



Ship Type: All

Trade Area: Nigeria

Bulletin 95 - 05/99 - Warnings of Trading to Sapele, Benin River/ Nanna Creek Area - Nigeria

A ship entered in the Association has recently been released from a detention which lasted some 22 months. The ship carried a cargo of second hand oil rig drilling equipment to Sapele, Nigeria for the account of a local company, Lonestar Drilling Nigeria Ltd, who were also charterers of the ship for the voyage.

Part of the cargo carried on deck was lost overboard in heavy weather. Upon the ship's arrival in Sapele, Lonestar lodged a highly inflated claim in the local court and the ship was arrested for security. An agreement was reached for the provision of a Club letter of undertaking and a court order was issued for the release of the ship. Lonestar subsequently reneged upon this agreement and obtained a stay of the release order.

The principal of Lonestar is Chief Humphrey Idisi who exercises influence within the Sapele region and over its officials. Chief Idisi persuaded these officials not to permit the ship to sail, even when a release order was obtained. One attempt to sail the ship in September, 1997 resulted in her being fired upon and subsequently boarded by armed men and escorted to a berth located adjacent to Lonestar's offices.

From September, 1997 until early May, 1999 the ship remained at that berth. At the time of her detention, the ship had 27 officers and crew on board and throughout the period of the ship's detention Lonestar and Chief Idisi refused to allow the crew to disembark. On several occasions the crew were refused access to medical treatment and at times, the ship was unable to receive bunkers or other essential supplies.

Throughout the detention concerted efforts were made to secure the release of the crew. With the intervention of the crew's national government officials 23 crew members were repatriated in July 1998. Four senior officers remained under detention with the ship until her release earlier this month.

On a number of occasions Lonestar and Chief Idisi have chosen to ignore the orders and decisions of the courts in Nigeria and enforced the detention of the ship and crew by illegal means, by intimidation and by the use of armed force. At no time was there any order or warrant for the detention of the crew, orders for their release were not implemented.

During the 22 months of the ship's detention all possible solutions to this very unfortunate case were investigated. Because of the influence of Chief Idisi and the inability of the Nigerian judicial system to resolve the matter, it became evident that there was no prospect for the release of the ship and her crew except by a payment which took no account of liability or the level of provable loss.

On the Member's behalf, the Association therefore had no alternative but to agree to pay an amount which was many times the actual value of the lost cargo. Even so, this amount represents less than one sixth of the original demand. This enforced agreement has facilitated the safe release of the ship and her crew, but further action is planned.

In addition to the problems experienced with this company this region has also been the scene of recent civil unrest and frequent attacks on shipping have been reported.

Members are recommended to avoid trading to Sapele and Benin River / Nanna Creek area and contracting to carry cargoes for Chief Idisi, Lonestar Drilling or any associated companies.

Source of Information :- Graham Daines, Susanne Hall (L7)