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SAFESEAS COMMENTARY



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Morten Koch Andersen specializes in the interdisciplinary study of the nexus between corruption and human rights. He has worked on corruption and human rights for more than a decade, with a special interest in political mobilization, rule of law practices, impunity and citizenship. Recently, he has developed a research program on corruption at ports; Prevention of Maritime and Port Corruption – PREMPOC, addressing global infrastructures, order of the seas and maritime governance. The research is a collaboration and international consortium of high-level researchers for the purpose of assessing and studying the incidence and impact of bribery in the global port and shipping sector. The members are Copenhagen University-Centre for Global Criminality, Danish Institute for International Studies, Maritime Anti-Corruption Network (MACN), Roskilde University, Soka University, Southern Denmark University and World Maritime University.

WHAT WE KNOW ABOUT CORRUPTION IN THE MARITIME SECTOR

The article highlights that although port corruption is a common phenomenon, that affects both the industry and the safety of seafarers it has been largely overlooked by researchers, thus it is an area in dire need of more attention.

In the summer of 2019, I began to think about what we know about corruption in the maritime sector. My first impulse was to be found in popular culture. The second season of *The Wire* takes point of departure in a port. The series delves into criminal networks and the ways in which they make use of ports in their businesses. As such, it reified my pre-dispositioned ideas and notions of the port site transformed into a concrete political and material reality of crime, murder and drugs, as well as of legalities, jurisdictions and exercises of authority. Somehow this brings together many of the practices and themes that initially attracted my attention to the field. It is also similar to the many Hong Kong thrillers that have the city harbour as the background of deceptions and corruption, such as *Internal Affairs* and *Port of Call*, to name a few.

With this in mind, in collaboration with a research librarian at my workplace at the time, I tried to undertake a proper search in relevant journal databases. However, the result was quite meagre and surprisingly unfulfilling. Very few articles combined the words corruption and ports or shipping, and it was not easy to identify a core group of researchers or studies. This somewhat echoed the results of a recent study of Damvad consulting company commissioned by Danish Shipping, which showed that research on maritime politics and legal affairs is promising but low in volume, compared to other thirteen

identified research fields, and dominated by engineering-oriented studies.¹ It is also surprising considering the vast literature on corruption in state institutions on a global scale. For example, the Global Anticorruption Blog has collected more than 6000 articles on corruption related issues.² Yet, a simple search shows that of the words; port, maritime, ship, shipping or ocean, only ports are mentioned three times in connection with the same author. While, it is not a strict scientific investigation or literature search, it still indicates that research and published studies on corruption in the maritime sector appears to be wanting, and perhaps even understudied. One could say, it is a blue ocean ready to be discovered – to use a tacky and inelegant metaphor.

However, we should not equate the lack of research and studies with a lack of understanding or information about corruption in the maritime sector, as a whole. Many of us have a childish fascination with ports and harbours, ships and seafarers, and the entanglements of cultures, legal systems and flows of people and resources, be they trade or criminality, which is also reflected in popular culture, as mentioned earlier. Furthermore, at the World Maritime University, they have developed a seminar course in corruption in the maritime industry for coming and current port managers and other related authorities, from all over the world.³ And if, you have the opportunity to talk to people working at ports in different contexts, it would not be unexpected that the conversation would centre in on issues of corrupt behaviours, including port authorities, agents, seafarers and criminal networks. A prominent and well described example is the garbage dumping in the ocean by the Italian mafia, which involved corrupt behaviours at many scales and sites, including the ports, up through the bureaucracy, to the political level.⁴

Furthermore, for the shipping industry corruption at ports have been a reality for decades, which has not just negatively affected the business but also, and perhaps more importantly, put the seafarers at risk of arrest, detention and imprisonment, as well as, violence and extortion. As a result, the Maritime Anti-Corruption Network was established in 2011, to document corrupt acts and attempts of corrupt acts in the ships' encounters with port authorities, and to support seafarers and assist the industry to reduce and prevent corruption.⁵ A key activity of the organization is to collect documentary evidence for incidents of corruption. They have established an anonymous reporting system that is publicly available and accessible to the seafarers. To date, the organization has collected more than 30.000, so-called incident reports on a global scale. This work is an important source and entry point to understand corruption at ports, including the contextual variances and similarities in the encounters between seafarers and authorities. It provides a background for in-depth and situated research on corrupt behaviours and dynamics, and their interlinkages to the wider politics (and economic interest) of governance and rule of law, nationally and internationally.

Despite the lack of empirical work on corruption in the maritime sector, broadly speaking, I would like to highlight one particularly interesting research on the issue, which could serve as a form of inspiration for what can be done in the future to address the lack of empirical and contextual knowledge. The article by Sequeira and Djankov investigates how corruption affects firm behaviours in the choice of port calls of South Africa or Mozambique.⁶ The strength of the article is in its empirical work of a random sample of 120 South African firms and a random sample of 1,300 imports going through both ports. In addition, they also tracked land cross border activities including additional 50 cases. The data on corrupt behaviours relied on detailed and structured observations by clearing agents, involved in the processing of cargo at the ports and at the border. The take away from this study, I think, is the intention to explore and understand corrupt acts in context through the perspectives of the informed and involved actors e.g. firms and agents, and holistically link the sea, the port and land through transportation, law and regulations, and the exercises of authority, even across borders.

The study illustrates ways in which we can study corruption in ports and how it facilitates maritime crimes, on a wider scale, affecting not just the shipping businesses and maritime sector but also illustrates how authority is exercised and rule of law practiced on a societal and state level. Thus,

potentially affecting the economy of the industry, the safety of the seafarers, transnational organized crime and other illegal activities, such as smuggling of people and drugs, piracy and terrorism. In essence, it shows how the capacity of governance on land is directly linked to the implementation and enforcement of maritime orders including seafarers' safety, when exposed to corrupt environments.

Hence, what we know about corruption in the maritime sector is yet to be properly explored and systematically described in order to develop a consistent and adequate knowledge base, that can form the foundation for relevant policy developments, and practical and educational actions, as well as, encourage further minutiae and comprehensive research.

In short, we need research, particularly empirically and contextually situated studies, on a range of pertinent issues, such as, a) interactions between port authorities and seafarers during port calls, b) the role of clearing agents and other brokers in the processing of cargo, c) the institutional and legal conditions of port authorities practices, especially in highly politicised systems, d) the implementation of international legal orders and regulations in the practices of authority at ports e.g. ISPS, and, e) the role of transnational and international crime and criminal networks on port authority practices.

The above list is of course not exhaustive of the topics and themes that could form the initial research interventions in the near future. However, they are key to understand the ways in which ports work and how they connect to national and international dynamics and developments of security, crime and global orders e.g. human rights, SDGs and connectivity and infrastructural strategies, efforts and investments. All of which play into the creation and expansion of a research field on ocean orders and maritime crimes.

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1. https://www.dendanskemaritimefond.dk/wp-content/uploads/2018/10/executive_report_danish_maritime_research_web.pdf
 2. <https://globalanticorruptionblog.com/>
 3. <https://www.wmu.se/un-sdgs-2030-goal-16>,
 4. See Eric Herring, Latif Ismail, Tom B. Scott & Jaap Velthuis (2020). Nuclear security and Somalia, *Global Security: Health, Science and Policy*, 5:1, 1-16; Seth Schindler & Federico Demaria (2019) "Garbage is Gold": Waste-based Commodity Frontiers, Modes of Valorization and Ecological Distribution Conflicts, *Capitalism Nature Socialism*; D'Alisa, Giacomo, Anna Rita Germani, Pasquale Marcello Falcone, and Piergiuseppe Morone. 2017. "Political Ecology of Health in the Land of Fires: A Hotspot of Environmental Crimes in the South of Italy." *Journal of Political Ecology* 24 (24): 1-124. Germani, A.R., A Pergolizzi, Reganati, F. (2018). Eco-mafia and environmental crime in Italy. In Spapens, T. et al eds. *Green Crimes and Dirty Money*. Routledge Press. See also, <https://ndranghetanews.wordpress.com/2017/03/18/toxic-waste-dumping-by-the-ndrangheta/>.
 5. <https://www.maritime-acn.org/>
 6. Sequeira, Sandra and Djankov, Simeon (2014) Corruption and firm behavior: evidence from African ports. *Journal of International Economics*, 94 (2). pp. 277-294.