POST-AMNESTY PROGRAMME IN THE NIGER DELTA: CHALLENGES AND PROSPECTS

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Introduction

The most current issue that resonates in the Niger Delta discourse is the amnesty programme. This was introduced by the late President Yar’Adua in 2009, against a groundswell of violent conflicts in the region and threats the violence portended for the Nigerian state, including reduction in revenues accruing from oil sales. Amnesty in the Niger Delta region can be traced back to 1967, when the Yakubu Gowon regime pardoned the Niger Delta Volunteer Force (NDVF) – including its leader, Isaac Adaka Boro – for the insurgency fomented by the group in 1966. However, the unconditional amnesty granted in 2009 embraced not just a

Above: This Envisat image highlights the lower Niger River system in the West African country of Nigeria, where the Niger River (left) and the Benue River merge.
group, but all militant groups in the Niger Delta region that participated in militancy. This amnesty encouraged militants to take advantage of a 60-day window (6 August–4 October 2009) to disarm and assent on the amnesty register as evidence of their unconditional acceptance of the amnesty, in a bid to build peace in the region. As an outcome of the amnesty programme, the disarmament, demobilisation and reintegration (DDR) programme – which is extremely pertinent to peacebuilding and serves as a basis for short-, medium- and long-term development – was put in place. But to what extent has the post-amnesty programme achieved its objectives since its inception in 2009? In answering this question, there is the need to outline briefly the origin of militancy in the Niger Delta region, which resulted in the post-amnesty deal.

Niger Delta Conflict: A Brief Overview

The Niger Delta violent conflict can be explained as a microcosm of the larger Nigerian state within the context of equity, access to oil resources and power by oil-rich communities, self-determination, ethnic autonomy, lack of political participation and democratic accountability, underdevelopment and widespread poverty.\(^1\) Traced to the colonial era, the struggle over the sale and regulation of the prices of palm oil pitted British traders and Niger Delta indigenous traders against each other. The struggle, which led to the death of many natives and almost wiped out an entire community, created the milieu for the Niger Delta subjugation that has lasted till now.

The discovery of oil in commercial quantities at Oloibiri (now in Bayelsa State) in 1956, and subsequent expansion into other areas in the Niger Delta, changed the mode of conflict from palm oil to fossil oil and put the region in a strategic position, both nationally and internationally. The discovery transformed the Niger Delta region, with well over 400 oil production and storage facilities and 600 oil fields scattered within its swamps and creeks, operated by transnational oil companies (TOCs) such as Shell, ExxonMobil, Total, Chevron, Elf, Agip (Eni) and Texaco, in joint ventures with the Nigerian National Petroleum Company.\(^2\) This makes the region both a site of global oil production and international relations, and serves as a background to understanding the problems in the Niger Delta.

With the discovery of fossil oil, the Niger Delta region rose in significance in Nigeria’s oil political economy, with
export earnings increasing from 1% in 1958 to almost 98% in the state’s total revenue in the 1990s. In spite of the benefits of the oil and gas economy to the Nigerian state, oil-rich Niger Delta communities wallow in abject poverty, reinforced by the progressive downward revision of the derivation principle of revenue allocation with each regime, and reduction in the ‘share’ of federal allocations to oil-producing ethnic minority states from 50% in 1966 to 3% in the mid-1990s. It was only in 1999 that it was again reviewed upward, to 13% derivation. With agriculture forming the dominant activity in the Niger Delta and engaging the most active labour force, extant extraction and exploitation of oil by various TOCs since the 1960s has caused an adverse environmental impact on the soil, forest and waterways of the Niger Delta communities, through oil spills and gas flares perpetrated by the TOCs.

It was against the backdrop of dilemmas faced by the oil-rich communities that the Movement for the Survival of Ogoni People (MOSOP) was formed and led by Ken Saro-Wiwa to contest environmental degradation in Ogoniland. Though MOSOP waged effective local non-violent protests, it was followed by a wave of state terror against Ogoniland in what the commander of the Rivers State Internal Security Task Force, Major Paul Okutimo, referred to as “wasting operations” directed at crushing the MOSOP protest. A jungle trial led to the hanging of Saro-Wiwa and eight others. Lessons from the MOSOP struggle and Bororo’s heroic exploits in the 1960s informed the emergence of a new ethnic minority resistance movement in the Niger Delta, led by the Ijaw. The Ijaw youth met in Kaima, where they formed themselves into the Ijaw Youth Council (IYC) and issued the Kaima Declaration on 11 December 1998. Among other things, this declaration was an ultimatum to oil companies in the region to leave the Niger Delta by 30 December 1998. The federal military government responded by flooding the region with troops, shooting, killing and raping. This action by the state ignited violence by the region’s youth as legitimate weapons of protests. The return to democracy also had wider ramifications for the human rights and pro-democracy movements, even as politicians in the Niger Delta tapped into the groundswell of popular anger among the large number of unemployed and frustrated youth in the region. Some of the youth became ready tools for politicians, feeding into a spiral of local violence in the 1999 and 2003 elections, which connected with communal conflicts, politics of local resistance and the struggle for resource control, and evolved into full insurgency by 2006. The complex conflict involved broad militant alliances such as the Movement for

An American hostage is held captive by ethnic Ijaw militants in the volatile creeks of the Niger Delta (February 2006).
the Emancipation of the Niger Delta (MEND), Niger Delta People Volunteer Force (NDPVF), NDVF, Icelanders, Coalition for Militant Actions (COMA), Martyrs Brigade (MB), the Tombolo Boys and the Joint Revolutionary Council (JRC), to mention but a few. These groups combined lethal attacks and the sabotage of oil installations with the effective use of global media to publicise their campaign of “fighting for the control of oil revenues by indigenes of the Niger Delta”.

THE NIGER DELTA VIOLENT CONFLICT CAN BE EXPLAINED AS A MICROCOSM OF THE LARGER NIGERIAN STATE WITHIN THE CONTEXT OF EQUITY, ACCESS TO OIL RESOURCES AND POWER BY OIL-RICH COMMUNITIES, SELF-DETERMINATION, ETHNIC AUTONOMY, LACK OF POLITICAL PARTICIPATION AND DEMOCRATIC ACCOUNTABILITY, UNDERDEVELOPMENT AND WIDESPREAD POVERTY

It is instructive to note that non-violent efforts were pursued by the state to address the economic deficit and engender development in the region. The mix of strategies included the establishment of various commissions, such as the Niger Delta Development Board (NNDB) in 1960; the Presidential Task Force to manage the reduced derivation allocation of 1.5% of the federation account for tackling the special needs of the region; the Oil Mineral Producing Areas Development Commission (OMPADEC) in 1992; and the Petroleum (Special) Trust Fund (PTF) in 1995 (which ended up benefiting the northerners). By the end of the past political leaders’ tenure, the Niger Delta was worse off in terms of positive development impact on the oil-rich communities. Even with the establishment of the Niger Delta Development Commission (NDDC) in 2000, violent agitation increased, pitting the militants and criminals against the Joint Task Military Force (JTF) set up by the state to protect oil facilities and companies in the region.

Ending Insurgency in the Niger Delta

By the end of 2008, it was an accepted fact that military actions alone were not enough to combat youth insurgency in the region. Hence, the Niger Delta Summit was proposed and the United Nation’s (UN) Undersecretary General, Ibrahim Gambari, was nominated by the government to act as a mediator in the conflict between the Niger Delta and the federal government. However, his candidature was rejected by the Niger Deltans. This rejection led to the cancellation of the summit. Based on the alternative suggestion of the Niger Delta group to the president, the Niger Delta Technical Committee was inaugurated on 8 September 2008. Its terms of reference were to collate, review and distil various reports, suggestions and recommendations from the Willink Commission (1958) report to the present, and give a summary of the recommendations necessary for government action and present suggestions for dealing with challenges in the Niger Delta. Some of the recommendations of the committee included the establishment of a DDR commission to address the Niger Delta militants; negotiation of amnesty for those Niger Delta militants willing to participate in the DDR programme; strengthened independent regulation of oil pollution; an effective environmental impact assessment (EIA) process; and the ending of gas flares by December 2008.

After much delay, related to the plethora of political, economic and social issues, the government decided to yield to the committee’s report, partly by instituting the Presidential Panel on Amnesty and Disarmament of Militants in the Niger Delta to implement the presidential pardon. Unlike the recommendations for open negotiations between the government and militias, consultations were at the highest levels of government, and involved members of the Niger Delta elite and top command officials of the
Niger Delta region negotiating with militia commanders. On 25 June 2009, President Yar’Adua granted presidential amnesty to militants who had directly or indirectly participated in the commission of offences associated with militant activities in the Niger Delta, and who were willing to surrender their weapons and renounce armed struggle within a 60-day ultimatum (6 August–4 October 2009).

Post-amnesty Programme: A Source of Hope or Hopelessness?

By the end of the amnesty period in October 2009, 20,192 ex-militants (and non-militants) had surrendered their weapons – consisting of 2,760 arms of different classes and calibre, 287,445 ammunitions, 3,155 magazines, 1,090 dynamite caps, 783 explosives and sticks of dynamite, and 18 gun boats – to the Presidential Amnesty Committee.11 With the closure of the amnesty window, other ex-militants – who were reluctant to participate in the amnesty programme but later realised the benefits accruing to those who disarmed – joined, increasing the total number by 6,166.12 The disarmed militants were moved to designated collection points and camps in six Niger Delta states. Each ex-militant was promised a payment of N65,000 monthly, the payment of rent13 and vocational training. The Presidential Amnesty Programme coincided with the 2008 Amaechi-led initiative in Rivers State meant to rehabilitate ex-militants of Rivers State origin.14

There was no road map prior to the amnesty programme, with the government hoping that the greatest threats to petro-business were the armed militias and the proliferation of weapons in the region – and that once militias were taken out of the equation, stability would return.15 As a result, militants were stranded at the various camps without any direction about the next line of action. To worsen the dilemma, the allowances promised to ex-militants were delayed, and sometimes not paid to them by their commanders – and, when paid, the amounts were much less than designated. The commanders benefited from the largesse and state patronage while their foot soldiers were short-changed. Moreover, infrastructural facilities were lacking, resulting in most ex-militants leaving their camps in Benin, Yenagoa and Aluu in Port Harcourt. Others went on a rampage at the University of Port Harcourt, raping girls and women, stealing wares and killing innocent civilians.16

With the demise of President Yar’Adua, the full rehabilitation of ex-militants began in June 2010 at the Obubra camp in Cross River State. Rehabilitation involves training ex-militants on non-violence and career
classification with their meals, accommodation and clothing needs taken care of, within the N1.273 billion budget for the programme out of the total N10 billion approved by the Senate for the whole DDR process. After the rehabilitation programme, they are reintegrated into their various communities through vocational skills training, formal education or entrepreneurship skills acquisition either in Nigeria or abroad, depending on ex-militants’ interests. The reintegration programme ranges from six months to five years of training.

From a cursory look, the post-amnesty programme has yielded considerable outcomes, but also poses challenges that may worsen the crisis in the region in the near future rather than abate it. In terms of favourable outcomes, the spate of violence – including kidnappings and killings – has been reduced, while the production of oil has increased from 700 000 barrels to 2.4 million barrels per day. In spite of the positive outcomes, low-level kidnapping, killings and protests from disgruntled ex-militants who were not included in the DDR process continue to undermine the success of the process.

Deeper analysis indicates that there are challenges ingrained in the programme itself. First, there was no proper planning for the DDR programme. Moreover, the tenets of the technical committee were not adhered to by the federal government for a bottom-up approach to the programme. Rather, the government collaborated with ex-militants’ commanders, who were only interested in their personal aggrandisement and did not consult with the militants on the ground.

Second, the indirect money-for-weapons approach implemented undermined the quality and success of the programme. Interviews with training consultants have shown that apart from the N65 000 paid to ex-militants by Nigerian militant youth display weapons surrendered by former militants at an arms collection centre at Tourist Beach in the oil hub of Port Harcourt (October 2009).

MUCH MONEY GOES TOWARDS PAYING EX-MILITANTS’ COMMANDERS, MANAGERS OF THE PROGRAMME AND THE SURGING NUMBER OF CONSULTANTS AND CONTRACTORS – TO THE EXTENT THAT THE PROGRAMME ITSELF IS NOW PERCEIVED AS BEING A VERY LUCRATIVE BUSINESS, RATHER THAN A TRANSFORMATIONAL STRATEGY
the government, they are also paid N3 000 daily during the integration period. Most ex-militants are therefore only interested in the financial benefits that accrue to them, rather than the impact of training programmes on their lives and society. The excess flow of money portends danger for the security and development of the region. Monies realised can be used to purchase more arms to fund insurrections. The consequence will be more appreciated when the reintegration programme ends, money no longer flows and there are no employment opportunities for trained ex-militants. There is the likelihood that they may return to violence to ask for more free money.

Third, much money goes towards paying ex-militants’ commanders, managers of the programme and the surging number of consultants and contractors – to the extent that the programme itself is now perceived as being a very lucrative business, rather than a transformational strategy. Many people now form organisations to benefit from the largesse. According to a panel set up in January 2010 to review the rehabilitation aspect of the DDR, about 80% of the budget had gone on payments to consultants and contractors, leaving just 20% for the rehabilitation of ex-militants. It has also been observed that vast constituencies of people alienated by petro-business interests, but lacking the means of violent action, have been excluded from the post-amnesty deal. This includes, to a large extent, the Ogoni people, especially the youth who never participated in the armed struggle. The probability remains that these alienated youth can mobilise themselves into militant groups to terrorise the state.

Last, in spite of the fact that there is an Environmental Remediation Committee, expected to study the root causes of environmental problems and proffer solutions on how
the region can be reintegrated, the committee has not come up with any report. Moreover, no practical development has taken place, apart from the few developments handled by the NDDC and the Ministry of the Niger Delta – basically the construction and reconstruction of roads. Major critical issues such as the roots of alienation, marginalisation, exploitation, corruption, unemployment, poverty, youth and women’s issues are still not dealt with, and they jeopardise the possibility of future peace, security and development in the Niger Delta region. These problems are daunting, and if they are not promptly tackled, the post-amnesty period will become another vicious cycle, aimed at benefiting the political elite without any modicum of development for those that actually need it in the oil-rich region.

**Conclusion**

This article critically analyses the post-amnesty programme in the Niger Delta against the backdrop of the root and precipitating factors that triggered the amnesty window and the implementation of the post-amnesty programme itself. From the foregoing discussion, it is clear that conflict in the Niger Delta predates the era of crude oil. However, the discovery and exploitation of crude oil in commercial quantities and its negative impact on oil-producing communities, changed as well as accentuated the dimension of the struggle. The inability of the TOCs in collaboration with the Nigerian state to mitigate the negative impact pitted the Niger Delta oil-producing communities against the state, ignited peaceful protests. These transformed into more violent actions by militant groups formed for the purpose of destabilising the Nigerian state and its access to crude oil revenues. Recognising the dangers of protracted militancy on the oil revenues, President Yar’Adua declared amnesty in 2009 for militants willing to surrender their weapons in exchange for financial and other benefits that would follow. Though the programme has been appraised as a laudable project that might finally bring the complex crises in the Niger Delta to an end, the post-amnesty programme is flawed both in its planning and implementation. Therefore, it poses many challenges to the security and development of the region.

Two years after the emergence of the amnesty programme, environmental degradation and destruction still remains a significant problem in the Niger Delta.
Apart from the flawed implementation of the programme, several issues that affect community reintegration are yet to be addressed. Oil-producing communities still suffer from extreme poverty and underdevelopment, two years after the emergence of the amnesty programme. They lack basic infrastructural facilities such as roads, pipe-borne water and electricity, while land and water pollution and gas flares continue unabated, depriving inhabitants of known sources of livelihoods. The 2011 United Nations Environment Programme (UNEP) report on Ogoniland\textsuperscript{21} attests to the sources of livelihoods. The 2011 United Nations Environment flares continue unabated, depriving inhabitants of known water and electricity, while land and water pollution and gas flares continue unabated, depriving inhabitants of known sources of livelihoods. The 2011 United Nations Environment Programme (UNEP) report on Ogoniland\textsuperscript{21} attests to the challenges of environmental degradation and decay in the region, engendered by years of insensitive and greedy exploitation of crude oil. The DDR process is a means to achieving peace and development but, unfortunately, the failure of the Nigerian state to address highlighted problems – especially those dealing with community reintegration – leaves much to be desired. The impact of failing to address these fundamental challenges may not be appreciated until the rehabilitated and reintegrated ex-militants return to their communities and realise that no real form of development has occurred in their communities to show for their voluntary disarmament. Therefore, urgently tackling the DDR challenges holistically is the first step towards addressing a future of peace, security and development in the Niger Delta region.

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Endnotes
5 Ken Saro-Wiwa was an Ogoni (a minority group in Rivers State) minority rights leader and an environmental activist. He was sentenced to death by the Abacha-led military government for campaigning against Shell Petroleum Development Company’s (SPDC) undue exploitation and degradation of Ogoniland. He was denied the right of appeal, and on 10 November 1995 was summarily executed by hanging, with eight other Ogoni activists.
6 Isaac Adaka Boro, of Kalama origin in the present Bayelsa State, formed the Niger Delta Volunteer Force (NDVF) – an armed militia group comprising of his fellow Ijaw ethnic group – to protest against the exploitation of oil and gas resources in the Niger Delta communities while alienating the Ijaw group from gaining a fair share of proceeds from the oil wealth. The NDVF declared the Niger Delta Republic on 23 February 1966, and embarked on a civil war with the federal forces for 12 days before Boro was routed out by the federal government.
7 The birth place of Isaac Adaka Boro.
9 He made negative comments during the Ogoni Nine trials, and referred to the Ogoni Nine as a gang of common criminals.
13 To date, the promise of rent payment has not been fulfilled.
14 Governor Amaechi, who led Rivers State government, took the lead in rehabilitating ex-militants by training them for six months. The need to establish the rehabilitation centre in Rivers State became important against the level of criminality and state of anarchy prevalent in the state, which resulted in tensions and insecurity of people’s lives and property.
18 The ruler of Amassoma Kingdom, King Oweipa Joans Ere, kidnapped at his business site in Port Harcourt, Rivers State; Ebeni Ibe of Attissa Kingdom, Bayelsa State, Godwin Igodo was kidnapped on 3 September 2011.
19 Albert, Ebi (an ex-militant commander) and his driver were shot dead on the outskirts of Yenagoa, Bayelsa State on 12 June 2011; rival cult clash led to the death of three men on 22 August 2011.
20 Ex-militants blocked East-West Road, protesting their non-inclusion in the amnesty programme, on 6 September 2011.