

## SEAPORTS AND ECONOMIC DEVELOPMENT IN NIGERIA: THE CASE OF THE NIGER DELTA REGION

By

Hope Azinuchi Azeru-Oziri\*

### Abstract

*Seaport is an important aspect in the economic development of any region or country. This paper examined seaports development and economic development in Nigeria with much emphasis laid on the ports in the Niger Delta Region. The aim and objectives of the research was to access seaport placement and development in the Niger Delta Region and the functionality of these ports. In carrying out this research, the researcher adopted the doctrinal research method which required the examination of various laws on the subject matter. In the course of the research, the researcher found out that there are basically six (6) major ports in Nigerian which is controlled by the Nigerian Ports Authority (NPA). The research also revealed that only two (2) of these ports are functional of fully utilized while the other four (4) are in a state of comatose. The research pinpointed the economic impact of a functional seaport in the Niger Delta Region and the challenges of seaport placement and development in the region. The research also stated the major laws and institutions that are responsible for port placement and development in Nigeria. It is recommended that the ports in the Niger Delta Region be fully utilised in order to decongest Lagos ports and to expedite economic growth in the Niger Delta where there exist natural waters.*

**Keywords:** *Seaports, Seaport Development, Economic Development, Niger Delta Region*

### Introduction

Maritime transport which is also called waterborne transport is one of the modes of transportation of goods and/or persons.<sup>1</sup> Seaport is the only channel through which goods are transported by sea. Every economy requires sea transportation for it to thrive and boom. Countries without seaports depend on their neighbouring countries with seaports for survival; this is due to the fact that world trade depends largely on sea transportation for importation and exportation of goods. The interest in maritime transportation has increased due to the complexity, popularity and growth in global

---

\* LLM (IN VIEW), RIVERS STATE UNIVERSITY, BL (KANO), LL. B (NIGER DELTA UNIVERSITY). Phone: 07038151965; 08174907818. Email: hopeogunka@yahoo.com; ogunkahope@gmail.com

<sup>1</sup> M.I. Igbokwe, 'The Importance of Maritime Transport in Nigeria Economy' <<https://mikeigbokwe.com>> accessed 18 August, 2021.

shipping and overall cargo activities.<sup>2</sup> The sea is a major route that provides low cost and massive transportation means.<sup>3</sup>

Nigeria is one of the countries with natural coasts - rivers and lakes. The coastal zone is a zone of transition between the purely terrestrial and purely marine components on earth's surface.<sup>4</sup> It is widely recognised as being an important element of the biosphere - as a place of diverse natural systems and resources.<sup>5</sup> The coastal States in Nigeria are nine (9) namely: Rivers, Lagos, Bayelsa, Delta, Edo, Ogun, Ondo, Akwa Ibom and Cross River. Niger Delta states are the oil producing States in Nigeria. It comprises of all the six (6) states in the South-South geopolitical zone; two (2) from the South-East and one (1) state from the South-West. Nigeria has a coastline of approximately 853km facing the Atlantic Ocean. The coastline lies between latitude 4o 10 to 6o 20 N and longitude 2o 45 to 8o 35 E.<sup>6</sup> The country is blessed with plentiful water.<sup>7</sup> The coastal areas are crucial to the country's economy, by housing activities related to oil and gas exploration and exploitation, fishing, shipping and agriculture.<sup>8</sup>

The seaport in relation to trade, serves as both a gateway and a terminal for a country's international trade.<sup>9</sup> They also provide harbours' interface service such as pilotage, dredging, provision of berths, maintenance of navigable channels, ship-port interface (loading and unloading of cargoes), and port land interface in delivering cargo to and from the hinterland.<sup>10</sup> The seaports play a vital role in the movement of goods and services in the country. It remains the most feasible for the activities of terminal, where loading and off-loading of water vehicles, vessel, ships, ferries and all activities to ensure that what comes in or go out are checked to meet the national and international rules and regulation guiding port activities.<sup>11</sup> Seaports play an important role in a country's transport sector. In fact, the roles of the ports in the national economy cannot be over emphasized.<sup>12</sup> Nigeria's maritime sector is central to her economic development as a transport,

<sup>2</sup> B. A. Badejo and O. M. Solaja, 'The Nigerian Seaports and Development (1900-2015): Historical Perspectives and Dynamics' [2017] (6) (9) *International Journal of Development and Sustainability*, 1008.

<sup>3</sup> A. E. Owoputi and O. O. Owolabi, 'Seaport Development as an Agent for Economic Growth and International Transportation' [2020] (8) (1) *European Journal of Logistics, Purchasing and Supply Chain Management*, 26.

<sup>4</sup> C.J. Crossland and Others', 'The Coastal Zone – a Domain of Global Interactions' (2006), 1  
[www.researchgate.net/publication/226867603](http://www.researchgate.net/publication/226867603) accessed 26 May 2022.

<sup>5</sup> *Ibid*

<sup>6</sup> P.C. Nwilo and O.T. Badejo, 'Impacts and Management of Oil Spill Pollution Along the Nigerian Coastal Areas' (2006)  
[www.researchgate.net/publication/242327944](http://www.researchgate.net/publication/242327944) accessed 26 May 2022.

<sup>7</sup> L. croitoru and others', 'The Cost of Coastal Zone Degradation in Nigeria: Cross River, Delta and Lagos States' (2020) ix.  
<https://documents1.worldbank.org>, accessed 28 August, 2021.

<sup>8</sup> *Ibid*

<sup>9</sup> C. Jaja, 'Port Development in Nigeria: Trends and Patterns' [2009] (2) (4) *Journal of Transportation Security*, 107.

<sup>10</sup> I. E Okon and E. A. Smart, 'The Challenges of Calabar Sea Port Operations, Calabar, South-South Nigeria' [2018] (2) (8) *International Journal of Advanced Research and Publication*, 40.

<sup>11</sup> (n 3) 20.

<sup>12</sup> (n 2) 1008.

commerce and recreational factor.<sup>13</sup> The seaport is a multidimensional system combined between economical function, infrastructure system, geographical space and trade.<sup>14</sup>

There are basically two (2) flanks in seaport development in Nigeria, namely: western and eastern flanks. The western flank comprises of the Lagos Ports (Apapa and Tin Can) while the eastern flanks comprises of the ports in the south-south, Niger Delta region (Onne, Port Harcourt, Calabar and Warri). Seaports in Nigeria are controlled by the Nigerian Ports Authority (NPA). Although, there are other minor jetties and harbours not controlled by the NPA.

Considering the natural flow of water into and out of the Niger Delta Region, there are only four (4) ports in the region which are in a deplorable and pitiable state. One would have thought that the Niger Delta region would have more developed and functional ports but this is not the case. Economic growth is a direct impact of seaports placement and development but the economic opportunities which flow from the natural waters in the region are yet to be utilised. One begins to wonder if the waters in the region are for fishing alone. This paper seeks to examine the seaports in the Niger Delta region, their functionality and the probability of having more ports in the region.

## **Legal and Institutional Framework for Seaport Placement and Development in Nigeria**

### **Legal Framework**

Legal framework are those laws, conventions, treaties, rules and regulations regulating sea ports development in Nigeria. There are a lot of legal instruments that regulates sea ports in Nigeria. The major legal frameworks for seaport placement and development are the Nigerian Ports Authority Act; <sup>15</sup> Nigerian Maritime Administration and Safety Agency (NIMASA) Act, 2007; and the National Environmental Standards and Regulations Enforcement Agency (NESREA) Act, 2007.

### **Nigerian Ports Authority (NPA) Act 2004**

The NPA Act was enacted to establish the ports authority in Nigeria. The Act provides for the objectives, functions and powers of the NPA

### **Nigerian Maritime Administration and Safety Agency (NIMASA) Act, 2007**

The NIMASA Act of 2007 was enacted in order to establish a formidable institutional framework for maritime administration in Nigeria. This Act established the NIMASA. It provides for the functions and powers of the Agency.

---

<sup>13</sup> C. Emeka, 'Deep Seaports Development and the Nigerian Economy: Prospects and Challenges' [2020] (1) (1) *Auxano Law Journal*, 1.

<sup>14</sup> A. Hlali and S. Hammami, 'Seaport Concept and Services Characteristics: theoretical Test' [2017] (11) (1) *The Open Transport Journal*, 121.

<sup>15</sup> Cap N126 LFN, 2004

The NESREA Act is the principal law that established the NESREA. This law was enacted to fill the vacuum created by the FEPA Act it repealed.

### **Institutional Framework**

“Institutional Framework” refers to a law or other formal provision that assign primary responsibility as well as the authority to an agency for the collection, processing, and dissemination of the statistics; it also includes arrangements or procedures to facilitate data sharing and coordination between data producing agencies.<sup>16</sup> It can also be referred to the collection of organs, bodies, commissions and committees in which multilateral arms limitation and disarmament are discussed and negotiated.<sup>17</sup> A policy needs an institution for its execution. Owing to the fact that all maritime activities falls under the exclusive list of the Federal Government of Nigeria, all institutions responsible for seaport placement and development are Federal Government institutions/agencies and international institutions. These institutional frameworks are the Nigerian Maritime Administration and Safety Agency (NIMASA), Nigerian Ports Authority (NPA), National Environmental Standards and Regulations Enforcement Agency (NESREA) and International Maritime Organisation (IMO).

### **Nigerian Maritime Administration and Safety Agency (NIMASA)**

NIMASA is a Federal Government agency established by the Nigerian Maritime Administration and Safety Agency Act<sup>18</sup>. The National Maritime Authority (NMA) and Joint Maritime Labour Industrial Council (JOMALIC), former parastatals of the Federal Ministry of Transport were merged to give birth to NIMASA. This is the apex regulatory body for maritime activities in Nigeria with its headquarter in Lagos.<sup>19</sup> NIMASA plays a major role in seaport placement and development. One of the functions of NIMASA is to perform port and flag state duties.<sup>20</sup>

### **Nigerian Ports Authority (NPA)**

The Nigerian Ports Authority is a Federal Government Agency that governs and operates the Ports in Nigeria. The NPA was created in 1954 by the Ports Act of 1954. The Authority commenced operation in 1955. It is the duty of the NPA to maintain, improve and regulate the use of ports in Nigeria.<sup>21</sup> The NPA is established under Section 1 of the NPA Act.<sup>22</sup> The NPA carries out its duties under the supervision of the Federal Ministry of Transport. The major ports controlled by the NPA

<sup>16</sup> Organization for Economic Co-operation and Development, ‘Glossary of Statistical Terms’ <<https://stats.oecd.org/glossary/detail.asp?ID=6120> accessed 28 October 2021.

<sup>17</sup> D. Boothby ‘The United Nations and Disarmament’ [2002] (1) *International Relations Studies and the United Nations*, 17.

<sup>18</sup> NIMASA Act 2007, section 3.

<sup>19</sup> Dr. Bashir Yusuf Jimoh is the current and the 6<sup>th</sup> Director General of NIMASA.

<sup>20</sup> (n 18), section 22.

<sup>21</sup> NPA Act 2004, section 7.

<sup>22</sup> Cap N126 LFN, 2004. The NPA was formed in 1954 with its headquarters in Marina, Lagos State. The current Acting Managing Director is Mohammed Bello Koko.

are: Calabar Port, Onne Port, Lagos Port Complex, Tin Can Island Port in Lagos, Delta Port and Port Harcourt Port.

Functions of the NPA are:

The functions of the Authority shall be to-

- (a) provide and operate, in the ports, such facilities as appear to it best calculated to serve the interest of Nigeria;
- (b) maintain, improve and regulate the use of the ports;
- (c) ensure the efficient management of port operations, optimal allocation and use of resources, diversification of sources of revenue and guaranteeing adequate returns on its investments, in order to contribute effectively to the wellbeing of the Nigerian society;
- (d) provide, for the approaches to all ports and the territorial waters of Nigeria, such pilotage services and lights, marks and other navigational services and aids, including cleaning, deepening and improving of all waterways;
- (e) provide facilities for-
  - i. berthing, towing, mooring, moving or dry-docking of ships, in entering or leaving a port or its approaches;
  - ii. the loading and unloading of goods or embarking or disembarking of passengers in or from a ship;
  - iii. the lighterage or the sorting, weighing, warehousing and handling of goods; and
  - iv. or the carriage of passengers or goods;
- (f) manage, supervise and control or take part in the management, supervision or control of any company or undertaking in which the Authority is interested, by reason of shareholding or otherwise and for that purpose appoint and remunerate directors, accountants, other experts and agents;
- (g) provide and use appliances for the towage or protection, or salvage of life and property or for the prevention of fire within Nigeria and on vessels on the high seas;
- (h) supply water to shipping vessels;
- (i) control pollution arising from oil or any other substance from ships using the port limits or their approaches;
- (j) provide and operate such other services as the Minister may, from time to time, require; and
- (k) carry out such other activities which are connected with or incidental to its other functions under this Act.

The powers of the NPA in relation to seaport development are as follows:

- a. Construct, execute, carry out, equip, improve, work and develop ports, docks, harbours, piers, wharves, canals, water courses, embankments and jetties.
- b. Act as consultants and advisers in relation to port operations in Nigeria or in any part of the world.

- c. It controls the erection of wharves in any port or it approaches.

Section 30 of the Act empowers the authority to declare places. etc, as ports, their limits and approaches. The section provides as follows:

(1) The Minister may, by order-

- (a) declare any place in Nigeria and any navigable channel leading into that place, to be a port within the meaning of this Act;
- (b) specify the limits of any place declared, as a port in accordance with paragraph (a) of this subsection;
- (c) declare any navigable channel leading into a port to be an approach to that port, within the meaning of this Act.

### **National Environmental Standards and Regulations Enforcement Agency (NESREA)**

Prior to the illegal dumping of harmful and hazardous waste in a small fishing village called Koko in 1987 by an Italian business man, there was no substantive law and institution to manage serious environmental crisis in Nigeria. Nigeria had no clear-cut legal framework to manage environmental challenges.<sup>23</sup> As a response to the Koko incident, the Military (Federal) Government promulgated the Harmful Waste Decree 42 of 1988.<sup>24</sup> The Federal Environmental Protection Agency (FEPA) was also established in 1988 by the Federal Environmental Protection Agency Act. as the regulatory institution responsible for environmental management.<sup>25</sup> Before the establishment of FEPA, there were no institutional arrangements or mechanism for environmental protection and enforcement of environmental laws and regulations in the country.<sup>26</sup>

In 1999, the FEPA was merged with some other government agencies to form the Federal Ministry of Environment but the new ministry lacked the laws for enforcement. This created a vacuum in the effectiveness of environmental laws, standards and regulations in the country.<sup>27</sup> To further address the challenges facing the Federal Ministry of Environment, the National Environmental Standards and Regulations Enforcement Agency (Establishment) Act (NESREA) 2007 was enacted. The NESREA Act repealed the FEPA Act.

---

<sup>23</sup> T. Okonkwo, 'Remedies for Environmental Damage Under the National Environmental Standards and Regulations Enforcement Agency (NESREA) (Establishment) Act 2007 and the Harmful Waste (Special Criminal Provisions, Etc) Act 1988' [2018] (9) (1) *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 127.

<sup>24</sup> Now Harmful Waste (Special Criminal Provisions, Etc) Act 1988.

<sup>25</sup> The FEPA had its own challenges such as lack of enforcement of environmental laws and lack of a monitoring team to check or facilitate compliance.

<sup>26</sup> (n 23).

<sup>27</sup> S.R. Monsurat and Others', 'A Deep Dive into the Review of National Environmental Standards and Regulations Enforcement Agency (NESREA) Act [2019] (1) (4) *International Research Journal of Applied Sciences*, 110.



The NESREA is also a Federal Government Agency established under the NESREA Act.<sup>28</sup> NESREA is the enforcement agency for environmental standards, regulations, rules, laws, policies and guidelines.<sup>29</sup> NESREA is Nigeria's lead environmental protection agency.<sup>30</sup> The main function of NESREA is to protect the environment. The NESREA Act was established in line with section 20 of the 199 Constitution as amended.<sup>31</sup> Before a seaport is cited in an area, such area must meet the environmental standards set by NESREA.

NESREA is a body corporate with perpetual succession and a common seal, which may sue and be sued in its corporate name.<sup>32</sup> The numerous functions of the agency are highlighted in section 7 of the NESREA Act. The objective of the agency is to protect the environment, biodiversity conservation and sustainable development of Nigeria's natural resources in general and environmental technology, including coordination and liaison with relevant standards, regulations, rules, laws, policies and guidelines.<sup>33</sup>

### **International Maritime Organisation (IMO)**

The organization was formerly known as Inter-governmental Consultative Organization (IMCO) by a treaty made in 1948 at a Conference in Geneva, which entered into force in 1959. IMCO was formally changed to IMO in 1982. IMO Secretariat is located in London, United Kingdom with about 300 member staffs IMO is an international agency of the United Nations responsible for maritime transportation and activities. The IMO is a specialized agency of the United Nations that is responsible for measures to improve the safety and security of international shipping and to prevent marine pollution from ships. The Organization that has probably had the most substantial direct effect upon the law of the sea is the IMO.<sup>34</sup> The organization sets standards for the safety and security of international shipping.<sup>35</sup> IMO specifies international rules and regulations for seaport development which binds States that are members of this world maritime regulatory body.

The purpose of the IMO is:

---

<sup>28</sup> NESREA Act 2007, section 1 (1). This Act which established National Environmental Standards and Regulations Enforcement Agency (NESREA) was signed into law by President Umaru Musa Yar'Adua and published in the Federal Government of Nigeria Official Gazette No. 92 Vol. 94 of 31<sup>st</sup> July, 2007. This Act repealed The Federal Environmental Protection Agency Act of Cap F10, LFN 2004. This Agency has its headquarters located in Abuja. The current Director General/Chief Executive Officer is Professor Aliyu Jauro.

<sup>29</sup> *Ibid* section 1 (2); Section 37 of the NESREA Act defines environment to include water, air, land and all plants and human beings or animals living therein and the inter-relationships which exist among these or any of them.

<sup>30</sup> M.T. Ladan, 'Review of NESREA Act 2007 and Regulations 2009-2011: A New Dawn in Environmental Compliance and Enforcement in Nigeria' [2012] (1) *SSRN Electronic Journal*, 119.

<sup>31</sup> The section provides that the State shall protect and improve the environment and safeguard the water, air, and land, forest and wild life of Nigeria.

<sup>32</sup> (n 28) section 12 (1).

<sup>33</sup> *Ibid* Section 2

<sup>34</sup> R.R. Churchill and A.V. Lowe, *The Law of the Sea* (3<sup>rd</sup> ed., Manchester University Press, 1999) 23.

<sup>35</sup> E. Estevez, 'International Maritime Organization' (2020) <[www.investopedia.com](http://www.investopedia.com)> accessed 19 August, 2021.

to provide a machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, efficiency of navigation and prevention and control of marine pollution from ships.<sup>36</sup>

### Seaports Development in Nigeria

The Nigerian Ports Authority Act did not defined seaport. Section 445 of the Merchant Shipping Act of 2007 defines a Port as: a place for arriving, loading and unloading of ships and includes a harbour, piers, jetty and lighter terminals. In its traditional conception, a seaport is defined as a set of moles, basins and docks, which prove to treat all kinds of ships and goods.<sup>37</sup> A seaport is a place where majority of shipping activities are carried out. A seaport is the place where ships are sheltered, also the place where the goods pass, or even where they are transformed.<sup>38</sup> Ports include any seaport, airport, inland port, container terminal, customs formation.<sup>39</sup> The seaport is a major catalyst that accelerates the movement of goods and services in Nigeria. Seaports are the main industrial and commercial tools for economic and social development of the countries.<sup>40</sup>

Seaport development simply means the construction, administration and the installation of equipment necessary for the operation of a seaport. It could also mean the resurrection of a seaport that is already dead or in comatose.

### Types or classifications of seaports

Deepwater or deep sea port: a Deepwater or deep seaport is defined as any port with the capability of accommodating a fully laden *panama ship*.<sup>41</sup> A deep seaport has a high range of 10 – 18 meters. The United States of America Deep Water Port Act (DWPA) defines a Deep Water Port as:

As any fixed or floating man-made structure other than a vessel, or any group of such structures, located beyond the territorial sea and off the coast of the United States and which are used or intended for use as a port or terminal for the loading or unloading and further handling of oil for transportation to any State

<sup>36</sup> International Maritime Organization Convention 1948, Article 1 (a).

<sup>37</sup> T. Paul, '*les enjeux de developpement pour les ports de commerce bretons*' in A. Hlali and S. Hammami, 'Seaport Concept and Services Characteristics: theoretical Test' [2017] (11) (1) *The Open Transport Journal*, 121.

<sup>38</sup> P. Bauchet, '*Le Transport Maritime, Paris*' in A. Hlali and S. Hammami, 'Seaport Concept and Services Characteristics: theoretical Test' [2017] (11) (1) *The Open Transport Journal*, 121.

<sup>39</sup> Ports (Related Offences, etc.) Act 2004, section 7

<sup>40</sup> (n 14).

<sup>41</sup> C. Emeka, 'Deep Seaports Development and the Nigerian Economy: Prospects and Challenges' [2020] (1) (1) *Auxano Law Journal*, 2.



Harbour: this classification encompasses installations which, although not strictly considered port, used for loading and unloading goods and are sheltered water outside.<sup>42</sup>

River port: these are ports that are located in one of the banks of a river, whatever its depth, will be considered as platforms river.<sup>43</sup>

Pier, wharf or jetty: these are those facilities that are no more than a simple dock or pier. That not always have to be sheltered from foreign waters.<sup>44</sup>

Marine activities in Nigeria are as old as the country itself. Before the establishment of the Nigerian Ports Authority, marine activities were managed by the Nigerian Marine created in 1906. The Lagos and Port Harcourt ports were developed within 1906-1954. Nigeria has six (6) major ports controlled by the NPA namely: Apapa (Lagos), Tin Can (Lagos), Warri (Delta), Onne (Rivers) and Port Harcourt (Rivers). The economic door to the nation is the Lagos Port Complex.<sup>45</sup>

### **Lagos Port Complex, Apapa**

Seaport development and operations started in the middle of the 19<sup>th</sup> century with the opening of Lagos Lagoon in 1909. Lagos port was daubed “the Liverpool of West Africa” by the local press for the vibrancy of its maritime traffic.<sup>46</sup> The Apapa Port was earmarked for development in 1913 and construction of the first four deep water berths of 548.64m at the port began in 1921. This is the largest port in Nigeria and it serves western Nigeria. Apparently, the large market and rich agricultural productivity of the south west region and its higher demand of imported products accounted for the higher Lagos port traffic – a market which had been developing as a regional hub since 1851 Treaty of Cession.<sup>47</sup>

The Lagos port complex has five (5) private Terminals with expert management and personnel that have both local and international experience in port operation. The Terminal Operators are: AP Moller Terminal Ltd. (APMT), ENL Consortium Ltd. (ENL), Apapa Bulk Terminal Ltd. (ABTL), Greenview Development Nigeria Ltd. (GNDL), and Lilypond Inland Container Terminal.

### **Port Harcourt Port**

The discovery of coal in Enugu State led to the establishment of Port Harcourt port in 1913. This port was built to expedite the exportation of coal and importation of goods. The port with a quay

---

<sup>42</sup> I. Roa and Others', 'Ports: Definition and Study of Types, Sizes and Business Models' [2013] (6) (4) *Journal of Industrial Engineering and Management*, 1055 – 1064.

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*

<sup>45</sup> (n 2) 1016.

<sup>46</sup> M.J.C. Echeruo *Victorian Lagos: Aspects of Nineteenth Century Lagos Life* (Macmillan Education Limited 1977) 2.

<sup>47</sup> C. Edmund, 'River Port and Deep-Sea Port Developments in Nigeria: Implications for West African Gateways and Hinterland Markets' [2022] (12) (4) *American Journal of Industrial Business Management*, 5.

length of 1.259 is capable of accommodating eight modern sea-going vessels loading and discharging at the same time. The port is a multi-purpose port and plays the ‘Mother-Port’ role to several jetties surrounding it. Terminal A (Berths 1-4) is operated by Ports and Terminal Operators Ltd. (PTOL) while Terminal B is operated by BUA Port and Terminals Limited.

### **Onne Port**

Onne Port Complex situated on the Bonny River Estuary along Ogu Creek is the first port of its kind in Nigeria that operated the Landlord Port Model devised to encourage private sector participation in port industry. The Onne port is one of the largest Oil and Gas Free Zone in the world supporting exploration and production for Nigerian activities.<sup>48</sup> This port is located in Eleme Local Government Area of Rivers State and has been in operation since 1982. Currently, over 100 (hundred companies) have licenses to work at Onne port. Onne port is a multi-purpose port and it covers an area of 2,538.115 hectares. The port has two (2) major facilities – the Federal Ocean Terminal (FOT) and the Federal Lighter Terminal. Terminal A is operated by Brawal Shipping Ltd. while Terminal B is operated by INTELS Nig. Limited.

### **Tin Can Island Port**

This port is located north West of Lagos Port Complex and has bearing of Latitude 62°N Longitude 30° 23E. Tin Can Port was established through a merger of port facilities at Roro and Tin Can Island in 2006 to decongest the Apapa port. The port has a capacity of handling 10-16 vessels at a time with the main port complex occupying a total area of 72 hectares. The port handles vessels ranging from 100m-260m. The Terminal Operators are:

- 1,1A & 2- Josepdam Port Services Ltd
- 3,4,4A & 5- Tin Can Island Cont. Terminal Ltd.
- 6,7,7A, & 8- Port and Cargo Handling Services Ltd.
- 9 & 10- Five Star Logistics Ltd.
- 11 & 12- Ports and Terminal Multi-services Ltd.

### **Delta Port, Warri**

The Warri port is a very small port with multi-purpose facility. It consists of an ‘old’ and ‘new’ port. The port Terminals are operated Messrs’ Integrated Logistics services (Intels) Nig. Ltd., Messrs’ Ocean & Cargo Terminal Services Ltd., Messrs’ Associated Maritime Services, and the NPA.

### **Calabar Port**

This is the oldest seaport in Nigeria built by colonial masters. It is located in the south eastern flank. It is located 55 nautical miles up the Calabar River in Cross River State. Calabar port is the

---

<sup>48</sup>*Ibid*

nearest port to majority of the Northern States (especially the North-East) The Calabar port has three (3) Terminals operated by ECM Terminal Ltd., INTELS Nig. Ltd. and Shoreline Logistics Nig. Ltd.

### **Economic Development**

The International Economic Development Council defines economic development as the intentional practice of improving a community's economic well-being and quality of life. It includes a broad-range of activities to attract, create, and retain jobs, and to foster a resilient pro-growth tax base and an inclusive economy.<sup>49</sup> Economic development simply means a constant positive change or growth in the economy of a nation which invariably affects the life and well-being of the people in a positive manner. It is the extension of capacities that add to the progression of society through the acknowledgement of individual, firm and community potential.<sup>50</sup>

Economic development is a collaborative and conscious effort by institutions and persons in a country to bring changes to the economy; it is not automatic. A functional, developed and well-equipped seaport will lead to economic development which could be termed as 'economic boom'. Economic development in Nigeria is a realistic concept if more attention is paid to the maritime sector. The roles seaports play in economic development in Nigeria and the world at large cannot be over emphasised. Seaports play an important role in global economic development. Even with the existence of efficient rail, road and air transport systems, the absence of seaport renders a country's economic system inefficient and particularly when heavy, bulky goods and external trades are involved.<sup>51</sup>

The maritime industry occupies a very prominent position in the economy of nations all over the world.<sup>52</sup> A functional seaport generates and increases a nation's revenue, alternative means of transportation at low cost and creates jobs opportunities for the people.

### **Factors Affecting Seaport Placement and Development in Nigeria**

There are many factors that need to be considered apart from the availability of water when it comes to deciding where to site a seaport.<sup>53</sup> Several factors play out in deciding where and when

---

<sup>49</sup> Available at <https://www.iedconline.org> accessed 18 August, 2021.

<sup>50</sup> S. Manqele, 'The Analysis of Economic Development' (2018) 1, <https://www.researchgate.net/publication/327833871> accessed 17 August, 2021.

<sup>51</sup> O. S. Akpoghomeh and D. Badejo, 'Recent Trends in Inter-Seaport Competition in Nigeria' [2003] (2) (1) *Global Journal of Social Sciences*, 55.

<sup>52</sup> E. I. Ekpo, 'Impact of Shipping on Nigerian Economy: Implications for Sustainable Development' [2012] () (7) *Journal of Educational and Social Research*, 107.

<sup>53</sup> A. O. Onifade, 'New Seaport Development-Prospects and Challenges: Perspectives from Apapa and Calabar Seaports, Nigeria' (2020) 2 [www.mdpi.com/journal/logistics](http://www.mdpi.com/journal/logistics) accessed 13 August, 2021.

to cite seaport and the kind of development that should be carried out. Some of these factors are stated hereunder:

1. Availability to Natural Water: availability of natural water is the first and major factor to be considered before building a seaport. Water is to seaport as blood is to the human body. This is the major reason why there are no seaports in Northern Nigeria. Bird stated that access to navigable water has been historically the most important site consideration.<sup>54</sup>
2. Capital Intensive: to build and develop a seaport requires a huge capital. Seaports are mostly built by foreign expatriates who are paid in foreign currencies and almost all the equipment needed for the construction are imported. The infrastructures needed to operate a seaport are very expensive. The investment in a port does not only concern the tangible assets such as land purchase, engineering, port architecture, dredging and development, retrofitting, planned maintenance systems. It may include intangible assets like human resource development, business relationships, and promotion or marketing.<sup>55</sup> Furthermore, seaport requires constant dredging in order to accommodate large vessels. The project requires a huge amount of investment for its construction and maintenance.
3. Political Will: politics also play a major role in seaport placement and development. The government in power could decide not to build a new seaport or develop the already existing ports despite the availability of resources for that purpose. Sometimes, development in Nigeria is done according to the voting strength of a particular State, Local Government or Ward.
4. Security: there is no acceptable definition of security. Security is related to a situation in which a human being is not being threatened by danger caused by another human beings behaviour which may lead to an unfavourable event for the person concerned.<sup>56</sup> Some security experts argued that the concept of security has always been associated with the safety and survival of the state and its citizen from harm or destruction from dangerous

---

<sup>54</sup> J. Bird, 'The Major Seaports of the United Kingdom' in Adepoju Olusegun Onifade, 'New Seaport Development-Prospects and Challenges: Perspectives from Apapa and Calabar Seaports, Nigeria' (2020) 2 [www.mdpi.com/journal/logistics](http://www.mdpi.com/journal/logistics) accessed 13 August, 2021.

<sup>55</sup> M.C. Burns, 'Port Operations and Management' in Adepoju Olusegun Onifade, 'New Seaport Development-Prospects and Challenges: Perspectives from Apapa and Calabar Seaports, Nigeria' (2020) 5 [www.mdpi.com/journal/logistics](http://www.mdpi.com/journal/logistics) accessed 13 August, 2021.

<sup>56</sup> H.M. Feigl, 'Strategic Arms Control and Military Security of Western Europe' in R.A. and R.K. Huber (eds), *Quantitative Assessment in Arms Control: Mathematical Modeling and Simulation in the Analysis of Arms Control Problems* (Plenum Press 1984) 74.

threats.<sup>57</sup> Generally in the world, security has been a global concern especially in the maritime sector as it affects the functionality of the world economy.<sup>58</sup>

Security is an important aspect of every development process or venture. Security of a seaport is very important. Port security cannot be over emphasized, maritime business or trade is not only an inter-face between land and sea transport system but also a nodal point in the network or surface transport where commercial and industrial activities involving several nationals are carried out.<sup>59</sup> No government would want to build and develop a seaport in an area where there is insurgency. An area that is prone to armed robbery attacks, kidnapping, militancy, killings and stealing, will definitely not get a seaport. Insecurity is one of the viruses that causes under development and economic backwardness. One of the major challenges facing shipping business in the eastern ports can be attributed to militancy and security issues.<sup>60</sup> Insecurity is a critical issue that has hampered industrialization and sustainable development in Nigeria in particular and Africa at large.<sup>61</sup>

5. Population: population plays a role in port placement and development in Nigeria. Seaport is a business enterprise and not a charity organization nor a Non-Governmental Organization. The sole aim of building a seaport is to boost the economy of the nation and population has a role to play in a nation's economy. A large population where majority falls within the working age will invariably lead to high productivity. The higher the population, the higher the demand for imported goods and same applies to production of goods for consumption and exportation.
6. Accessibility: ports are built in an area where people can easily have access to the port. No government would want to build and develop a port in an area that is not motor able to the residents of that area, the people around it and those coming from outside the area to transact their business at the port.
7. Modern technology: seaports are now built, developed, maintained and operated with modern technologies. The obsolete ways of building seaports are no longer acceptable in a

---

<sup>57</sup> P. Z. Brown, 'The Military and Internal Security in Nigeria: Challenges and Prospects' [2014] (5) (27) *Mediterranean Journal of Social Sciences*, 1301.

<sup>58</sup> P. I. Nwachukwu, and Others' 'The Impact of Piracy on Economic Prosperity in Niger Delta Region of Nigeria' [2020] (4) (2) *International Journal of Research and Innovation in Social Science (IJRISS)*, 325 <[www.researchgate.net/publication/341090941](http://www.researchgate.net/publication/341090941) accessed 10 February 2022.

<sup>59</sup> A.E. Owoputi, 'Issues in Safety and Security in Maritime Transportation, Port and Marine Environment' [2014] (8) (2) *Journal of Engineering and Engineering Technology*, 77.

<sup>60</sup> G. B. Nigeria, 'Why Eastern Delta Ports are Not Utilized by Importers-Industry Chieftain' in Adepoju Olusegun Onifade, 'New Seaport Development-Prospects and Challenges: Perspectives from Apapa and Calabar Seaports, Nigeria' (2020) 2 [www.mdpi.com/journal/logistics](http://www.mdpi.com/journal/logistics) accessed 13 August, 2021.

<sup>61</sup> P. Ndubuisi-Okolo and T. Anigbuogu, 'Insecurity in Nigeria: The Implications for Industrialization and Sustainable Development' [2019] (6) (5) *International Journal of Research in Business Studies and Management*, 7.

modern and civilized society. Seaports are built with modern technology to meet international standards for a healthy competition.

8. It is needs that warrants logistics or a supply chain, and that is why it is sometimes referred to as the demand chain. There must be demand for different types of oceanic-voyage-bound cargoes in an area to attempt to site a seaport there.<sup>62</sup>

### The Case of the Niger Delta Region

The Niger Delta region is unarguably one of the world's richest river basins and most important wetland and coastal marine ecosystems.<sup>63</sup> The Niger Delta is the area where the main river channel of the River Niger reaches base level and branches into multiple tributaries, disposing of and distributing the water discharge and sediment load.<sup>64</sup> The Niger Delta region is made up of nine (9) States of the country namely: Rivers, Bayelsa, Cross River, Delta, Akwa Ibom, Edo, Ondo, Abia and Imo. The area is characterised by certain unique features such as waterways, swamps, mineral resources, mangrove trees and creeks. The area could best be described as a fishing zone.<sup>65</sup>

All the ports in the Niger Delta Region which comprises of Warri, Port Harcourt, Onne and Calabar ports<sup>66</sup> are not fully utilised due to some political reasons/domination and lack of infrastructural development. Nigeria The Port Harcourt port is a multi-purpose port but sadly, the Port Harcourt port is not being utilised for the aforementioned purpose. How often does the government dredge the port? Port dredging is one of the ways to maintain a Port. A visit to the Port Harcourt port will reveal the sorry state of the port and its facilities.

The Onne port provides easy and fast access to the entire West Africa and Sub-Sahara oil fields. The Onne port accounts for 65% of the export cargo through the Nigerian Seaport. The question is: how often do we export goods to other countries? Majority of the vessels that brings goods into the country often go back empty. Nigeria seaports operate mostly for inward bound cargoes because majority of what we consume as a nation comes from other countries.

Calabar seaport is one of the oldest ports in Nigeria with a depth of 6 and 7m as against its Lagos counterpart with 12 and 13.5m. The Calabar port which is strategically located because of its closeness to Cameroun is not properly utilized. It is a multi-purpose port but it is not congested

---

<sup>62</sup> (n 54).

<sup>63</sup> 2008 Report of the Niger Delta Technical Committee cited in A. Aduloju and O. O. Pratt 'Oil, Children and Adolescents in the Contemporary Niger Delta, Nigeria' [2015] (3) (3) *Journal of Child and Adolescent Behaviour*, 2.

<sup>64</sup> Peter C. Nwilo and O.T. Badejo, 'Oil Spill Problems and Management in the Niger Delta' (2005) <https://www.researchgate.net/publication/273866088> accessed 18 August, 2021.

<sup>65</sup> G.C. Emeghara, 'Niger Delta Ports Performance Optimization Factors Assessment: A Case Study of Warri Ports' Complex, Nigeria' [2015] (1) (8) *International Journal of Geography and Environmental Management*, 74. [www.ijardpub.org](http://www.ijardpub.org) accessed 17 August, 2021.

<sup>66</sup> These ports are the gateway for sea trade in the South-South and South-East region of Nigeria.



because virtually all the vessels berth at Lagos ports. The Calabar seaport has not been properly utilised despite its vast potentials. This is bad for the Niger Delta Region and the country at large.

The Warri port which was declared a free zone in 2011 is strategically located between Onne and Lagos port and it is the closest port to the Lagos port, therefore, it could serve as an alternative to the already congested Lagos ports. The depth of the port is 8m.

The functionality of a seaport depends on the demand and traffic it is able to generate.<sup>67</sup> Goods that come into Lagos ports from other countries are not consumed by Lagos residents alone. When goods arrive Lagos ports, the goods are cleared and handed over to logistics companies for onward waybill to other States. The demands of the Niger Delta region should be shipped directly to ports in the region.

While the ports in Lagos are highly efficient, the ports in the Niger Delta region where there exist natural waters are slightly below average. Port traffic is unevenly distributed across the ports in Nigeria because the ports of Lagos State receives and ships out most goods. Port placement and development in the Niger Delta region is paramount. Ports are the hub and node of networks for all kinds of waterborne transport and link countries with rest of the world; thus, they promote transportation and distribution in the cheapest way.<sup>68</sup>

There is no cogent, verifiable and justifiable reason why Lagos ports should be the only functional ports in Nigeria.<sup>69</sup> The region is blessed with natural harbours devoid of human input and construction. These Lagos ports are already congested and begging for decongestion while there are other ports that could be utilize for maximum efficiency and productivity in the maritime sector. The proposed Lekki deep seaport would further compound the problems residents are currently facing in Lagos State. It will be foolhardy to compound the gridlock by building another seaport in Lekki or Badagry.<sup>70</sup> At this point, one begins to wonder if the ports in the eastern flank are for sight-seeing alone.

The region is accessible with natural waters; moreover, the security situation in the region has improved drastically. For example, Bayelsa is water-logged and ports are always cited at the sea shore. The finance and other resources that the Federal Government proposed and budgeted for the construction of Lekki deep seaport could be channelled to Nembe or Southern Ijaw area in Bayelsa State.

---

<sup>67</sup> (54).

<sup>68</sup> Z. H. Munim and S. Hans-Joachim, 'The Impacts of Port Infrastructural and Logistics Performance on Economic Growth: The Mediating Role of Seaborne Trade' [2018] (3) (1) *Journal of Shipping and Trade*, 7.

<sup>69</sup> Nigeria as a country depends largely on importation of goods for economic emancipation. Goods are constantly brought into the country from China, Turkey, Japan etc., through the Lagos ports, thereby neglecting the other ports existing in the eastern flank.

<sup>70</sup> (n 3).

## Economic Impact of Functional Seaports in the Niger Delta Region

1. Job creation: lack of functional seaports has led to massive unemployment in the region. A functional seaport will create jobs for people resident in the region because goods are transported from one area to the other and this transportation of goods is labour intensive. The kind of people who will be working at a seaport ranges from custom officers, ship agents, ship brokers, chandlers, repairers, surveyors, stevedores, auditors, marine officers, or seafarers,<sup>71</sup> cleaners, doctors, lawyers, casual workers, security officers, accountants, nurses, health workers etc. Some of the accrued benefits of new port development can be in the form of employment and other services such as insurance, haulage, custom, industrialization, and general economic development.<sup>72</sup> The Niger Delta Region has huge maritime potential begging to be tapped.
2. Permanent decongestion of Apapa and Tin Can ports: the Lagos ports are congested which has also led to massive traffic in the state. Majority of cargoes are cleared between 5-14 days which is against the set time of 48hours. This is as a result of port congestion. If the already existing seaports in the region are developed to full capacity and new ports built, most of the vessels that berth at the Lagos ports would move to the Niger Delta to berth thereby decongesting Lagos State and its ports.
3. Seaports are basically a means of integration into the global economic system<sup>73</sup>. By developing the existing ports and building new ports in the Niger Delta Region, the region will be consciously integrated into world economy thereby boosting economic activities in the region in particular and Nigeria at large.
4. Revenue generation for both the State and Local Government Area through tourism, rents, fines, taxes, rates, tariffs, licences etc.
5. Foreign investments: A functional and well-equipped seaport will attract and unlock many foreign investment potentials and commercial opportunity in the region.
6. Tourism: a developed and fully equipped seaport will attract tourist from within and outside the country to the region. Seaport is a good place for excursion, boat cruise and picnics. The significance of seaport tourism would be improving the quality and performance of both industries: seaport and tourism.<sup>74</sup>
7. The insecurity ravaging the Niger Delta region is caused by neglect of the area by the Federal Government and multinational companies. Youth restiveness in the Niger Delta owes its origin to the various agitations for fairness, equity and fair play particularly in the

---

<sup>71</sup> (56).

<sup>72</sup> (n 54).

<sup>73</sup>(n-2).

<sup>74</sup> M. R. Othman and Others', 'Applying and Promoting the Seaport Quality System (SQS) and Spatial Interaction Model (SIM) for the Sustainable Development of the Recreational Seaport Industry in Malaysia' (2020) <https://www.richtmann.org> accessed 28 August, 2021.

political and economic spheres of the country made by the Niger Delta people.<sup>75</sup> A functional seaport in the area will give the people a sense of belonging. A seaport could be another way of addressing the issue of militancy, kidnapping, bunkering, cultism and armed robbery in the region.

8. A functional seaport in the Niger Delta Region will ultimately lead to rapid or sharp development of the region.
9. A developed seaport will invariably lead to a developed hinterland.
10. A functional sea port in the Niger Delta Region will bring about infrastructural development thereby contributing to the well-being of the people.
11. It will create global awareness of the existence of communities and tribes where these ports are cited which will in turn bring positive impact to the community.
12. An accessible and functional seaport in the Niger Delta will automatically increase productivity and international trade as people will no longer go through the hassles of first sending their goods to Lagos ports for onward shipment or first berthing their cargos in Lagos for further waybill to the Niger Delta region.
13. Seaport development will lead to industrialization in the region.

### **Challenges Facing Seaports Operation in the Niger Delta Region**

According to the Lagos Chamber of Commerce and Industry (LCCI) Nigerian ports have been facing lingering challenges and bottlenecks namely infrastructural shortcomings, policy and regulatory inconsistencies, overlapping functions and duplication of roles among the Ministries, Departments and Agencies (MDAs) operating at the ports.<sup>76</sup> Other challenges include but not limited to negative attitude to work, corruption, political instability, poor administration of the ports, lack of modern technologies for port operations, lack of sustainable port policies, poor security network, limited ports, youth restiveness, poor road and rail network, political interference or political will. negative orientation, favouritism, undue delay, cumbersome cargo clearance process, sea piracy and armed robbery at sea, lack of enforcement of maritime laws, nepotism, scarce resources, neglect/reckless abandon of other ports outside Lagos state, tribalism/ethnic sentiment and religion.

The above-mentioned challenges make Nigerian ports unfriendly and unattractive to some liners, shipping companies as well as importers who prefer taking their cargo to neighbouring countries' seaports like Cotonou and Lome.<sup>77</sup>

---

<sup>75</sup> N. K. Akani, 'Youth Restiveness in the Niger-Delta, Criminality and Under-Development' [2019] (11) (2) *The Journal of Property Law and Contemporary Issues*, 272.

<sup>76</sup> Lagos Chamber of Commerce and Industry, 'Nigeria: Reforming the Maritime Ports' (2016) <https://www.lagoschamber.com> accessed 14 August, 2021.

<sup>77</sup> E.G. Iheanyi and A. E. Joseph, 'Seaports Administration in Nigeria: A Study of Apapa Port Complex' [2018] (14) *European Scientific Journal*, 289.

## Conclusion

The fundamental issues discussed in this article are for the purpose of promoting seaport development in the Niger Delta Region. Nigeria as a country is blessed with the oil and water rich Niger Delta, which makes it easier for seaports to be built and developed. The Federal Government after a careful assessment of the region would agree with this writer that building and developing seaports in the region is more advantageous as against other regions in the Country. The already congested Apapa and Tin Can ports should be decongested through the building, equipment and development of ports in the Niger Delta region. Port traffic should be evenly distributed amongst the ports in the country. There are several proposals to build deep seaports in the Niger Delta which are not a bad idea. However, the problem is not dearth of ports but deliberate attempt by stakeholders and Federal Government to keep the already existing ports in a State of comatose. If the proposed Warri, Bonny and Ibom deep seaports are actualised, it will help to address some of the unemployment and security issues in the Niger Delta.

## Recommendations

1. For a sea port to be competitive in global economy, it must have a good infrastructure. The already existing sea ports should be functional and new ones built to address the dwindling economic situation and lingering problems in the Niger Delta Region.
2. More harbours should be created where ships could seek shelter.
3. The river channels leading to the ports in the Niger Delta region should be broadened to accommodate bigger vessels.
4. Dredging is one of the ways of maintaining seaports. The ports in the Niger Delta region should be constantly dredged to increase their depths because seaports are not static in nature; rather they are dynamic.
5. The ports of Lagos are begging for decongestion. Therefore, the Federal Government should channel resources to the ports in the Niger Delta to make them functional.
6. The quality and standard of a sea port is essential to tourism and tourism impacts positively on the economy of any region or country. If the sea ports in the Niger Delta regions are developed to meet world standard, it will attract tourists to the region
7. The proposed Ibom deep seaport should be constructed and developed. If this port is constructed in Akwa Ibom, it will impact positively on the people in the Niger Delta Region and Nigeria's economy at large.
8. A special commission or an agency should be established that will be solely responsible for the establishment and development of the seaports in the Niger Delta Region.
9. The laws (both national and international) on seaport developments should be enforced.
10. The Federal Government should in line with Section 16 of the 1999 Constitution (as amended) promote a planned and balanced economic development in the Niger Delta Region.