the middle of thinking of organised crime as sets of criminalised activities and as a set of people engaged in crime, an attempt to provide an adequate definition of the term have given rise to "a very controversial debate" (Longo, 2014, p.15).

The term lack existence in different national and international judicial systems and law enforcement agencies. For example, in the UK, there is no "legal meaning" of the term which the Crown Prosecution Service (CPS) defined as a "serious crime planned, coordinated and conducted by people working together on a continuing basis. Their motivation is often, but not always, financial gain" (CPS, 2013, p.1). Organised crime refers to criminal networks that are involved in numerous diverse types of criminal activities traversing several countries, these activities may include drugs, trafficking in persons, illicit goods and weapons, armed robbery, counterfeiting and money laundry (Interpol, no date). Gottschalk (2010) sees organised crime as "a crime committed by criminal organisations whose existence has continuity over time and across crimes, and that may use systematic violence and corruption to facilitate their criminal activities" (ibid, p.22).

The common shared universal definition of the term is the United Nations Convention against Transnational Organised Crime. The convention defined an organised criminal group as "a group of three or more persons existing over a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this convention, in order to obtain, directly or indirectly, a financial or other material benefit" (United Nations Office on Drug and Crime, 2004, p.5). Transnational agencies like the European Police (Europol) adopted this definition but acknowledged that the definition does not give a vivid description of the complex and flexible nature of modern time organised crime groups (Europol, no date).

## **1.2 Cults, gangs and emergence of militants in Nigeria**

Osaghae et al. (2008) opines that the relationship between cults and militias is very close, in fact, most militants are loose federations of cult groups. Cult groups usually have an initiation process after which they pledge their faithfulness under vow to the group. They are referred to secret cult group because their activities are always secretive and meetings are conducted at odd hours. Wole Soyinka (the Nobel Laureate) together with six other friends were credited to have formed the first secret cult group known as Pyrates Confraternity (PC, also known as Original Seven) in 1952 at the University College Ibadan (NAS, 2016). Over time, many male dominated secret cult groups were formed across the country that include Second Son of Satan, Black Scorpion, Black Beret, Executioners, Dreaded Friend of Friends, Red Sea Horse, etc. Female dominated secret cult groups include Black Brazier (Black Bra), Daughters of Jezebel and Damsel.

The 'Vikings' cult (aka Supreme Vikings Confraternity) according to Boas (2011, p.121) was originally founded at the university of Port Harcourt, River State in 1984. It has since expanded, and has members in universities all over southern Nigeria. Its current and past members have been elected to high office in Nigeria, including the Rivers state House of Assembly (according to rumours, in such high numbers that the Assembly should be renamed the 'Viking House'). Ateke Tom's NDV (Icelanders) were originally the 'street wing' of the 'Vikings'. Similarly, the campus-based cult the 'Klansmen' started the 'Deebam' as its 'street wing'. Many of these secret cult groups became superpowers of violence with the return to democracy in 1999.

The return to democracy offered opportunities for the gangs to become rich and to developed their own agenda. Boas (2011) highlighted that some of the militants who had worked for politicians initially developed interest of their own. A good example is Asari Dokubo who started off as a mere gang leader who later became powerful but ended up charged with treason on the basis of allegation that he had declared that the Niger Delta region should secede from the Nigeria. Asari Dokubo remains the most prominent ex-militant in the Niger Delta region.

Human Right Watch (2008) and Boas (2011) concludes that in various parts of Nigeria including Rivers State, some prominent politicians are cult members because they are university graduates and that the relationships, they cultivate with militants today is not a novelty for them, but in fact a continuation of an intimate relationship between politics and violence that they internalized in the formative campus years of their life.

The term 'militant' is one of the words used to portray anybody with emphatically held perspectives (e.g., militant Christian, militant atheist). A militant group usually maintained a forceful stance while in pursuit of its cause and mainly confrontational until aim (s) achieved. Writers like Briggs (2007); Obi (2001); Osaghae et al. (2008); Falana (2007); and Quamruzzaman (2010) extensively discussed this concept. Inokoba & Imbua (2010) identified three types of militants, intellectual militant, militant mobiliser and violent militant.

This study considers the term 'militant' as someone who favours confrontational or violent means in support of a cause be it political or social. In the context of the Niger Delta, Briggs (2007) and Osaghae et al. (2008) define militants as armed men who make political demands, including the release of imprisoned leaders, cash compensations for communities, change of electoral candidates and a greater share of oil revenues, among others. 'Militant' also refers to any one or any group of people that are not trained soldiers but have armed training and have the capacity to act as an army (Falana, 2007).

Osaghae et al. (2008, p.33) argued that on the objectives of militants in the Niger Delta, there seems to be an agreement of interests between the militants and some of the Niger Delta leaders and elders among which are the right of states and communities to resource control; a broad-based development programme to transform the region; protection of land; dignity, culture, freedom, environment (their activities like oil bunkering and illegal oil refinery contribute to the killing of the environment) and natural resources of the Niger Delta people. Unfortunately, there is no available definition of the term by the United Nations.

## **1.3 Organised crime in Nigeria**

Sadly, Nigeria has over the years developed a negative image because of criminal activities of a bad few among million good ones who are spread across the globe contributing positively to the betterment of humanity. No nation-state on planet is more recurrently associated with phenomenon of "oil theft than Nigeria" (Ralby, 2017, p.14). Nigeria is the most populous country in Africa and seventh in the world with current population of more than 200 million people (World Population Review, 2019, CIA Facts, 2018, Internet World Stats, n/d). Nigeria is potentially a rich country by all comparative indices, with significant crude oil production and export amounting to about 2.34 million barrels per day and natural gas exports of about 25.96 million cum in 2011 (Shehu, 2015, p.6). Some like Sanusi (2013) agreed that Nigeria is a country with abundantly potentials capable of making the country one of the greatest economies in the world. Unfortunately, these potentials remain like a dream which is yet to be realize. In the views of Sanusi (2013), Nigeria is a country with abundant possibilities but has never been able to realize the possibilities.

Authors like Abadinsky (2010) and Ellis (2016) argued that decades of military dictatorship, corruption and poor population control created a climate that proved fertile for the establishment of crime groups that are

active in narcotics and human trafficking, as well as sophisticated economic crimes like credit card and advanced fee fraud, popularly known as “419”. Narcotics, human trafficking and 419 (a form of crime that involve defrauding innocent individuals or even businesses) are the common forms of organised crime that has become an unfortunate part of Nigeria’s image. Oil theft, argued (Katsouris and Sayne, 2013) began in the late 70s and early 80s when Nigeria was under military governance. Then, it was alleged that top military personnel began stealing or permit others to steal oil, to enrich themselves and sustain their political stability. The stealing of oil then was small, maybe a few thousand barrels daily. Return to democracy in 1999 deepened oil theft when members of the public officials and “political godfathers” became involved (Katsouris and Sayne, 2013, p.5).

Lunde (2004) suggest that there are over 500 Nigerian organised crime syndicates operating in 80 countries, Nigeria is the hub of African organised crime, until 1850 the world centre of the black slave trade. The 419 syndicates have branches across the globe, following months of investigations, the Federal Bureau of Investigation (FBI) recently indicted 80 people (77 of whom are Nigerians) for fraud and money laundering offences amounting to £38m (BBC News, 2019, Austin, 2019). While this form of organised crime remains a regular occurrence from the mid-1980s to date, a new form of this crime ‘oil bunkering’ began to occur and became common in Nigeria in the early 2000s. Oil bunkering includes all acts involving oil theft, that consist of diversion and smuggling of oil and unofficial loading of ships (Council for Foreign Affairs, 2015). Industrial oil theft in Nigeria is carried out by a “large organised” and “ruthless petro-gangsters in militiamen uniforms” (Schultze-Kraft, 2019, p.123).

#### **1.4 Oil theft/bunkering: an overview**

No nation-state on the planet is more recurrently associated with the phenomenon of “oil theft than Nigeria” (Ralby, 2017, p.14). The act of theft or oil bunkering is different from the illegal refineries. It is a well organised criminal network, this act usually happens on a large scale that involves some community members; some Niger Delta elites; militants; cabals; criminal rings; oil executives, the Nigerian state through its security agencies like the Army and Navy (Murdock, 2013). Oil theft argued Katsouris and Sayne (2013) began in the late 70s and early 80s when Nigeria was under military governance. Then, it was alleged that top military personnel began stealing or permit others to steal oil, to enrich themselves and sustain their political stability. The stealing of oil then was small, maybe a few thousand barrels daily. Return to democracy in 1999 intensified oil theft when public officials and “political godfathers” became involved (Katsouris and Sayne 2013, p.5).

Stealing and loading of crude oil into large vessels is a phenomenon attributed to many actors, the lucrative business is very complicated and complex. In the words of Ken (2013, p.3), it is a “complex network, the value chain is long and complicated”. An established fact is the agreement among multinational oil companies, government officials and researchers that there is an existence of an illegal business called oil theft or oil bunkering (Murdock, 2013, Umejei, 2015 & Vidal, 2013). The actors in this business are diverse (Schultze-Kraft, 2019).

The only controversial aspect of the phenomenon of oil theft in Nigeria is the amount of oil that is alleged to be stolen. On an official visit to the United States of America, the sitting Nigerian President was asked just how many barrels of Nigeria’s oil is stolen in a day? He replied, “250,000 barrels per day of Nigerian crude are being stolen and people sell and put the money into individual accounts” (Garba, 2015, p.1). There are varying educated guesses of the amount of crude oil stolen on a daily basis in Nigeria. Some say it is about 150,000-200,000 barrels (Vidal, 2013). Others say it is about 300,000-400,000 barrels (Handen, 2016, Umejei, 2013). The Chatham House report claimed that “100,000 barrels of oil are stolen daily from the Niger Delta, about five percent of the two million plus barrels per day output. Some analysts put the total amount of stolen oil much higher, at 400,000 barrels a day” (Murdock, 2013, p.1).

Umejei (2015) argued that the honest and sincere answer to the question on how many barrels of Nigeria’s oil is suspected to be stolen is “no one knows” (Umejei, 2015, p.3). It is alleged that all the Nigerian oil wells are not adequately metered in a manner that allows an independent verification and this makes it impossible to have an accurate estimate of the nation’s crude reserves also. This massive discrepancy is a signal of how difficult it is to get some key facts in the “murky” world of the Nigerian oil and gas sector (Ross, 2012, p.1). It is a common belief in the oil and gas sector that only trusted expatriates know how much crude oil Nigeria extracts on a daily basis (Bassey, 2013).

Vidal (2013) acknowledged that oil theft is a crime with universal impact, and it is second only to the global drugs trade for the money it makes. The business also affects the prices of oil across the globe, an oil thief admitted to a Sky news correspondent that they are aware that their illegal activities can affect global oil prices and prices inside Nigeria but he insisted that they have no alternative but to engage in the business (Crawford, 2018). A Chatham report claimed that oil theft affects economies across the globe because the thieves launder money in foreign countries and stolen oil disrupts the oil markets.

Katsouris and Sayne (2013) identified three primary types of oil theft: a) small scale pilfering and illegal local refining. This type is carried out by local groups who use tools like hacksaws to cut and siphon oil from pipelines or wellheads and manifolds. b) large-scale oil theft in the oil field which is more industrial and

carried out by sophisticated networks of workers that tap into oil infrastructure onshore. c) oil theft at export terminals, this involves pumping oil onto oil tankers above the approved limit (this researcher has personally witnessed this type of oil theft at the Kaduna refinery).

Oil theft occurs in two ways according to Umejei (2015, p.2), the first means used by the thieves is to “tap either the pipeline (easy in cases where maintenance is shirked, and the metal is corroding) or the wellhead. From there, the oil is placed on small barges and taken out to sea, where it is loaded onto large ships lurking out of sight of the authorities”. The second means is multinational companies who “pump more oil than their licenses allow. This type of bunkering (the local term for oil theft) often involves a number of oil company staff and NNPC, as well as top government officials who give the oil lifting contracts” (Umejei, 2015, p.2). Kemp (2015) summed up that the illegal business is flourishing because the oil thieves (with support of security personnel) seem to be enjoying some sort of partnership that pays well and the oil companies seem to be happy with that.

Only a minimal part of the stolen oil is refined locally, Cocks (2012, p.1) believes that 90% of it is refined in Singapore and sold on world markets by organised criminal networks in the Balkans. Attention is only given to the local gangs who steal small amounts of oil for local refining, while ignoring the industrial scale of the crime that involves politicians, the Nigerian security personnel, Western banks and global organised criminal networks that drains Nigeria’s resources more (Cock, 2012).

In a documentary by Sky News on how oil thieves are running the Niger Delta region, the correspondent, Crawford (2018) was visibly seen in pain and sympathy for the environment. The correspondent said “we were totally unprepared for how bad it was. It was as if we were in a different planet, everything was black, the mangroves were dead, and the roots were in black water. It was like going through a graveyard, a graveyard of mangroves”. Crawford (2018) concludes that “It was a horrendously bleak picture; it was the saddest thing that I have ever seen, that a whole ecosystem can be so destroyed as it was”.

In its editorial, the Sun Newspaper (2013) emphasised that the impacts of the oil theft business include the help it gives in funding other transnational criminal links by creating important contacts between oil thieves, bandits, and drug and arms traffickers. While giving a talk on TEDxYouth, a former Governor of Nigeria’s Central Bank, Sanusi lamented that

*“Nigeria is the only country in the world where you have something called oil theft where vessels can simply come and take crude oil and literally just drive out of the country. You see the numbers every day one hundred thousand, two hundred thousand, four hundred thousand barrels a day. Nobody even knows how does anybody take oil in a vessel and leave a country, we’ve got the Navy, we’ve got NIMASA, we’ve got security services. You’ve got all companies themselves”* (Sanusi, 2013).

The militants never see their act of oil theft as criminal, “the oil thieves abiding argument is that they are the true owners of the oil” (Hansen, 2016, p.2). It is reported that due to the oil theft business, Nigeria lost about N1.6 trillion and N995 billion in 2016 and 2017 respectively (Eboh, 2018). This translates to a loss of approximately \$8.9 million daily and a collective loss of around N2.6 trillion over the two-year period (Adugbo and Agabi, 2018). Katsouris and Sayne (2013) and Garrick (n/d) argue that oil theft in Nigeria is a thorny issue and when so many people are feeding from the business of oil theft, it is doubtful if anyone in Nigeria has the political will to stop the business. Ralby (2017) also concludes that the network of beneficiaries of the illegal business makes it tough to stop and there are fears of whether anyone capable has the will to even reduce it. The conclusion, it appears, is that oil theft cannot be stopped any time soon in Nigeria.

### **1.5 Niger Delta gangs and militants and threats of piracy on the Gulf of Guinea**

Because of their frequent freighting on most of the water coasts either due to oil theft related or other criminal activity, there is an increase security threats on the canals. Nigeria appeared to have taken over from Somalia in terms of pirates’ activities across the African coastline, largely because of the activities of Niger Delta gangs and militants. Lucia (2015, p.8) contended that strong evidence shows that rising acts of piracy in the Gulf of Guinea is linked particularly to local militias in the Niger Delta region. The United Nations Convention on the Law of the Sea defined as

*“any illegal acts of violence or detention, or any act of depredation, committed for private ends by crew or the passengers of a private ship or private aircraft, and directed: (i) on the high seas, against another ship or aircraft, or against persons or property on board such as ship or aircraft”* (United Nations Convention on the Law of the Sea, 1982, p.61).

A pirate can be referred to as someone who uses violence to steal personal belongings, cargo or valuable items in coastal areas. An alleged ex-soldier informed Ross (2013, p.1) that when repentant Niger Delta militants received money from the amnesty programme, they went and purchased guns to carry out acts of piracy on the coastal areas. Marex (2014, p.1) refers to the repentant militants as “militants-cum pirates” that have raided commuter vessels, kidnapped oil staff and ambushed Joint Task Force patrols. Having taken to piracy, Niger Delta militants have become a major threat to the free movement of oil cargo on the West African coastal waters. Monetary gain is a major motivator to the Pirates, who not only steal the goods found in a vessel,

but also cease the crew and demand a ransom. Piracy made the International Maritime Bureau (IMB) conclude that the Nigerian waters is ‘‘extremely dangerous’’ (Marex, 2014, p.1).

According to Lucia (2015) pirate activities vary from minor scale robberies to well-organised criminal gangs, and the organised criminal gangs tend to use a great level of violence. Pirate acts in the Gulf of Guinea spread from Ivory Coast in the West, towards Nigeria and down in the direction of Congo (Democratic Republic of Congo). Baldauf (2012) maintained that a mixture of economic opportunism by criminal gangs and absence of governmental capacity to stop them on shore drive this criminal act. Baldauf further maintained that in recent time, Pirates steal ships and direct them to meet up with other bigger ships particularly contracted to discharge the volumes of stolen oil.

In supporting Baldauf (2012), an alleged ex-pirate informed Bello that sometimes ‘‘we hijack to get money and ransoms. It depends on the ship. We can even get (anything) about \$555,000 or €430,330’’ (ex-pirate, no date cited in Bello, 2018, p.2). The criminal enterprise of piracy in the Gulf of Guinea involved some Nigerian government officials. Starr (2014) claimed to have been informed by a suspected Nigerian pirate gang member arrested in 2012 that a network of government officials provides information on the situation and content of a vessel. The gang member stated that once the assignment is completed, they would inform the points men (government officials) who after that, get in touch with the cabal (usually regarded in Nigeria as some powerful politicians and elites that are present in government) that takes charge of the hijacked vessel (Baldauf, 2012). He claimed that they usually meet at a chosen point on the high sea from where the stolen goods would be put in different oil facilities for circulation by oil marketers. The gang member further claimed that they are ‘‘not directly involved in the sale of the product, only assist to convey the product to a designated point by acting as escorts in case of confrontation. My gang has about 3,000 various weapons that are kept in different parts of the country’’ (Usman, 2012, cited in Starr, 2014, p.3).

Acts of piracy by criminal enterprise in Nigerian coastal areas has been growing at an alarming rate (UNODC, 2013): Piracy has generated attention in the Gulf of Guinea and these attacks happen because there is a flourishing black marketplace for fuel in West Africa. A multifaceted transnational network of players are involved in pirate criminality at the regional and worldwide levels. Evidence indicates that organised and trans-border criminal individuals are increasing from the Niger Delta (UNODC, 2013). International Crisis Group (2012) claims that a few stolen vessels off Benin (Cotonou) ended up in the Niger Delta region and that suggests militants or gangs based in the region are collaborating. In a recent report for the period January-September 2018, the ICC International Maritime Bureau reports a disturbing development of these criminal acts. Table 1.5.1 provides locations of pirate attacks from January 2013-September 2018.

**Table 1.5.1: Figures on pirate attacks across African water coasts**

Location of pirate attacks	2013	2014	2015	2016	2017	2018
Nigeria	31	13	12	31	20	41
Other African Countries, Angola; Benin; Cameroon; Democratic Republic of Congo; Gabon; Ghana, Guinea, Gulf of Aden; Ivory Coast; Kenya; Liberia; Morocco; Mozambique; Red Sea; Senegal; Sierra Leone; Somalia; South Africa; Tanzania; The Cong; and Togo.	48	31	14	21	21	23
Total	79	44	26	52	41	64

**Source:** Extract from ICC International Maritime Bureau Reports of 2017 and 2018.

The concern of the current study is to point out that piracy acts is growing at an alarming rate because of the activities of the Niger Delta militants. These criminals not only perpetrate attacks on Nigerian coastal waters, pirate attacks on the coast of Benin waters are also linked to the Niger Delta (Image 1.5.1 is of suspected pirates paraded by the Nigerian Navy). UNODC (2013) attributes the rising acts of piracy in the Gulf of Guinea to the chaos that surrounds the regional oil industry. The ICC International Maritime Bureau Report (2018, p.20) emphasized that

*‘‘All waters in Nigeria remain risky. Off Bayelsa/ Brass/ Bonny Island/ Port Harcourt: recently there has been an increase in the number of reported attacks/hijackings/ kidnapping of crews off these areas. Vessels are advised to take additional measures in these high-risk waters’’.*

**Image 1.5.1:** suspected pirates on parade



The Nigerian Navy at a defence jetty in Lagos parades suspected pirates aboard a naval ship after their arrest, August 20, 2013. The four pirates had purportedly taken over a barge and its crew on August 14 on the eastern edge of the Nigerian coast, close to the port city of Calabar (Cross River State). Source: Reuter/Akinleye, 2013, cited in Schuler, 2013, p.1.

### **1.6 Theoretical framework**

One of the better ways to understand a social phenomenon is to look at it through the views of relevant theoretical frameworks. This paper will explore the issue of oil bunkering through State Corporate Crime theory. Friedrichs and Rothe (2014, p.148) acknowledged that state corporate crime is both crucial and useful for an understanding of a complex world. In exploring the State Corporate Crime theory, attempts to establish the links between this paper and the theory's arguments will be made. The State Corporate Crime theory was chosen because it provides a better application to the paper. Views of scholars like Whyte and Ignasi further supported this study's choice of State Corporate Crime theory, because they suggest that "the regulatory practices that govern the production of oil are based upon one over-riding principle: the permission to continue the extraction of oil at the most profitable rate of production" (Whyte and Ignasi 2016, p.78). The theory is also considered fit because, it reminds everyone that both the "creator and enforcer of law can also be a criminal agent" (Mathews and Kauzlarich 2000, p.282).

The idea of the concept of State Corporate Crime first came into public appearance in the works of Kramer and Michalowski in 1990, providing the background for examining how companies and governments interconnect to produce social harm (Kramer et al. 2002, p.4). Kramer and Michalowski (1990) define the term State Corporate Crimes as "illegal or socially injurious actions that occur when one or more institutions of political governance pursue a goal in direct cooperation with one or more institutions of economic production and distribution" (p.4).

Griffin and Spillane (2016) believed that Sutherland (1940, p.2) is credited with formalizing the concept of corporate crime in the universe of academic criminology. Sutherland's work gave critical Criminologists like Kramer and Michalowski the impetus to develop criminological theories like the "state corporate crime". State Corporate Crime according to Whyte (2009, p.34) might also include the categories of 'corporation initiated' and 'corporation facilitated' crime. Concerns on the crimes of the powerful have historically been treated as a mildly interesting diversion from the real business of crime and criminal justice, or at worst as the rebel cousin of the family (Whyte 2009, p.1).

The State Corporate Crime theory by Kramer and Michalowski (1990) identified two forms of state corporate crime i.e., state-initiated and state-facilitated. State-initiated occurs when corporations employed by

the government engage in organizational deviance at the direction of or with the silent approval of the government. State-facilitated occurs when governmental regulatory agencies fail to restrain deviant business activities because of the direct collusion between business and government or because they adhere to shared goals whose attainment would be hampered by aggressive regulations.

Lasslett (2014) and Bernat and Whyte (2016) posit that corporate initiated state crime happens when companies (like Shell) directly employ their economic power to force states into taking deviant actions (like the allegation that Shell asked the Nigeria Government to execute Ken Saro-Wiwa). Corporate facilitated state crime happens when companies either offer the means for states to commit a crime (evidence could be Shell's buying of weapons for the Nigeria security personnel), or when a company refuses to inform the public about state criminality) because the deviant practice(s) directly or indirectly benefit the company concerned.

The phenomenon of oil bunkering in Nigeria is a complex form of organized criminal network which fits into the premise of corporate crime theorists because the actors are numerous ranging from government, corporate to individual personnel. These actors are mainly protected by the cabals in Nigeria, there has never been a disagreement on the existence of cabals in Nigeria. The disagreement according to President Goodluck Jonathan (cited in Premium Times 2011) is that "there are a lot of misconceptions about cabals. Since Nigeria gained political independence, there are three "securitized elite-related clichés" that have dominated the Nigerian political landscape in a successive manner: "mafia", "godfather" and "cabals" (Albert 2012). See Opinion Nigeria 2016, Egbas 2019 for more on Cabals in Nigeria.

### **1.7 Conclusion/suggestions**

Osaghae et al. (2006, p.25) maintained that militants' source for funds for the purchase of arms are mainly through "oil bunkering". Oil bunkering is a criminal offence under the Special Tribunal (Miscellaneous Offences) Degree No. 20 (1984). The activities of 'militant cum' pirates on the coast of Gulf of Guinea are growing at a disturbing pace as acknowledged by the United Nations Office on Drugs and Crime (2013). Because of the complexities of those in this form of organised crime, it is challenge to end it. Nigeria is losing millions of dollars through oil bunkering or oil theft that is mostly transported through the sea to be sold at black markets. Arms trafficking and human trafficking is very rampant as well at the coast of the Gulf of Guinea. Nigeria is a major energy supplier to the West, therefore, the government should develop a collaborative framework with international allies to fight arms trafficking, pirates' acts and other marine related crimes by the coast of Guinea. It is now inactive but the 'Gulf of Guinea Energy and Security Strategy' created in 2005 needs to be revived. The strategy drew together Nigeria, United States of America, Britain, Canada, Netherlands, Norway, Switzerland and Gulf of Guinea states.

### **References**

- [1]. Abadinsky, H. (2010) Organised crime. Belmont, Wadsworth Cengage Learning.
- [2]. Adugbo, Daniel and Agabi, Chris (2018) Nigeria lost N995bn to oil theft in 2017 – Report. Daily Trust Newspaper, available at: <https://www.dailytrust.com.ng/nigeria-lost-n995bn-to-oil-theft-in-2017-report-263590.html> (Accessed on 22/10/2019).
- [3]. Austin, R. (2019) "The misdeeds of a few": Nigeria speaks out over \$46m fraud case. The Guardian, available at: <https://www.theguardian.com/global-development/2019/aug/29/the-misdeeds-of-a-few-nigeria-speaks-out-over-fraud-case> (Accessed on 23/01/2020).
- [4]. Baldauf, Scott (2012) Next pirate hot spot: the Gulf of Guinea. The Christian Science Monitor, available at: <https://www.csmonitor.com/World/Africa/2012/0228/Next-pirate-hot-spot-the-Gulf-of-Guinea> (Accessed on 12/06/2019).
- [5]. BBC News (2019) US names Nigerians in massive fraud investigation, available at: <https://www.bbc.co.uk/news/world-africa-49446845> (Accessed on 26/02/2020).
- [6]. Boas, Morten (2011) Mend me: the movement for the emancipation of the Niger Delta and the empowerment of violence. In Cyril Obi and Siri Aas Rustard (eds.) (2011). Oil and insurgency in the Niger Delta: Managing the complex politics of petro-violence. London, Zed Books.
- [7]. CIA Facts (2018) Africa: Nigeria available at: [https://www.cia.gov/library/publications/the-world-factbook/geos/print\\_ni.html](https://www.cia.gov/library/publications/the-world-factbook/geos/print_ni.html) (Accessed on 23/01/2020).
- [8]. Cock, T. (2012) Interview-Balkans, Singapore top buyers of stolen Nigerian oil-expert. Reuters: Monday 22 October 2012, available at: <https://www.reuters.com/article/nigeria-oiltheft-idAFL5E8LMJ5520121022?feedType=RSSfeedName=nigeriaNews&pageNumber=2&virtualBrandChannel=0> (Accessed on 09/04/2019).
- [9]. Crawford, Alex (2018) Sky news documentary "Hotspots: On the frontline- Nigeria, San Salvador, Syria, available at: <https://www.youtube.com/watch?v=-0M-FtUBD8E> (Accessed on 26/01/2019).
- [10]. Crown Prosecution Service (2013) Organised crime- strategy. Retrieved from: <https://www.cps.gov.uk/organised-crime-strategy> (Accessed on 05/10/2019).

- [11]. Council for Foreign Affairs (2015) A primer on Nigeria's Oil Bunkering, available at: <https://www.cfr.org/blog/primer-nigerias-oil-bunkering> (Accessed on 26/10/2019).
- [12]. Eboh, Michael (2018) Nigeria loses N2.6trn to crude oil theft in 2 years – NNRC. Vanguard Newspaper, available at: <https://www.vanguardngr.com/2018/08/nigeria-loses-n2-6trn-to-crude-oil-theft-in-2-years-nnrc/> (Accessed on 22/10/2019).
- [13]. Ellis, S. (2016) *The present darkness*. London, Hurst Publishers
- [14]. Europol (no date) Defining serious and organised crime, available at: <https://www.europol.europa.eu/socta/2017/defining-serious-and-organised-crime.html> (Accessed on 05/10/2019).
- [15]. Falana, F. (2007) 'Democracy, Constitutionalism and the Phenomenon of Ethnic Militias'. In Abawale, T. (ed.), *Urban Violence, Ethnic Militias and the Challenge of Democratic Consolidation in Nigeria*, Lagos: Institute for Media and Society.
- [16]. Garba, Shehu (2015) "Some Former Ministers Were Selling About One Million Barrels of Stolen Crude Per Day"- President Buhari. Sahara Reporters, available at: <http://saharareporters.com/2015/07/22/%E2%80%9Csome-former-ministers-were-selling-about-one-million-barrels-stolen-crude-day%E2%80%9D-president> (Accessed on 22/10/2019).
- [17]. Hansen, M.B. (2016) Nigeria's \$10BN Strategy to stem its vast flows of stolen oil. The Guardian, available at: <https://www.theguardian.com/global-development/2016/dec/14/nigeria-10bn-strategy-to-stem-its-vast-flows-of-stolen-oil> (Accessed on 21/06/2019)
- [18]. Galliher, J.F. (1989) *Criminology: Human rights, criminal law, and crime*. New Jersey, Prentice-Hall Inc.
- [19]. Gottschalk, P. (2010) *Policing organised crime: Intelligence strategy implementation*. Boca Raton, Taylor and Francis Group.
- [20]. Human Rights Watch (2008) Background: Root causes of violence in Rivers State, available at: <https://www.hrw.org/reports/2008/nigeria0308/4.htm> (Accessed on 16/12/2019).
- [21]. Inokoba P. and Imbua D. I. (2010) Vexation and militancy in the Niger Delta: The way forward. *J Hum Ecol.* 29(2), pp.101-120.
- [22]. Internet World Stats (no date) The World Population and the top ten countries with the highest population, available at: <https://www.internetworldstats.com/stats8.htm> (Accessed on 12/10/2019).
- [23]. International Crisis Group (2015) *Curbing Violence in Nigeria (III): Revisiting the Niger Delta*, available at: <https://d2071andvip0wj.cloudfront.net/231-curbing-violence-in-nigeria-iii-revisiting-the-niger-delta.pdf> (Accessed on 09/10/2019).
- [24]. Interpol (no date). Organised crime, available at: <https://www.interpol.int/en/Crimes/Organized-crime> (Accessed on 22/02/2020)
- [25]. Katsouris, C. and Sayne, A. (2013) Nigeria's criminal crude: International options to combat the export of stolen oil, available at: [https://www.chathamhouse.org/sites/default/files/public/Research/Africa/0913pr\\_nigeriaoil.pdf](https://www.chathamhouse.org/sites/default/files/public/Research/Africa/0913pr_nigeriaoil.pdf) (Accessed on 23/08/2019)
- [26]. Longo, F. (2014) Discoursing organised crime: towards a two-level analysis. In Allum, F., Longo, F., Irrera, D. and Kostakos, P.A. (Eds), *Defining and Defying organised crime* (pp.15-28). Oxfordshire, Routledge.
- [27]. Lucia, E. L (2015) Fragility, Violence and Criminality in the Gulf of Guinea, available at: <https://assets.publishing.service.gov.uk/media/57a0898f40f0b64974000146/FragilityGulfGuinea.pdf> (Accessed on 20/11/2019).
- [28]. Lunde, P. (2004) *Organised crime: An insight guide to the world most successful industry*. London, Dorling Kindersley
- [29]. Marex (2014) Oil-soaked Pirates in Gulf of Guinea, available at: <https://www.maritime-executive.com/article/Oil-Soaked-Pirates-in-Gulf-of-Guinea-2014-03-15> (Accessed on 20/11/2019)
- [30]. Paoli, C. and Fijnaut, L. (2004) The History of the Concept. In Paoli, C. and Fijnaut, L. (Eds), *Organised crime in Europe: Concepts, Patterns and Control Policies in the European Union and Beyond* (pp.21-46). Netherlands, Springer.
- [31]. Onuoha, Freedom C. (2013) Piracy and Maritime security in the Gulf of Guinea: Trends, Concerns, and Propositions. *Journal of the Middle East and Africa*, 4, pp.267-293
- [32]. Osaghae, E., Ikelegbe, A., Olarinmoye, O. and Okhonmina, S. (2006) Youth militias, self-determination and resource control struggles in the Niger Delta region of Nigeria, available at: [https://www.ascleiden.nl/Pdf/cdpnigeriaRevisedOsaghae\[1\]2.pdf](https://www.ascleiden.nl/Pdf/cdpnigeriaRevisedOsaghae[1]2.pdf) (Accessed on 10/06/2019).
- [33]. Osaghae, E., Ikelegbe, A., Olarinmoye, O. and Okhomina, S. (2008) Youth militias, self-determination and resource control struggles in the Niger Delta region of Nigeria. Consortium for Development Partnerships (CDP) Research Report N2 2008, available at: [file:///fs-root-y/home-013/sop884/My%20Documents/Nigeria\\_Rep\\_2.pdf](file:///fs-root-y/home-013/sop884/My%20Documents/Nigeria_Rep_2.pdf) (Accessed on 27/06/2019).

- [34]. Murdock, H. (2013) Report: Oil theft in Nigeria has worldwide impact, available at: <https://www.voanews.com/africa/report-oil-theft-nigeria-has-worldwide-impact> (Accessed on 13/09/2019)
- [35]. Ralby, I.M. (2017) Downstream oil theft: global modalities, trends and remedies. Atlantic Council Global Energy Centre, available at: [https://www.atlanticcouncil.org/wp-content/uploads/2017/01/Downstream\\_Oil\\_Theft\\_web\\_0327.pdf](https://www.atlanticcouncil.org/wp-content/uploads/2017/01/Downstream_Oil_Theft_web_0327.pdf) (Accessed on 06/02/2019)
- [36]. Ross, Will (2012) Nigeria's oil-gas sector mismanagement costs billions, available at: <https://www.bbc.co.uk/news/world-africa-20081268> (Accessed on 20/12/2019)
- [37]. Schultze-kraft, Markus. (2019) Crimilegal orders, governance and armed conflict. Cham, Palgrave Macmillan
- [38]. Schuler, M. (2013) Nigerian Navy Kills 6 Pirates in Latest Crackdown, available at: <https://gcaptain.com/nigerian-navy-kills-6-pirates-in-latest-crackdown/> (Accessed on 20/11/2019)
- [39]. Shehu, Abdullahi Y. (2015) Nigeria: The way through corruption to the well-being of a people. Lagos: National Open University
- [40]. Skuld (2013) Insight: piracy –Gulf of Guinea, available at: <https://web.archive.org/web/20140116074853/http://www.skuld.com/topics/voyage-report-risks/piracy/overall/piracy---gulf-of-guinea/general-information/> (Accessed on 12/06/2019)
- [41]. Starr, S. (2014) Maritime Piracy on the Rise in West Africa, available at: <https://ctc.usma.edu/maritime-piracy-on-the-rise-in-west-africa/> (Accessed on 20/11/2019)
- [42]. Sun Newspaper Editorial (2013) The N2.6 trillion loss to crude oil theft. The Sun Newspaper, available at: <https://sunnewsonline.com/n2-6trillion-loss-crude-oil-theft/> (Accessed on 22/10/2019)
- [43]. Umejei, E. (2015) How many barrels of oil stolen a day in Nigeria? Buhari in right ballpark with 250,000. Africa Check, available at: <https://africacheck.org/reports/how-many-barrels-of-oil-stolen-a-day-in-nigeria-buhari-may-be-in-right-ballpark-with-250000-claim/> (Accessed on 22/10/2019)
- [44]. United Nations Office on Drug and Crime (2004) United Nations Convention against Transnational Organised Crime and the Protocols Thereto, available at: [https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED\\_NATIONS\\_CONVENTION\\_AGAINST\\_TRANSNATIONAL\\_ORGANIZED\\_CRIME\\_AND\\_THE\\_PROTOCOLS\\_THERETO.pdf](https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf) (Accessed on 04/10/2019)
- [45]. United Nations Office on Drugs and Crime (2013) Transnational Organized Crime in West Africa: A Threat Assessment Oil Conflict as a Threat to Nigeria's Unity, available at: [http://www.unodc.org/documents/data-and-analysis/tocta/West\\_Africa\\_TOCTA\\_2013\\_EN.pdf](http://www.unodc.org/documents/data-and-analysis/tocta/West_Africa_TOCTA_2013_EN.pdf) (Accessed on 12/10/2019)
- [46]. United Nations Convention on the Law of the Sea (1982) Legal framework for the Repression of piracy, available at: [https://www.un.org/depts/los/convention\\_agreements/texts/unclos/unclos\\_e.pdf](https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf) (Accessed on 07/8/2019)
- [47]. Vidal, J. (2013) Nigerians risk death working illegal oil refineries. The Guardian, available at: <https://www.theguardian.com/global-development/2013/oct/16/poor-nigerians-risk-refining-stolen-oil> (Accessed on 30/08/2019)
- [48]. World Population Review (2019) Nigeria population 2019, available at: <http://worldpopulationreview.com/countries/nigeria-population/> (Accessed on 23/01/2020)

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