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Oil, Resource Conflicts and the Post Conflict Transition in the Niger Delta Region: Beyond the Amnesty

By

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PREFACE

This policy research monograph is part of the on-going research of the *Centre for Population and Environmental Development (CPED)* on the research theme titled “Conflict and Development in Nigeria’s Niger Delta region” in the current strategic plan (2010-2014) of the Centre. The region has been immersed in agitation, protests and struggles against perceived injustice, inequality, disinheritance, marginalization and neglect. The protests have been so broad, intense and militant that in 1966 and between 1998 and 2009, the region slipped into periodic insurrection and insurgency. Unfortunately, the federal governments’ law and order and therefore securitization of its approach and management of the struggles, largely militarized the region, turned it into a huge garrisoned command, and made it the scene of the most large-scale and prolonged military operation since the Nigerian civil war. Intense conflicts and confrontations between the Nigerian state and the transnational oil companies on the one hand and the communities, civil groups, militant movements and militias as well as conflicts between communities, ethnic groups, militias and cults have turned the region into a huge melting pot of pervasive unrests, violence, crimes, local wars and insecurity. The conflicts constituted an immense threat to the oil infrastructure, the economy, national stability and security survival, the nation project and human security.

These conflicts and their devastating consequences persisted in spite of several commissions that were set up, efforts at pacification and development interventions until 2009. However, in 2009, the federal government quite unusually and contrary to its securitization of the conflict embarked on an amnesty programme. The programme entailed a disarmament, demobilization and reintegration (DDR) of former militants and some promises of a post amnesty programme for the resolution of the conflicts. The programme has raised considerable interests, has been held as a major effort at resolving the conflict and was presented as one of the most remarkable achievements of the late President, Umaru Musa Yar’Adua.

The amnesty proclamation is now almost a year old and can be critically interrogated in terms of its objectives, content, implementation, performance, problems and prospects particularly against the background of what it held out in relation to the resolution of the conflicts and peace building in the region. This study critically examines the amnesty, the DDR programme and the post conflict transition efforts thus far, in the light of lessons and insights drawn from the literature and experiences elsewhere.

We are particularly grateful to the *Think Tank Initiative* for the Institutional support provided for CPED which has enabled the Centre to carry out the study that led to publication of this policy monograph.

CHAPTER ONE

INTRODUCTION

The Niger Delta is Nigeria's oil and gas belt as it hosts almost all of Nigeria's oil and gas resources. It is also the nation's economic jewel, as it is the goose that lays the oil and gas that accounts for over 80% of government revenue, 95% of export receipts and 90% of foreign exchange earnings (World Bank 2002:1; Imobighe 2004: 101). Beyond its oil and gas, the region is Africa's largest and world's third largest wetland, with a rich diversity of flora and fauna, and an expansive terrain of fresh water swamp, seasonal swamps, lowland rain forests and mangrove swamps, transversed with estuaries, lakes, canals, creeks, rivers and rivulets.

These environmental and resource characteristics constitute major challenges to the region. While its swamps though rich in biodiversity presents a huge physical challenge to development, its oil and gas resources destroys the environment and its bases for the regions livelihoods and puts little back by way of development. These challenges coupled with the dynamics of the nations' politics of majoritarian control of government and domination of minority groups, state failure to provide regimes of fair natural resource management, socially responsible corporate governance and responsible environmental management and the nature of state management of agitations have constructed a terrain of contradictions

and crisis and made oil and gas a resource curse to the region.

The contradictions are several. First while being the bread basket of the nation in a federal state, it has received only a trickle of oil based revenues particularly since 1981. Second, while providing the revenues for the development of a new capital city and the development of other parts of the nation, it has not experienced much of these developments and the region is reputed to be one of the least developed and poorest in the country. Third, while providing the basis of prosperity to other regions and the nations ruling class and political elites, the prosperity generated has not touched the lives of the ordinary citizens in the region. Fourth while being home to the oil and gas resources and oil infrastructure, it participates little in their control and management. These conditions created numerous crises. In addition, poverty and misery has produced mass discontent, resentment, alienation, hostility and a generation of angry citizens.

In consequence, the region has been immersed in agitation, protests and struggles against perceived injustice, inequality, disinheritance, marginalization and neglect. The protests have been so broad, intense and militant that in 1966 and between 1998 and 2009, the region slipped into periodic insurrection and insurgency. Unfortunately, the federal governments' law and order and therefore securitization of its approach and management of the struggles,

largely militarized the region, turned it into a huge garrisoned command, and made it the scene of the most large-scale and prolonged military operation since the Nigerian civil war. Intense conflicts and confrontations between the Nigerian state and the transnational oil companies on the one hand and the communities, civil groups, militant movements and militias as well as conflicts between communities, ethnic groups, militias and cults have turned the region into a huge melting pot of pervasive unrests, violence, crimes, local wars and insecurity. The conflicts constituted an immense threat to the oil infrastructure, the economy, national stability and security survival, the nation project and human security.

These conflicts and their devastating consequences persisted in spite of several commissions that were set up, efforts at pacification and development interventions until 2009. However, in 2009, the federal government quite unusually and contrary to its securitization of the conflict embarked on an amnesty programme. The programme entailed a disarmament, demobilization and reintegration (DDR) of former militants and some promises of a post amnesty programme for the resolution of the conflicts. The programme has raised considerable interests, has been held as a major effort at resolving the conflict and was presented as one of the most remarkable achievements of the late President, Umaru Musa Yar'Adua.

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The study begins with an introduction and conceptual and theoretical clarifications of central concepts and issues particularly those of demilitarization, disarmament, demobilization, rehabilitation, reinsertion, reintegration and resettlement and components of post conflict transition. Thereafter a background is provided by examining the grievances, agitation and insurgency in the region, the military-militia low intensity war since 1998 and the outcomes and effects. Then the study concentrates on the amnesty and post amnesty programmes and examines their implementation, performance, effects and challenges thus far. The nature of post conflict transitional efforts in the region is then examined against the prospects that it holds for resolving the conflicts and building enduring and sustainable peace.

CHAPTER TWO

CONCEPTUAL AND THEORITICAL CLARIFICATIONS

There are central theoretical issues and processes that are involved in conflict resolution, conflict transitions and peace building, apart from some concepts that need clarifications.

RESOURCES AND CONFLICTS

It has generally been known that poor governance, economic decline, disparities in opportunities and access to resources, state repression, socio-economic inequalities among groups, low education and low income levels, social service decay, huge unemployment and deep poverty are associated with social uprisings, political tensions, civil unrests and intra-state conflicts. Aside the above, there is clear evidence too that resource rich regions have a high preponderance of conflicts. In Africa, resource rich regions such as Sierra Leone, Liberia, Nigeria, Angola, Democratic Republic of Congo, Congo Brazzaville and Sudan have been sites of rebellion, civil wars, insurgency and violent conflicts (Turshen 2002:152). Analysis of causality in resource conflicts have been torn between two contending perspectives; grievances versus greed.

The grievance thesis lays conflicts at the foot of discontent about equity and justice in the distribution of the benefits and costs of resource exploitation, mis-governance in resource management, and the associated issues of deprivation, exclusion,

marginalization and neglect in political representation and developmental infrastructure of resource rich regions, environmental degradation, corporate social irresponsibility and other historical and social economic conditions. These grow frustration and anger which fuel agitation, struggles, insurrection, insurgencies and violent conflicts, as aggrieved identity and regional groups mobilize and organize to challenge and resist the state and state project just as the state suppresses and represses to maintain exploitation and revenues.

The greed or economics of war thesis, postulates that opportunities for profitable economic and commercial gains, the creation of an environment for looting, plunder and exploitation, the desire for wealth or resource capture or access to spoils, payments and tolls, and control of access to resource sites and routes, cause and drive conflicts in resource rich regions (Ellis 1998; Collier & Hoeffler 2000; Reno 2000; Mair 2003; Ikelegbe 2006). The greed thesis proponents actually argue that greed triumphs over grievances and in fact is the key motivation in the causation of conflicts. The evidence is the high incidence of mercantilists, patrimonial networks, warlords, illegal or black marketeering, economic crimes, resource based intervention of neighbouring states, concentration of violent conflicts around resource sites and profiteering by warlords, traders and foot soldiers from conflicts.

Ikelegbe (2006) while acknowledging illegal conflict economies in conflicted

resource regions opines that greed or economy of conflict is actually a by product and an interjection that is incidental to conflict situations rather than the cause of conflicts. In the case of the Niger Delta region, Ikelegbe (2005; 2006) found that greed or economic opportunities came almost two decades into the conflict. It did not cause the conflict but has merely hijacked, perverted, armed and sustained it. Therefore the causality of conflicts may still lie in grievances over injustice, inequality, exclusion, marginalization and negative externalities of resource exploitation. As Ikelegbe (2006) states, the pervading conflicts and resistance in Nigeria, Ecuador, Angola, Sudan and others may be attributed to the character of appropriation of exploited resources which tends to ignore, disinherit and dis-empower locals, communities and indigenous people who own or bear resources and bear the social and environmental costs of exploitation. Ukiwo (2008) has rightly noted that the attempt to highlight economic gains of insurgents in the Niger Delta for example, and by branding, criminalizing agitators and militants, glosses over fundamental socio-economic conditions (that fertilize the Niger Delta conflict) and leaves burning political questions unanswered.

HUMAN SECURITY

Human insecurity and sometimes humanitarian crisis is usually a major casualty and effect of conflicts and conflict situations. Human security refers to "protecting the vital core of all

human lives in ways that enhance freedoms and human fulfillment (UNCHS 2003:274). It also refers to the protection or safety from future risk of severe deprivation, injury or death (Cilliers 2004:11). There is human insecurity where the citizenry are plagued by vulnerability to hunger, deprivation, natural and man-made disasters, violent conflicts, intra state and civil conflicts, political violence, state brutality and repression, socio-economic dislocations, internal displacements, refugee crises, humanitarian crises, ecological destruction, food crises, indiscriminate killings, prevalent crime, identity based persecutions, cleansing and genocide, and insecurity of lives and property. These are not only threats to the citizenry and national security, but to development. There can not be development amidst a human security crisis. Human Security and Peace building are also linked and some even regard peace building as the effort to promote human security in conflict ridden societies (Assefa 2001:335-346).

The Conflict Resolution Process

Conflict management seeks to curtail or moderate conflict and its effects. Conflict Resolution addresses the root causes of violent conflict in terms of elimination, alteration or transformation. It is only when the causes of the conflict have been reversed and the goals or purposes of the conflict have been realized that conflict resolution can be said to take place. A major point in the conflict resolution process is conflict

settlement through processes of dialogue and negotiations.

Conflict settlement is an intervention in the conflict process to prevent hostilities. It is at the conflict settlement stage that the challenges of securing negotiations, agreements and credible commitment of actors in conflict to a settlement are addressed. An agreement is an important step in the transition to peace and a critical stage in determining post conflict stability. The potential for peace lies in reaching agreements that are convincing, fair and guarantee security and welfare. There are many issues such as who negotiated the settlement? Were they the critical actors and protagonists of violence? Does the settlement have the support of critical actors? Is the settlement rational in the post conflict period? It is possible that a settlement that was rational during the conflict becomes irrational once the violence stops (Collier & Sambanis 2002:5). Are the parties satisfied or dissatisfied with the outcomes of conflict settlement? These issues could determine the success or otherwise of conflict resolution and post conflict transitions.

Conflict actors are important not only for conflict settlements but for roles of creating or generating and sustaining cooperation 'future socio-economic transformation and political stability' (Malan 2008:133). Often times, conflict actors are seen as the visible, noise making, activists and protagonists of violence. But conflict actors include the ordinary people/communities and their groupings, the elite and the state officials.

State militaries for example are major actors in conflict regions with diverse interests and pressures; some opportunistic, some retaliatory and oppressive and yet some compromising even with the enemy. In many conflict environments, the security agencies are sometimes 'security threats in their own right rather than providers of security or protectors of the population, just as they are rarely accountable or even subjected to media and public scrutiny (Paes 2004; Law 2006:1-28). In Sierra Leone, the military were government soldiers in the day but dressed up as rebels in the night, to attack and plunder from civilians, mine diamonds and even sell arms to rebels. They became known as sobbels. In Algeria, the military tended sometimes to cooperate with Islamic extremists, because such consolidated their positions (Keen 2006:3). Thus militaries and rebels sometimes share some interests such as the preservation of the systems of exploitation and opportunities that flourish in situations of conflict. Therefore, conflict actors have to be analyzed to determine their strength, support, resources, interests and goals. These have to be taken into account in the design of settlements and post conflict transitions.

Peace and Peace Building

Though peace refers to a relative state of being, tranquility, wholeness and harmony, in conflict studies it denotes the absence of threats, fear, intimidation, brutality and harm. It further denotes the absence of

conflicts, violence, war and the conditions that warrant, induce and sustain them such as poverty, injustice, oppression, repression, exclusion, deprivation and discrimination. The issue of peace raises numerous questions such as what kind of peace?, whose peace?, Peace in whose interests and at what terms? There is peace that is merely an interregnum, a cessation of hostile actions and a state of unsecured quiet. There is negative peace and the peace of the graveyard. These kinds of peace are not sustainable.

Peace Building is the process of facilitating and strengthening enduring peace. There are some components such as preventing the re-occurrence of violence, addressing the social conditions that underpin and cause the conflicts, building institutions that enable sustained resolution and peace and instituting a system of human security.

The Justice and Peace Nexus

Justice is vitally linked and inextricably tied to peace. Most conflicts emanate from unjust systems of governance and resource management. In conflict situations, infringements of rights, abuses and atrocities are recurring decimals. There are perpetrators of abuses and victims of injustice and abuses. There cannot be peace without addressing these issues and some elements of punishment, pardon and compensation. Justice enables the easing of pains, grief and abuses of victims, the enthronement of new just, fair and equitable order and the building of a better basis for social

harmony and coexistence. Justice can be retributive or restorative.

In retributive justice, perpetrators of crime and abuses are investigated, tried and punished such as being banned from public office even if granted amnesty, while victims of abuses and injustice are compensated or paid reparations. The peace that retributive justice achieves is what Malan (2008:146) describes as negative peace. It has been observed that where retributive justice is sought from rebels, militants and state militaries, the fear of justice sustains continued belligerence and violence.

Restorative justice is based on a system of amnesty, pardon or sometimes punishment through an open Truth and Reconciliation Commission Process. But the ultimate goal is reconciliation, social harmony and the restoration of the dignity and identity of victims, their reintegration to society and the satisfaction of their needs.

Whatever it is, transitional justice particularly of the restorative mode, promotes respect for human and civil rights, is a critical step in the motion towards peace and a critical part of societal renewal after a period of conflicts. It facilitates reconciliation and the rebuilding of the society's moral, ethical and social fabric.

Amnesty

An amnesty is a guarantee of exemption from prosecution and pardon from punishment for certain criminal, rebel and insurgent actions

hitherto committed usually against the state. It indemnifies affected persons in terms of safety and protection from punitive actions, retributions and associated losses. An amnesty is usually within a specific time within which offenders admit crime and take advantage of the general pardon. There are however certain commitments or remediative actions such as hand over of illegal arms and confession of illegal actions. An amnesty is often backed by law.

Transition from War to Peace

Post conflict transition begins once a settlement occurs. It is a very sensitive and delicate process that requires even more commitment and statesmanship than settlement because it determines whether the settlement and probably peace would be sustained or whether there would be a relapse into hostilities. Post conflict transitions involve comprehensive changes in terms of structures, orientations and attitudes as new institutional forms have to be put in place, and perceptions and orientations need to be altered in order to manage and sustain the provisions of settlement, the requirements of conflict resolution, peaceful co-existence and peace. The planning and conception of post-conflict transitions has to be comprehensive enough to embrace critical issues, which as Malan (2008:141) highlights should include the causes of the tensions and conflicts, the purpose of the conflicts, required changes in the conflict causing situations and the goals of the changes envisaged. The

level of satisfaction of parties in the post conflict period will depend on the extent of realization of their goals.

A post conflict transition is a broad, but fragile and complex process that involves at once issues of social reconciliation, economic regeneration and poverty alleviation, natural resource management, security and stability and humanitarian assistance to displaced persons, refugees and other vulnerable groups. It embraces the managing, resolving and reconciling of violent inter-group conflicts and socio-political rivalries, and the management of post-conflict economic development.

Managing post-conflict situations have tended to involve socio-political engineering, economic recovery and military and security interventions. The socio-political designs or solutions have typically involved inclusive political arrangements such as democracy, elections, inclusive governments, decentralization/autonomy and constitutional reforms. Collier, Hoeffler & Soderbom (2006:1-19) have found that post conflict economic growth and economic recovery for example reduces substantially the risk of conflict reversion. Political design while important plays a subsidiary role as compared to international interventions and economic recovery.

Post Conflict Reconstruction

Post conflict environments usually seek reconstructions that promote conflict resolution, peace building, economic recovery, political stability,

political and economic reforms. The goals of socio-economic reconstruction are the reduction of poverty, the rebuilding of damaged rural infrastructures, restoration of livelihoods sources and the regeneration of productive activities and local economies. There is the

dilemma between narrow and broad based reconstruction (Addison 2001:1). While the former benefits a small elite, ex-combatant commanders and leaders, the later targets reduction in poverty, increased incomes and broad benefits to the citizenry.

Table 1 Stages in the Management of Post Conflict Transition to Peace

GOALS	Disarmament, Demobilization and Reintegration	Post-Conflict Reconstruction	Post Conflict Recovery	Conflict Transformation	Peace Building
	Safe and Secure Environment	Physical Reconstruction, Renovation and Reconstruction of decadent /destroyed Infrastructure	Economic Recovery Regeneration of local economies, Employment and employment opportunities	Institution of better resource distribution to communities and groups	Promotion of peaceful relations and co-existence
ACTIVITIES	Preventing violent conflict reversals Controlling & reducing propensity and incentives for further violence	Renovate social services and amenities Build infrastructures, amenities	Control underground & illegal economies Re-orient attitudes towards production	Identify & Address group & communal grievances & marginalization	Redress past abuses through reconciliation
		Reopen/reinvigorate education systems, health care systems Provide assistance /support to internally displaced and those that suffered losses etc	Revitalize rural livelihood sources, occupations and improve social wellbeing, and reduce poverty	Address issues of equity and justice between MNOCs & OPCs, between communities & groups.	

Author's compilation

Post Conflict Recovery

This embraces efforts at institution building and integrated development strategies that should be undertaken to facilitate recovery. New foundations for sustainable development has to be laid and communities and community members have to be helped to rebuild livelihoods, strengthen governance, improve incomes, and improve human development indicators or human capital.

Post Conflict Risks

Post-conflict risks are usually high at the initial post-conflict situations but fall with time (Collier & Hoeffler 2004). About 40% of post-conflict societies revert to conflict within a decade (Collier, Hoeffler & Soderbam 2006:14). A major risk in post conflict situations then is slippage into renewed fighting or war. A study by Walter (1999:127), found that more than half of combatants involved in civil war negotiations and peace agreements between 1940 and 1990, chose to return to war or to resume hostilities. This makes the management of post conflict situations critical to sustainable peace. The tendency towards reversion would depend on several factors; persisting grievances, poverty, and the feasibility of renewed rebellion and hostilities. Post conflict reversion is very costly.

Demilitarization, Disarmament, Demobilization, Rehabilitation, Reinsertion, Reintegration and Resettlement (DDR)

This is usually a critical first stage in the transition to peace. The origin of DDR can be traced formally to the United Nations Observer Group Operations of 1989 in Central America (ONUCA) (Humphrey & Weinstein 2007:532). It has since then become a central part of the UN Operations of Managing and Stabilizing Post-conflict situations in Central America, (El Salvador, Guatemala) Asia (Cambodia, Tajikistan) and Africa (Angola, Mozambique, Liberia, Sierra Leone, Burundi).

DDR is at once a 'combined political and military solution to conflicts' and a "central element in the reconstruction and development of war torn and conflict ridden societies" (Colletta et al 1996: x;76). It is a central component of transitions from war to peace and occurs within a framework of reconciliation and peace building as well as conflict terminating negotiations and agreements. DDR is also a critical component of the peace process, peace keeping and peace building as it involves the management of relations between former warring parties. Beyond peace, it is also a broad policy instrument and multidimensional programme that at once address very diverse issues in the post conflict process.

DDR is actually a part of interventions in a post-conflict situation. Other interventions which may not be as systematically and programmatically

organized, may include policy and actions of the military, political and economic nature. It has been relatively successful in building stability, peace, democracy, governance and economic performance in post conflict situations (Doyle & Sambanis 2006).

DDR is a very complex, delicate, sensitive and difficult process that requires extensive planning and preparations, pragmatism, funds and technical support(Lawrence & Shie 2003). As Ikelegbe (2010) has noted, DDR depends vitally on the competence of management, the neutrality and impartiality of the entire process, the level of trust, confidence, integrity and transparency that the process generates and the careful and comprehensive planning that go into the process.

The primary purpose of DDR is the pursuit of peace and stability (Gwinyayi 2007:73). The first major goals are to defuse social tensions and to assist ex combatants to reorient themselves and build new lives. In the long term, the goal is successful transition to peace and particularly sustainable peace. However as Fusato (2003:1-5) states, there are some immediate goals such as the restoration of security and stability, the reduction of the environment of mistrust, animosities and tensions, the construction of the situation in which assistance, welfare and other interventions can be provided to those in need and the restoration or resumption of socio-economic activities. More specific military, security, economic and political

objectives and benefits include the following;

1. Preventing a return to conflict particularly organized fighting and terminating conflicts and wars.
2. Dissolving armed factions (Spear 2002)
3. Breaking ties between ex-combatants and their factions (Doyle & Weinstein 2007:533) and particularly command and control structures over ex-combatants.
4. Transforming the pursuance of objectives from force and combat to civil and peaceful means (UN 2000:11).
5. Providing means of livelihoods, economic and earning income opportunities for ex-combatants through legitimate means (International Peace Academy, 2002:5).
6. Constructing and building confidence in “a democratic alternative to militarized politics (UN 2000:11).
7. Reconciliation that facilitates acceptance, and reintegration of ex-combatants into families, groups and communities (Doyle & Weinstein 2007:535).
8. Securing commitment to the peace process through providing confidence, trust, security and an environment of learning, trust and protection

that guarantees disengagement of warring parties, armed factions, hostilities and fighting.

9. Managing grievances of factions, the incentives for further violence, the costs and benefits of engagement with peace, in such ways that regrouping, eruptions of violence and disruptions of peace are prevented.

DDR is a highly technical, complex and sensitive process that is managed by critical institutional frameworks that are provided for and established by conflict terminative peace agreements. The framework comprises the administrative and technical/functional structures and their roles and responsibilities. DDR processes, structures and administration have to be inclusive. The input and participation of ex-fighters and fighting groups in planning and implementation could facilitate a “beneficiary ownership of the process” (Gwinyayi 2007:75).

The stages or phases of DDR are overlapping, cross-cutting and interdependent (Collette et al 1996:8). The stages are actually part of a complementary process. While disarmament controls the physical tools of violence, demobilization and reintegration controls the human tools of violence. Disarmament and Demobilization are part of a military process but Reintegration is a civilian process (Dzinesa 2007:74). The fate and performance of DDR depends on the holistic and comprehensive management of phases in an

integrated and interconnected manner. Overall success is dependent on the success of each phase. For example, “disarmament without planned economic and social reintegration, and “demobilization without previous disarmament” are short lived efforts” (Fusato 2003:1-5).

Disarmament

This involves the surrender of weapons by ex-combatants and the collection at specified centres or sites and destination, small arms, light and heavy weapons of combatant and civilians (Fusato 2003:1-5; U.N. 1999:15). The purpose of disarmament is to signify the end of fighting and more critically to guarantee security and prevent resumption of hostilities. Disarmament is essentially a military operation, designed to manage the instruments of violence (arms and ammunition) such that a secure and stable environment (Gwinyayi 2007:74) can be created for post-conflict transition and implementation of peace agreements.

More broadly, it involves the mopping up and control of small arms within the wider society and the programmes put in place to manage arms and ammunitions in the post-conflict society. Therefore, disarmament can be a form of weapons control strategy. However it does not necessarily include broad arms control such as the reduction in the level of illicit small arms in circulation. In conflict regions, many male civilians are armed. However most DDR programmes do not have civilian disarmament

component. The case of Southern Sudan (2005- 2006) is an exception.

Though disarmament is often measured by the number of disarmed persons and the quantity of arms surrendered, its success actually depends on the quantity surrendered as related to estimated stockpiles and arms availability, the further access to arms, the nature of arms inflow and trade, the continued availability of arms and the possibilities and opportunities for re-armament.

There are potential abuses of concealing small and light weapons. Further non ex-combatants with arms may seek benefits of disarmament and therefore there is need for “individual verification of combatant status” to prevent abuse.

Demilitarization

This refers to the withdrawal, extensive reductions in the size and scale of deployments, restrictions of presence and operations and restrictions to specified locations or barracks of military or non state militants in a territory. It could also comprise the disbandment of private and irregular forces or armed groups and withdrawal of foreign forces. Demilitarization also requires arms control and reduction of arms in-flow.

Demobilization

This involves the immediate or first step of transition from combat and militarized life to civilian life. First, there is the dismantling of organized institutions of violence and military

units such as the disbandment of non-state fighting forces and paramilitary forces. Second, it involves the discharge, transportation, assembly and quartering of ex combatants. Third, it involves pre and post-discharge orientations (Colletta et al 1996:12). Usually ex-combatants are assembled, transferred to camps and engaged in orientation programmes. The assembly and quartering of ex-combatants in camps enables registration and administration of certain determined benefits. But the camps have to be adequately equipped in terms of infrastructures, health, food and related facilities.

The transition process is usually managed through pre-discharge and post discharge orientations. While most pre-orientation programmes focus on information about the DDR, post-discharge orientations address issues of reintegration into civilian life. Demobilization and particularly discharge is associated with some payments which may be regarded as “compensation to encourage transition to civilian life (Wilkinson & Hughes - Wilson 2001).

Effective demobilization requires a short duration cantonment. The short term is consequent on the experiences of difficulties in sustaining discipline (Colleta et al 1996:12). However, demobilization is a risky and uncertain activity that can be bedeviled with treachery and breakdown.

Demobilization can also apply to the military and here the focus is on reduction of the military forces to more manageable size, particularly after a

war. In Uganda, a demobilization programme reduced the size of the army from 80,000 to 43,000 and the defense expenditure to 25% from 35% of national budget (Colletta et al 1996:VI). Demobilization may also involve repatriation of combatants from other camps in other countries and regions. This occurred in the Southern African region. For example ANCs Umkhonto we Sizue (MK) fighters were voluntary repatriated from camps in Uganda and Tanzania (Dzinesa 2007:80).

Rehabilitation

This addresses immediate needs and challenges of ex-combatants. This often involves some form of short term assistance to accommodate immediate needs. This temporary relief or reinsertion assistance (Fusato 2003:1-5), is most often undertaken through cash payment or allowances. The purpose of rehabilitation is to ease demobilization. Rehabilitation is the first stage of the process of transforming ex-fighters into civilian roles.

Table 2 Programmes of DDR Management of Ex-Combatants

Demilitarization	Disarmament	Demobilization	Rehabilitation	Reinsertion	Reintegration	Resettlement
	<ul style="list-style-type: none"> *surrender of arms * arms collection at centres *Arms destruction * arms monitoring and control 	<ul style="list-style-type: none"> *Surrender *Registration *Transportation *Cantonment & Encampment. *Pre-discharge Orientation *Discharge 	<ul style="list-style-type: none"> * Post discharge orientation * cash allowance * Food and health assistance 	<ul style="list-style-type: none"> * Diverse support and assistance *Housing support *Support for children education 	<ul style="list-style-type: none"> *information, counselling and referral support systems * skills and education verification/identification * vocational training, skills development * educational support * Employment and employment support * Business development 	<ul style="list-style-type: none"> * Access to and acquisition of land and water resources * Provision of seeds, tools and credit for agriculture *Social benefits *Pension support schemes *Disability support schemes

Source: Authors compilation

Reinsertion

Reinsertion is the assistance provided to ex-combatants as part of placement or reintroduction into civilian and community life and environment. This is the transition to integration, wherein the ex-fighters are provided immediate assistance or what Colletta et al (1996:15) calls transitional safety net to enable survival. Reinsertion assistances usually involves support in the areas of basic needs and “major survival concerns” such as food, clothing, housing, health care, education of children (Colletta et al 1996:15). This is usually through entitlements preferably paid in cash in installments for a period of 6 – 12 months, which is calculated on some basis such as average income and poverty level of the population or communities.

Reintegration

This relates to the integration of ex-combatants into productive economic engagements, non-violent means of livelihoods and peaceful but civil roles in the society. The goal of reintegration is “economic independence and self employment”. This is usually done through programmes or interventions aimed at “full and self sustained social and economic integration” (Fusato 2003:1-5) that is sustainable even in the long term. Reintegration addresses the specific needs of ex-combatants to facilitate engagement in the labour force, agriculture, private entrepreneurship, and the informal sector. This often requires some support in terms of skills development,

education, professional training, micro-credits and assistance to ex-combatants to return to peaceful and sustainable livelihoods.

Reintegration is more broad than disarmament and demobilization. It extends beyond ex-combatants to war veterans, families and communities of ex-combatants and veterans and disabled combatants.

There are several dimensions of reintegration. There is the social integration (resettlement into post war communities), economic (the “financial independence of an ex-combatant’s household through production and gainful employment” (Colletta et al 1996:18) and sustainable civilian employment and livelihoods), psychological (adjustment of attitudes and expectations and recovery from conflict based psychological trauma) and political (acceptance of ex-fighters by communities, community leaders and integration into and participation in the political processes such as political parties, elections) (Dzinesa 2007:74; Kingma 2000:28; 2002:183).

As Dzinesa 2007:74 notes, reintegration provides 1) relief such as assistance with clothing, cash payments, household utensils and food stuff, health support; 2) capacity building – training and skills development, in agriculture, educational institutions, entrepreneurship management, technical and vocational training and 3) eventual self sufficiency through agricultural inputs and implements, job placement, land allocation and others.

Besides these, reintegration programmes require generating employment and establishing employment programmes, providing access to employers and employment opportunities, providing access to credits and business support systems and establishing micro-projects.

Reintegration requires proper documentation of socio-economic, health, educational and proficiency profiles to enable specific benefits. The opportunity structures that exist for ex-fighters have to be known. This involves analysis of land, labour, skills development, technology, credit markets and the levels of access that are open to ex fighters. Reintegration further requires supportive structures and policies (Colleta et al 1996:11). These include first the establishment of information, counseling and referral services that provide specialized services such as information and counseling on training, employment, credit opportunities and business development.

Second is the creation of intervention programmes of public sector employment and job creation. This may involve the targeted absorption programmes of ex-fighters in public works schemes, particularly labour intensive public works programmes, the establishment of apprenticeship programmes in the private particularly informal sector as well as support for organizations that employ ex-fighters through subsidies or tax reliefs. Third is resettlement schemes of access to and acquisition of land, tools and credit

for ex-fighters that require employment in agriculture.

Reintegration is a “continuous and long term process”. Ultimately, the success of DRR programme is dependent on the long-term integration of ex-combatants. Reintegration is therefore critical to the success or otherwise of the transition to peace and particularly to post-conflict security, stability, and sustainability. The “speed of implementation should be an important criterion for any reintegration measure because as Colletta et al (1996:18) notes ex-combatants are most vulnerable in the first two years after demobilization”. Ineffectiveness and failures in reintegration could lead to insecurity arising from growing incidences of crime and violence and the emergence of commercialized violence, as ex-fighters seek profit through their proficient use of guns.

Resettlement

This refers to the creation of access to and acquisition of land, tools and credit to ex-fighters that require employment in agriculture such as farming and fishing. Addison (2001:4) has noted that the access of returning refugees and demobilized combatants to “natural capital as arable and grazing land, water, forests, fisheries and game, is critical to both poverty reduction and social peace”. Resettlement also refers to social benefits, disability support schemes and pension support schemes that are provided somewhat more permanently

to enhance survival and welfare of ex-combatants.

Best Practices in DDR Programming

Though the design of DDR should be based on peculiar socio-political, economic conflict and security situations, there are standard and best practices drawn from the programme design and implementation experiences of other countries, that can inform “cost effective and high impact” designs and implementation (Colletta 1996: x).

According to Colletta et al (1996), there are several pre-conditions that lead to successful DDR. These are first, political will which refers to the political commitment and leadership of the government and other parties to the conflict resolution and peace process, to reconcile, enforce and sustain agreements, maintain and build peace and carry the process through. Second, management which is the capacity for monitoring, co-ordination and execution of the DDR. This has been a major plank upon which DDR processes in several countries have floundered. Effective implementation requires that there is an institutional structure, comprising of existing public structures and those established for the DDR, which are closely coordinated to avoid duplications, errors and cross purposes (Colletta et al 1996:12).

Third, is the nature of the socio-cultural context. The acceptance, reception or resentment of ex-combatants by communities and peoples constitute the social environment into which the

ex-fighters are to be reinserted and reintegrated. Their attitudes to ex-fighters and their acceptance of peace agreements, reconciliation efforts and the DDR are critical to DDR success. The communities need to be mobilized in terms of adequate information and sometimes resources or assistance to enable a favourable environment for DDR. Finally, there is the issue of security. The security of ex-fighters have to be guaranteed, in terms of freedom from retribution, persecution, primitive actions and legal prosecution (Colletta et al 1996:9). Confidence of parties is also critical. The absence of confidence between parties, complicates the security, stability and success of DDR as parties would tend to circumvent complete disarmament and demobilization by keeping back arms and forces (Colletta 1996:13).

In addition to the above pre-conditions, Fusato (2003) lists the following;

1. The existence of credible third parties that guarantee compliance and equitable implementation of DDR programme,
2. A deterrent force that prevents violations, ensures the safety of individuals, and the maintenance and respect for public order,
3. Inclusive processes that embrace all belligerents and stakeholders in processes of agreements and implementation
4. Credible systems of management that is impartial, equitable in treatment and opportunities.

- 5 Adequate funding for execution and completion of DDR
- 6 Flexible and adaptive programmes that meets specific needs of ex-combatants.
- 7 Clear criteria for qualification for participation in the programme.
- 8 Provisions for vulnerable groups such as wounded and disabled ex-combatants, children and female ex-combatants and abducted children and girls.

Collier, Hoeffler & Soderbom (2006:1-19) have found that international interventions; forces or military presence, external peace keeping and economic recovery efforts, technical assistance and funding are important to maintaining and building peace and preventing conflict reversals. Colleta (1996: 20) has noted also that co operation with the private sector is important because it is needed in the apprenticeship, employment and training of ex-combatants.

Issues and Challenges of Managing DDR Programmes

DDR is not “an automatic post-conflict peace-building panacea” (Dzinesa 2007:74). DDR usually occurs in an environment of immense challenges such as insecurity, conflicts and economic disruptions. It is often within an unstable, insecure and volatile environment, in which there may be tensions, mistrust, competitions and strategic manipulations. Even though DDR occurs within a framework of some

understanding, there is usually animosity between factions and fighting groups. There are certain threats in DDR that emanates from dissatisfactions with terms of peace, the struggles for better returns and benefits from the peace process including use of violence and persisting incentives for further violence.

DDR is comprehensive and broad process. It has to involve, address, provide for and assist all components of those engaged in combat or combat related services. These include female and children combatants or support staff such as carriers, cooks and abducted wives. Besides these, there are those that lived with, accompanied and provided diverse support and thus were exposed to combat and combat atrocities and brutalities. Disabled or wounded ex-combatants have to be provided for.

Current efforts in DDR and innovation programmes relates to increasing the gender and children sensitivity and provisions to facilitate equity, special attention and awareness for effective and child soldier demobilization and reintegration (Fair 2000:21003, World Bank 2002). The target and benefits of reintegration has “moved beyond individual level programme” to include a community focus, in which “assistance is provided to communities with significant populations of ex-combatants” (Humphreys & Weinstein 2007:561). By this, the issues of acceptance and support for ex-combatants, the infrastructures for reintegration, the economic recovery

and peace building in the communities are addressed.

There is the issue of incentives. There is a debate as to who should be the recipients of incentives in post-conflict DDR processes between individual combatants or communities (Arnold & Alden 2007:11) The later is said to hold the community committed and accountable to the DDR and peace process, as they would put pressures on militia members to conform with DDR processes. Individual incentives are not tied to community's fortunes.

The target subjects of DDR also make it quite difficult and sensitive to manage. First is that DDR programmes are targeted at a segment of the population in transition. The second is that it is targeted at a vulnerable group, those who are severed from militia and rebel movement based employments, livelihood sources, vocation and behavior. Third, is that the target group are often poor, unemployed, underemployed and unskilled youth at the lower rungs of society.

There is the fear that the benefits of reintegration may be narrow based and hijacked. Rather than the ordinary ex-militants, the militia commanders, contractors, administrators and certain elite, may be reaping undue gains.

Militias are also difficult to manage within DDR. First, conflict objectives have communal/local dimensions in terms of interests, thus making conflicts more complex. Second, there are diverse motivations such as status accretion, pursuit of security and

income enhancement" (Arnold and Alden 2007:1-26).

Other challenges of DDR usually include poor planning and design, inadequate, inappropriate and non comprehensive programmes that do not meet the needs and situations of DDR. Sometimes there are no planned, informed and comprehensive bases for effective reintegration such as inadequate data base on ex-fighters, personal socio-economic profiles, needs, skills, preferences and reintegration requirements. There is also the problem of poor management which may be reflected in the absence of effective monitoring and assessment mechanisms to determine progress, identify problems and correct weaknesses. The enabling socio-economic and political environment may be absent. Volatile socio-political conditions, economic crisis and security challenges can undermine the effective implementation of DDR. There is also the challenge of inadequate capacity in terms of infrastructure, facilities, equipments, funds and staff. The militia or rebel groups may not trust or have confidence in the programme. This may be manifested by circumvention, desertion of disarmed fighters from assembly centres, surrender of mediocre, or outdated or rusty arms and attempts at rearming.

There are often administrative challenges. This is first related to the Commission or Agency that administers DDR which may lack the capacity, willingness and commitment to the programme as to be able to

influence the political dynamics that favour DDR and address the obstacles (Development Alternatives Inc. 2005:47). Second, there are sometimes inter-agency squabbles, lack of coordination and unity among and between local and international actors, thin international presence and weak field coordination. Third relates to issues of weak technical capacity, administrative control machinery and unpredictable funding which sometimes plague DDR programmes.

Unsuccessful and failing DDR has immense implications. It means that there would be the continued presence of illicit arms and unsuccessfully disarmed and demobilized ex-combatants, that were not effectively reintegrated into society and sustainable livelihoods (Gwinyayi, 2007:75). The implications of these for security and stability are dire.

The Role of External Actors and Civil Society Groups in DDR

DDR should have broad participation and have multi-pronged actor approach in which government, the private sector, NGOs and international organizations and donors play roles. Scholars have noted that external interventions and support are valuable particularly in situations of deep hostilities and extensive capacity destructions (Doyle & Sambanis 2006). External support provides stability and confidence in DDR. External commitment sometimes in peace keeping troops facilitates the monitoring of compliance, ensures security and provides reassurance that agreements would be kept (Walter

1999:154). A third party intervention or commitment tends to guarantee commitments, compliance and implementation of peace agreements (Walter 1999:127-155).

The international community has been crucial to the design, funding, implementation, monitoring and performance of DDR programmes in Africa. The United Nations through the United Nations Development programme (UNDP) has provided technical support several DDR programmes in Africa. Other international development agencies and humanitarian bodies such as the World Bank, donor agencies, bilateral and multilateral organizations, international civil society, nongovernmental organizations and humanitarian assistance organizations such as the local and international committees of the Red Cross have also been active in Africa's DDR programmes.

The United Nations Organization has been a major player. Since the late 1980s, the United Nations has deepened and extended its interventions in conflict situations into multi-dimensional operations such that apart from the traditional conflict monitoring and peace keeping efforts now include conflict resolution, peace building, economic recovery and reforms, political institutions, constitutional reforms, security sector reforms and reconstruction.

Several African countries have had to request the World Bank and other donor organizations for technical assistance and financing (Colletta et al

1996). The World Bank has provided technical and financial assistance to Mozambique, Rwanda, Uganda, Eritrea and Ethiopia. International donors and international organizations have provided technical assistance, funds and related support to most DDR programmes in Africa.

There are numerous examples of these support. In Zimbabwe, the Commonwealth of Nations, provided a 1,300 monitoring force that supervised the demobilization process (Colletta et al 1996:70). In Mozambique, the United Nations Operation for Mozambique comprised of about 7,500 military personnel that supervised and managed the Demobilization and peace process (Colletta 1996:67). The UNDP had a DDR unit in the CPA's DDR programme in Southern Sudan (2005-2006). In Mozambique, international donors developed support programmes of financial support, basic needs, resettlement, training and micro projects and were able to assist 13,000 ex-combatants in about 550 activities in mid 1995 (Colletta et al : 68). In Sudan, the UNMIS/UNDP provided logistic and technical assistance, maintained a presence of military observers (UNMIS) (Arnold & Alden 2007: 13-14). United Nations troops or military observers have participated in many of the country DDR programmes such as Sierra Leone, Mozambique, DRC and Sudan.

Civil society and the NGO sector have played critical roles in rebuilding social capital and facilitating reconciliation, peace building, participation and success of DDR programmes. In

Namibia, the church led the constitution of repatriation committees, which were pivotal in rebuilding trust and reconciliation between the adversaries in the war (Colletta et al p. 75). In Zimbabwe, local NGOs were very active with international support in the health care assistance, and vocational training of ex-combatants within the government programme of reintegration assistance during the DDR programme. The Zimbabwe project, an NGO had by 1984 supported training and income generating projects for about 10,000 ex-combatants. In Ethiopia, the Red Cross Society and the Governments Relief and Rehabilitation Commission supplied food to ex-combatants (Colletta et al 1996:8;71).

In parts of Southern Sudan, indigenous NGOs facilitated voluntary disarmament. They reached out to convince armed youths to disarm, organized post-disarmament outreach to newly disarmed youth, organized peace meetings, between communities, convinced communities to mobilize their youths to voluntarily disarm, sensitized armed youths on the disarmament process and provided training in basic and civic education and vocational skills, to facilitate post disarmament economic engagements (Arnold & Alden 2007:5-16).

The external component is critical for trust, confidence, stability, monitoring and performance. In Sudan for example, the presence of the UNMIS and UNDP officials and troops, tended to pre-empt the potential for violence, built confidence, signified positive

change and facilitated peaceful disarmament. In Southern Sudan, it was found that where SPLA acted alone, disarmament was rejected and SPLA had to apply force as in Western and Central Jonglan State. But where more actors were involved such as local NGOs, Local Communities, Local county governments, and the presence of UNMIS and UNDP staff, the process was voluntary and peaceful (Arnold & Alden 2007:1-26).

The communities too have a role in facilitating DDR. In Sudan, the local communities, which were tired of armed youth and arms, pressured their youths to turn in arms voluntarily (Arnold & Alden 2007:1-26). The community had interests in preventing confrontations that were associated with refusal to disarm, and wanted commitments to the peace that they saw was associated with development.

Comparative Experiences and Lessons of Disarmament, Demobilization and Reintegration in Africa.

DDR has been a frequently deployed programme of managing post armed conflict peace and stability in Africa. In Southern Africa, it was implemented in Angola, Mozambique, Namibia, South Africa and Zimbabwe. In West Africa, DDR programmes have been implemented in Liberia and Sierra Leone. In Eastern Africa, it has been implemented in Uganda. In the horn of Africa, Eritrea and Ethiopia have had DDR programmes while in Central Africa, the Democratic Republic of Congo (DRC) is still implementing a DDR programme.

Though Governments such as those of Eritrea formulated and managed their DDR processes in the mid 1990s, most DDR in Africa have had technical, financial and administrative support from the UN and humanitarian and development agencies. The Liberian and Sierra Leonean Demobilization and Reintegration, DR were World Bank assisted. The structures for implementation have included special commissions as the Commission for Reintegration and later National Commission for Social Reinsertion in Mozambique and the Veterans co-ordination Committee in Rwanda (1993). In Sierra Leone, there was the National Commission on Demobilization, Disarmament and Reintegration (NCDDR).

Some of the DDR programmes have been accompanied with Amnesty as in South Africa and Uganda. In Uganda, an amnesty was granted in 1988 and 1999, the later through the Amnesty Act of 2000. In the case of the former, the Ugandan government granted amnesty to those who renounced rebellion. Through negotiations with the Ugandan Peoples Democratic Army (UPDA), the main rebel group, and an agreement in June 1988, some UPDA forces were integrated into the army (Omach 2010).

The first DDR in Angola was between 1991 and 1992. The programme failed and was ineffective largely because of loopholes and weaknesses in the disarmament and demobilization (DD) process that allowed the opposing armies to retain or restore combat readiness and renew hostilities. The

renewed war between October 1992 and 1994, was accompanied by heavy human casualties, conservatively estimated to be about 300,000 or 3% of the population (Dzinesa 2007:76). Another but more extensive DDR was put in place from 1995 – 1997, based on the 1994 Lusaka Protocol Peace Agreement, and was implemented by a Commission under the United Nations. Part of its fair success was based on partnership with civil society organizations and networks.

The reintegration programmes have been diverse. In Mozambique, ex-combatants were paid a reintegration support scheme cash and compensation for 2 years. In Namibia, ex-fighters were paid a nominal one off gratuity payment. When this failed, the government against the backdrop of riots and public disruptions was forced to embark on a peace project aimed at affirmative job placements in the public service (Dzinesa 2007:80). Gratuity payments were also made to ex fighters in South Africa (Dzinesa 2007:81). Ethiopia demobilized about 500,000 ex-combatants in 1991. In the Reintegration programme those returning to the rural areas were given land and basic agricultural inputs while the urban returnees were provided vocational training and soft loans (Addison 2001:3).

As in Angola, improper or incomplete disarmament and demobilization was a factor in the renewal of hostilities and the prevalence of an environment of insecurity in Namibia. It allowed widespread intimidation, destabilization, and killings of South

West African Peoples Organisation (SWAPO) Peoples Liberation Army of Namibia (PLAN) combatants by the South African established paramilitary citizen forces, local police and commandoes (Dzinesa 2007:79). In the World Bank assisted demobilization and reintegration programmes in Liberia and Sierra Leone, ineffectively demobilized soldiers returned to crime and banditry (Gwinyayi 2007:75).

There are also problems in the Disarmament phase. These problems normally include poor surrender and collection of arms and ammunitions as compared to estimates, and theft and disappearance of collected arms and ammunitions from collection centres. In Mozambique, the theft or disappearance of arms and ammunitions from collection centres and poor surrender or hand over of arms led to huge uncontrolled firearms which circulated locally and regionally, with grave implications for national and regional security (Gimba 1999:43; Dzinesa 2007:77). Ineffective disarmament is partly the explanation for the “destructive small arms scourge” that underlies the high rates violent crimes and murder in South Africa (Dzinesa 2007:81).

Economic crisis and inadequate funds have been indicated in the failure or ineffectiveness of DDR. In Angola (1991-1992) inadequate funds and staffing did not enable effective DD. Further, lack of funds was a “powerful disincentive for troops to disarm and demobilize with the result that many deserted the poorly secured

cantonment. In Mozambique, poor living conditions in the demobilization camps, caused unrests, looting and banditry (Colletta et al 1976:68). Studies have actually found that the *'failure to meet expectations of demobilized combatants jeopardized security and contributed to high crime rates'* (Keen 2006:16). In Chechnya, inadequate rehabilitation was a factor in the turning of thousands of unemployed, heavily armed ex fighters either to kidnapping, raiding or to Islamist and nationalist extremism (ibid).

Another major challenge to DDR in Africa has been the issues of trust and confidence in the process. In Angola's UNAVEM II (1991-1992) and UNAVEM III (1994) and UN Observer Mission (1997), a major challenge was the "questionable confidence and commitment" of the parties. There was "considerable mistrusts and both parties sought to bypass the process (Dzinesa 2004:656; 2007:76). There have been problems of skepticism about government's implementation capacity and accountability. The post conflict transition political engineering has also been problematic. In Angola, the DDR failed because the post conflict election results was rejected by a party that refused to accept defeat but rather returned to the trenches.

The most important challenge in most of the programmes has been reintegration failures. In Zimbabwe, about 65,000 ex-combatants were encamped, but 29,000 were integrated into the army, and 36,000 were discharged and received reintegrated

assistance. Of the later, government provided some employment in the civil service, provided resettlement through land to some and administered a scholarship programme for some 5,400 veterans. But altogether, 8 years after (1988), only about 10% of ex-combatants were formally employed or self-employed (Colletta et al 1996:71). There were frustrations, tensions and protests over the reintegration programme which was adjudged as not very successful. In Namibia, arising from a failing integration, ex-combatants became so disenchanted and disgruntled that they embarked on riot and public disruptions (Dzinesa 2007:80). In South Africa, a failing reintegration programme, turned some ex-fighters to resort to crime (Dzinesa 2007:82). Studies in South Africa have indicated that several years after the DDR, a considerable number of ex-combatants were unemployed (Dzinesa 2007:82).

As the experience in Africa indicates, unsuccessful DDR creates immense challenges to security and stability.

First is that it turns ex-combatants into migrant fighters or mobile conflict professionals. In Sierra Leone and Liberia, ex-combatants in the former rebel army, state military and deserters frequently crossed borders to fight as mercenaries, extortionists and looters (Gwinyayi, 2007:75). In spite of a 2 year cash payments, ex-fighters in Mozambique have been involved in criminality particularly assassination, money laundering and drug trafficking (Dzinesa 2007:78). Persisting violence and difficult security environments

usually persists even where DDR has been fairly successful as in Sierra Leone and Liberia. In the Democratic Republic of Congo, DDR has at best be tenuous as militants have periodically slipped back into armed combats while armed conflicts has resurged several times.

In terms of overall impact of DDR in Africa, the literature has tended to focus on the design and implementation of DDR and macro impacts than the factors that determine success and impact on individual participants (Humphreys & Weinstein

(2007:562). In Sierra Leone, Humphreys & Weinstein (2007:534) found that participation in the DDR while effective at the macro level, did not have much re-integrative impact on individual ex combatants (micro level). Further, the level of acceptance in the community is dependent on the combatants war experience, such as the abusiveness of the combatants war unit. Pugel (2007) has found that in Liberia, ex combatants that received reinsertion benefits and further participated in training programmes, were more reintegrated than those that received only reinsertion benefits.

CHAPTER THREE

OIL, GAS AND CONFLICTS IN THE NIGER DELTA

Oil, Gas and Nigeria

Nigeria has a vast and extensive oil and gas infrastructure, which as at 2005 comprised about 600 oil fields, 5,284 oil wells, 275 oil flow stations, 10 gas plants, 10 export terminals, 1 major liquefied natural gas project, four refineries and about 10,000 kilometers of crude oil pipelines and flowlines (Watts 2008: 43). Nigeria has about 40 billion barrels and 157 trillion cubic feet of proven crude oil and gas reserves respectively. It has the tenth largest proven natural gas reserve in the world. It is about the 7th largest exporter of crude oil. About 40% of the oil wells are off shore the coast of the Niger Delta while most on shore facilities are located within the region. Nigeria's oil resources and oil infrastructure are located in about 1,500 communities in the Niger Delta.

The region's oil and gas production and export constitutes about 70% of national wealth. By 2002, oil and gas accounted for 83% of government revenues, 95% of total exports, 90% of foreign exchange earnings and 40% of the Gross Domestic Product (Yates 2004:48)

Oil was first discovered in commercial quantities in August 1956 at Oloibiri, Bayelsa State. Initial production was a mere 3000 barrels per day (bpd) but rose to 5,100bpd in 1958. Oil exportation began in February 1958.

There were 24 oil fields by 1967 and a production of 582, 025 bpd (Etekpe 2007:57). Production rose to about 2.3million bpd by 1979 and should have remained above 2million bpd since 2000, but for the conflicts in the Niger Delta.

It is now more than fifty years since crude oil production began in the Niger Delta. It has brought much wealth, foreign exchange, foreign direct investments and fame to Nigeria. Nigeria has earned over \$450 billion from oil, which has been the mainstay of the economy. Nigeria has been run and sustained by oil. Apart from building a new capital city, oil has brought much development to other parts of Nigeria and particularly to state officials, ruling class, political elite and the hegemonic groups that have controlled the Nigerian state and the transnational oil companies. But back home in the Niger Delta, oil has brought poverty, misery, tears, diseases, bloodshed, violence, conflicts and a low intensity war.

The Resource Curse and Cocktail of Grievances

When oil exploration began in the Niger Delta State in the late 1950s, the people expected that it would make a huge difference to their lives. The massive machines and technology that they saw indicated that their lives would change positively. However after ten, then thirty and then fifty years, they realized that oil had brought misfortune and misery. Their natural resource had become a curse.

Their land was taken for exploration, exploitation, pipelines and platforms. The much that was left were polluted and degraded by numerous oil spillages. The rivers and water systems were polluted. The land was no longer arable and the rivers had been deserted by fish colonies. The air was polluted by gas flares and acid rain was tormenting their house roofs just as the people had become plagued by numerous diseases. The people had become under-employed and unemployed.

Thus rather than attract development, oil and gas has actually under-developed and devastated the region. It has created land and water scarcity. A massive regime of oil spills and gas flares has caused soil fertility loss, forest loss, bio-diversity depletion, agricultural decline and decline in fishery. The negative externalities of oil and particularly the devastation of land and water upon which the livelihood sources, livelihoods and specifically primary economies of farming, fishing and hunting depend has deepened poverty, unemployment and underemployment.

Thus the World Bank, in its 1995 Report stated as follows;

Despite its vast oil resources, the region remains poor. GNP per capital is below the national average of \$280. Unemployment in Port Harcourt, the capital of Rivers state is 30% and is believed to be equally high in the rural areas.....The poverty level in the Niger Delta is exacerbated by the high cost of living. In the urban areas of

Rivers state, the cost of living index is the highest in Nigeria.

While immersed in the negative externalities of oil, there were no benefits or if there were, too few and trickle. The region has suffered from developmental neglect and marginalization in political representation and developmental outlay since the days of the Eastern and Western regions to which the eastern and western axis of the current Niger Delta belonged until 1967 and 1963 respectively. Federal neglect in developmental attention in spite of huge resource contribution has persisted. This has been reflected in the scanty, inadequate and poor conditions of infrastructure and social services.

As the World Bank (1995) notes ,

Education levels are below the national average and are particularly low for women. While 76% of Nigerian children attend primary school, this level drops to 30-40 percent in some parts of the Niger Delta...

This discontinuity or incongruence between resource generation and the state of development is brought out vividly by the United Nations Development Programme (UNDP) report. According to UNDP (2006)

Ordinarily the Niger Delta should be a gigantic economic reservoir of national and international importance. Its rich endowment of oil and gas resources feed methodically into the international

economic system in exchange for the massive revenues that carry the promise of socio-economic transformation within the Delta itself. In reality, the Niger Delta is a region suffering from administrative neglect, crumbling social infrastructure and services, high unemployment, social deprivation, abject poverty, filth, squalor and endemic conflict (UNDP, 2006).

This condition of poverty and under-development amidst immense wealth generation, apart from the issue of negative externalities, is a result of several conditions that result from the nature of the Nigerian state and corporate governance systems of the transnational oil companies (TNOCs).

The Nigerian state has been the object of hegemonical struggles for control by constituent ethno-religious and regional groups. It has been captured since independence by ethnic majorities, to the detriment of minority ethnic groups such as those in the Niger Delta. But more significantly, it has been held hostage by a ruling class which is inert, corrupt, selfish and rapacious. The struggles for domination between diverse factions of the ruling class, including ethno-religious and regional factions has turned governance into a violent, corrupt, profligate and prebendal affair that rests on primordial identities. The consequent use to which the state has been put is to the advantage of some and the vanquishing of others that are

outside it. It is within this context that one can understand the enactment of laws that wrested oil and gas from the states in the Niger Delta and placed it absolutely under federal control, the concentration of resources in the centre for those that control it, the decline in the profile of derivation or revenue compensation for those that generate resources to other criteria such as land mass and population that disadvantage the region and the unequal, unfair and unjust marginalization even within the oil economy and the neglect in the country's developmental outlay, in spite of its difficult terrain and resource contributions.

A clear area where this disadvantage within the Nigeria project and this marginality within the configuration of power and control of the Nigerian state is manifested is in the revenue in flow to the region from its crude oil and gas resources. As oil and gas became more important as the dominant generator of revenues and wealth for the nation, the region lost more and more of its entitlements and benefits. Derivation based revenue take declined from 50% in 1966 to 45% in 1970 to 1% in 1979, 2% in 1982, 1.5% 1984 and 3% in 1992. It took massive agitation and protests and a growing disruptions of oil production for an increase to 13% in the 1999 constitution which was implemented in 2000.

The TNOCs have not been better. The TNOCs initially disregarded the local communities. Backed by the federal might and the shield of state security

agencies, the demands for compensation for land, water and crops, for benefits of infrastructure and social services, and employment were ignored. When the locals began to protest, the TNOCs simply called in the dreaded mobile police force to brutalize and suppress them. When the protests increased, they began to provide support and logistics to the military to further suppress locals. However by the late 1990s, the protests had become so extensive that the TNOCs could no longer operate under the shield of security forces. The TNOCs then resorted to community development projects, diverse largess and payments and memoranda of understanding with the communities as strategies of buying access to oil production.

These conditions of marginality, dispossession of resources, trickle benefits from resource endowments, developmental neglect in spite of resource contributions and mistreatment by the TNOCs that are joint venture and therefore business partners of the federal government have combined to create multifarious crises in the region.

Dimensions of the Crises

The Niger Delta conflict is a multifarious and multi-dimensional crisis of diverse proportions.

It is a crisis of state governance as the region reflects and is reacting to prolonged neglect, marginalization and exclusion which now manifests in deepening poverty, scanty development and even in some cases,

absence of government. It is a crisis of corporate governance as the TNOCs have recklessly mistreated the regions communities and people, denied them of substantial benefits and stakeholder-ship and utilized crass governance systems that have corroded and disarticulated their communal social fabric and coherence, and peace and stability of the region. It is a crisis of resource management as the regions resources have been appropriated in such ways that have not substantially benefited the region and touched their lives. The region now feels so cheated and disinherited that it seeks full resource control. It is a crisis of environmental management as the TNOCs taking advantage of state weakness has wantonly and recklessly devastated the ecology and its sustenance capacity for the people that have depended on it for their livelihoods for centuries.

It is a crisis of development, as the resources and revenues derived from the region have been used to develop the nation without developing the region that bears and sources it. The region is poor and disadvantaged in several indicators of development. The region's struggle for development since the 1950s have not yielded substantial fruits.

It is a crisis of the national question, as the region is so disgruntled and frustrated with the Nigerian project and its minority and marginal status and is seeking self determination, regional autonomy, self-development and federal restructuring through a national

conference of ethnic nationalities or constitutional conference. Finally, the conflict represents and manifests as a serious crisis of national security, as the people have risen in various forms and ways to challenge the objects of their misfortune which includes the TNOCs and the Nigerian state, the core element of which is the federal government. The response of the federal government to the ensuing national security challenge has itself created a crisis of human insecurity in the region.

These crises have grown civil, communal, political and militant agitation for development, resource control, corporate social responsibility and state reforms.

From Civil Agitation to Militancy

There have been four dimensions of the Niger Delta Struggles. These are: political agitation, communal and ethnic agitation, civil agitation and militant agitation.

The struggle began as a political agitation for creation of regions for ethnic minorities in the Eastern and Western region. Then it snowballed into a political agitation for minority rights and against marginalization and the decline of derivation funds in the late 1980s and 1990s. After 1999, political society took the struggle for resource control and federal restructuring to the national level.

The communities began the agitation for development benefits and compensation for land and agricultural resources from the TNOCs in the

1970s. Initially they wrote petitions. As they were ignored, they began to block access roads to oil facilities. This continued into the 1980s and 1990s except that the protests became more militant and disruptive of oil operations. By the late 1990s, the entrance of a youth vanguard and activism in the communities had transformed community protests into a regime of violent engagements against the TNOCs, conducted by militant youths and even women.

The civil agitation largely began with the Ogonis from 1990, who through popular organizations, popular mobilization and mass protests, engaged the Nigerian State and Shell, in a minority, environmental and resource rights and self determination struggles. The Ogonis agitated for a clean environment, compensation for damages, reparations for resources already taken from the Ogonis and a fair share of their God given oil and gas resources. Though massively repressed through an army of occupation, the Ogonis were able to force Shell out of Ogoniland and stopped the exploitation of crude oil and gas. The Ogoni mass protests and blockage of oil installations, the Ogoni bill of rights which drove the agitation and the internationalization of the Ogoni struggle by its linkage to international environmental, civil rights and minority rights groups served as a model and incentive that drove the civil agitation among most of the ethnic groups in the region.

The civil agitation was particularly reinforced by the emergence and

flowering of civil society. By the late 1990s, a mosaic of civil groups of diverse hues; communal based organizations, civil and environmental rights groups, advocacy groups, nongovernmental organizations, ethno-cultural groups and youth groups had emerged which began to champion the cause and were able to construct a civil platform of networking, partnership and collaborations (Ikelegbe 2001; 2005b). This transformed the struggle into that of advocacy and claims for rights and participation such as resource, environmental, civil and minority rights.

The militant agitation was a forceful attempt to compel oil based benefits, redress grievances and seek resource control and self-determination. It was essentially a rebellion against state and corporate mis-governance and a determined effort for reforms. Furthermore, apart from the 1966 Adaka Boro's incidence, the militant agitation was a forceful response to militarization, repression and state violence in the region. At the general level, the militant agitation was directed at compelling the Nigerian State and TNOCs to dialogue or negotiate on the critical issues in the struggle. More specifically, its objectives were to cut or destabilize oil production; to draw international attention to the plight of the region, and to compel the withdrawal of the TNOCs, to restrain, checkmate and demoralize the military and militarization and to compel concessions and benefits from the Nigerian state and TNOCs.

The militancy and insurrection in the region is a classic case of the primacy of grievances in conflict causality. A prominent leader of the region put this succinctly in an interview; *the boys are fighting for their survival. They are fighting unemployment, criminal negligence of their area, the dehumanization of our own people* (Newswatch 2008:08:04; 16-26).

The grievances of the region have been numerous. These have included disinheritance by federal laws, loss of control over their resources, marginalization in the oil economy, marginality within the Nigerian federation and militarization and repression through the military and security agencies. In relation to the TNOCs, the region complains of environmental pollution, mistreatment, poor compensation practices, poor benefits, unfulfilled promises, failures to implement memoranda of understanding and inadequate employment and representation. Other grievances are the poverty, deprivation, high youth unemployment and hopelessness, the location of head offices of TNOCs outside the region and the takeover of oil benefits and oil blocks by non indigenes of the region

The initial demand in the region was for developmental attention, because of seeming neglect and difficult terrain. The demand has persisted because of persisting under-development in spite of trickle, poorly funded, centralized and poorly performing interventions. As the state directed development demands failed, the communities

turned to the TNOCs. This has become a major source of community-TNOC conflicts since the 1970s.

However the content of demands changed by the late 1980s when the regions' political elite began to mobilize through minority rights and related groups against the marginalization and the trickle benefits and revenues accruing to the region. These elite began to locate the regions problems within a wider context of the nations' federalism, revenue allocation systems and minority disadvantages. The re-conceptions and new perceptions shifted the demands from mere development to issues of self-determination and federal restructuring. The turning point was the Ogoni Bill of Rights and the Ogoni protests beginning from 1990. The Ogonis' demands for reparation, self determination, a fair share of their resources and environmental cleaning transformed the region wide content of demands. The issues of ownership of resources, resource control, environmental rights and federal restructuring became foremost demands among other ethnic groups who articulated various bill of rights and charters.

The turning point in the transformation of demands into political and volatile ones and in the militant agitation for the demands was the Kaiama Declaration of December 1998 made by Ijaw youths. It was this declaration that put resource control in the front burner. It also was the commencement point of militant agitation and militia formation and engagements.

From Palm Oil to Crude Oil and Gas: A History of Resource Control Struggles

There are historical antecedents to the current struggle for resource control. When trade in palm oil replaced the slave trade in the 19th century, many of the communities, city states and kingdoms in then Oil Rivers Protectorate, became not just outlets to the hinterland but middlemen, traders and merchants between the producers and hinterland and the European traders. But the British merchants and the Royal Niger Company apart from exploitative and unfair practices wanted direct control and access to the hinterland and therefore the elimination of the middlemanship of the local merchants and merchant city states (Etekpe 2007a:28-31). The local communities resisted the inland penetration, direct trading, control of trade and related deprivations by mobilizing against them. In Itsekiriland, Opobo, Bonny and Nembe, there were violent protests and attacks which were subdued with gunboats and superior weapons.

The current struggles over participation in the oil and gas economy, control of oil resources and marginality in oil benefits is a kind of replay of the struggles and resistance over palm oil trade and production, only that crude oil and gas has replaced palm oil as the dominant local resource that is now the subject of dispossession by new foreign powers, represented now by those who control the Nigerian state and the TNOCs.

The struggle for resource control grew out of the poverty, youth unemployment, trickle benefits from TNOCs and declined fortune of derivation funds in the region. Aggrieved and angry but educated youth from 1997 began to adopt radical approaches to the issue of what benefits they get, can get and should be getting from the immense oil and gas resources. Attention was now directed to the laws and the nature of rule that dispossess and deprive them of such benefits. The agitation from 1999 began to be framed as a struggle to claim resource ownership and control within the ambit of sovereign national conference or conference of ethnic nationalities. The immediate factor indicated in the anger and discontent and the ensuing struggle for resource control was the revenues accruing to the region.

While in 1963, regions were entitled to 50% of revenues from their resources and a share from the 30% accruable to the regions in the distributable pool, the regions share of oil revenues declined considerably after 1970 (Table 3). In addition, the federal government in which the region has been largely marginalized until recently, takes the huge chunk of above 50% leaving the rest to states and local governments (Table 4). Thus the resource flow into the region has declined and was particularly negligible between 1981 and 1999. Though it was only fair and proper that the special contributions of the region should be recognized, resource allocation was mainly done until 1999 without consideration to origin of resources (Roberts 2010: 10).

Table 3 Changes in the Derivation Component of Revenue Allocation

S/N	PERIOD	PERCENTAGE SHARE OF DERIVATION
1	1960-1970	50%
2	1970-1975	45%
3	1975-1980	20%
4	1980-1983	2%
5	1984-1992	1.5%
6	1992-2000	3%
7	2000-2010	13%

Source: Ibaba & Ikelegbe 2010

It was within the preceding context that the struggle for resource control began and gathered momentum. The struggle was at diverse levels. Now spearheaded by the youth, the people sought to compel benefits from the oil companies. Second, the people sought greater benefits from their oil from the federal government. The demands ranged from 50% to 100% ownership

and control. Third, a reformed and re-structured federal state to guarantee regional autonomy and resource control was sought. Fourth, there was a struggle by communities to directly benefit from the increased derivation funds. This yielded results in the form of development commissions in Ondo and Delta States.

Table 4 Share of Revenues by Governments of the Federation

PERIOD	FEDERAL %	STATES %	LGAs %	SPECIAL FUNDS %
1958	40	60	-	-
1968	80	20	-	-
1982	55	32.5	10	-
1984-1988	55	30	12	3
1989	47	30	15	8
1990	50	30	15	5
1991	47.5	28.5	14	10
January 1992	50	25	20	5
June 1992-2001	48.5	24	20	7.5
January 2002	54.68	24.7	20.6	-
December 2002	53.69	31.1	15.21	-
2004-2008	53.69	31.1	15.21	-

Source: Ajayi 2010:12

The Military and Militarization of the Niger Delta

Military deployments began in the Ogoni region in the early 1990s when a special military task force was constituted to maintain security. In the late 1990s, following increased restiveness and protests, Operations Hakuri 1 and 11 were established comprising massive deployments of the army and navy and heavy armaments. In 2003, Operation Restore Hope was constituted under a Joint Task Force (JTF). JTF comprised a massive deployment of the Army, Navy, Air Force, Police and other security agencies. It was also a massive military deployment on the roads, waterways, oil infrastructures, creeks and communities in the region.

Apart from the massive military presence and deployments, and the deployment of sophisticated air, naval and ground military equipment and arms, has been the expenditure of huge sums in arming the JTF for special operations in the creeks, waterways and coastal areas. In the dying days of the Obasanjo Administration, it was alleged that about \$2billion dollars was approved to be spent on special arms and training for the three arms of the military, to be bankrolled by the Nigerian National Petroleum Corporation (NNPC), (Onuorah 2010:17).

The JTF has been active in its tasks of containing the protests and militia operations. It is known to attack communities suspected to host or support militias and militia camps. There have been indiscriminate

arrests, detentions, torture and rape. Properties of those suspected to be militants or those of alleged collaborators have been destroyed. There have also been extra judicial and in fact indiscriminate shootings and killings. Several communities were destroyed. There are indications that the military deployed to the region have been compromised at least by involvements in the underground and illegal oil economies of the region.

Because of the ferocity, terror and extensive abuses associated with its operations, the JTF has been regarded as an army of occupation meant to harass as it were a conquered people. The regions' citizens have lost confidence in the military and have merely been held captive. This has informed the strident calls for its withdrawal and indeed the demilitarization of the region by communal and civil society groups and even political leaders.

The Militias and Militancy in the Niger Delta

There have been three clear periods in the militia and militancy phenomenon in the region, apart from the Adaka Boro's Niger Delta Volunteer Force's insurgency in 1966. The first was the initial flowering of militancy between 1998 and 2000. This emerged from a radical and militant youth movement which began to challenge marginalization by the oil companies, the Nigerian state and the Itsekiri ethnic group in the Western Delta and at the general level, the neglect, environmental devastation, trickle benefits and marginality in the oil

economy. In the Western axis, there emerged militant youth movements that birthed militia groups and that engaged the military, TNOCs and Itsekiri communities. In the Eastern axis, the militant youths commenced protests against the Nigerian state and oil companies, following the Kaiama Declaration. In the western axis, the first major militant group that comprised community militias was the Federated Niger Delta Ijaw Communities. In the Eastern axis, the first militia groups were hurriedly put together and mobilized in response to the militarization and military attacks and brutalities against Ijaw youth protesters. They commenced Operation Climate Change within the Kaiama Declaration which snowballed into a region wide insurgency as militant actions spread across the region. These groups included the Egbesu Boys of Africa and the Movement for the Survival of Ijaw Ethnic Nationality (MOSIEN).

There was a lull in militia and militant activities between 2001 and 2002. Following the 2003 elections and the militarization of politics and electoral violence that occurred in the Niger Delta, politicians had recruited and armed youths and formed, armed and used thugs, gangs and cult groups to intimidate opponents and rig elections. These groups became the nucleus of a new generation of militia groups. Two prominent groups emerged in the Eastern axis; the Niger Delta Peoples Volunteer Force (NDPVF) led by Mr Asari Dokubo and the Niger Delta Vigilantes(NDV) led by Mr Tom Ateke. Following disagreements between the

Rivers State government and Mr Asari Dokubo and the resultant attempt by the government to use the NDV in its fight against the leader of the NDPVF, there emerged internecine conflicts between the two groups and their associated cult groups which turned Rivers State into a scene of violent inter-group and inter-ethnic confrontations. The state use of the military and state resources against the NDPVF transformed it into a populist, anti-government, pan Ijaw, self determination and insurgent group which gave leadership to a second generation of insurgent militia groups, that promoted armed struggle against the TNOCs and the Nigerian State. The NDPVF commenced a regime of insurgent activities from the creeks characterized with attacks on oil facilities, production disruptions and confrontations with the military until 2005 when its leader was arrested and detained.

Mr Dokubo's arrest catalyzed militia activities and militancy. The NDPVF and the groups that drew inspiration from it or were associated with it heightened militia activities to demand for his release. But his arrest and absence had created what Onuoha (2010: 11) called a dandelion effect evidenced by the proliferation of militant groups (Table 5). The third phase of militia groups can then be said to have commenced between 2005 and 2006, when coalitions, movements and joint action groups emerged as arrow heads of militias, that began to coordinate, lead and provide joint commands among the proliferated groups. The most

prominent among these apex groups were the Movement for the Emancipation of the Niger Delta (MEND), Coalition for Militant Actions in the Niger Delta (COMA) and Martyrs Brigade (MB). At some points, NDPVF, MEND, and MB constituted the Joint Revolutionary Council (JRC).

The third phase has seen the most armed, sophisticated, tactically mobilized, and bold militias and the most organized, coordinated, sustained and effective regime of militia operations (Tables 6 & 7). MEND, COMA and JRC became the renowned militia groups that actually coordinated, tactically commanded and gave direction and leadership to a host of militia groups, commands, camps and fighting forces.

The new formation of militia groups have been engaged in, associated with or been agents and guards to oil bunkering and oil bunkering syndicates. Some of the militias have controlled territories where bunkering

is done, or where tolls or commissions are collected from bunkerers and from the TNOCs. Besides, they are associated with illegal local refineries. Over 150 such refineries located in the creeks have been discovered thus far (Adeyemi-Suenu 2010). These activities have provided huge funds for arms and support for community development. Second, the new formation has been associated with politicians, political leaders, state government officials and government houses. Third, the new formation of militias has taken militia operations to its highest levels and reach such that there have been attacks on military formations and large oil on shore and off shore facilities. Fourth, and arising from the immense resources from oil bunkering and bunkerers, TNOCs, politicians and state officials, the militia formation became largely criminalized and opportunistic, as all kinds of new entrants, largely opportunistic and driven by selfish interests came into the fold, raising piracy, criminality and opportunistic behavior to high levels.

Table 5 Militia Camps in the Niger Delta June 2009

S/N	CAMP	LOCATION	STATUS	LEADER(S)
1	Olugbobiri	Southern Ijaw, Bayelsa	Major	Joshua Mckiver
2	Korokorosei	Southern Ijaw, Bayelsa	Major	Africa Owei
3	Okiegbene/Ebrigbene (Ikebiri 1 & 11)	Southern Ijaw, Bayelsa	Major	Gibson Kala (Prince Igodo)
4	Robert Creek	Nembe, Bayelsa	Major	Government Ekpemukpolo/ Henry Okah

5	Cawthorne Channel	Nembe, Bayelsa	Major	Government Ekpemukpolo/ Henry Okah
6	Camp 5	Warri South, Delta	Major	Government Ekpemukpolo/ Henry Okah Government Ekpemukpolo/ Henry Okah
7	Okerenkoko	Warri South, Delta	Major	Government Ekpemukpolo/ Henry Okah
8	Opuraza	Warri South, Delta	Major	Government Ekpemukpolo/ Henry Okah Government Ekpemukpolo/ Henry Okah
9	Azuzuama	Southern Ijaw, Bayelsa	Major	Jackson
10	Gbekenegbene	Southern Ijaw, Bayelsa	Minor	-
11	Ezetu	Southern Ijaw, Bayelsa	Minor	Victor Ben Ebikabowei (Boyloaf)
12	Agge	Southern Ijaw, Bayelsa	Minor	Boyloaf
13	Kurutiye, Forupa & Okubie	Southern Ijaw, Bayelsa	Minor	--
14	Ken Camp	Odi, Bayelsa	Minor	Ken
15	Egbema Camp	Warri, Delta	Minor	Kem Agbakara
16	Ubefan	Warri, Delta	Minor	John Togo
17	Berger Camp	Warri, Delta	Minor	Inilo Sinite
18	Niger Delta Peoples Volunteer Force	Akuku-Tori, Rivers	Major	Asari Dokubo
19	Niger Delta Vigilante	Okirika, Rivers	Major	Tom Ateke
20	Icelanders/Outlaw	Borokiri, Port Harcourt, Okirika, Rivers	Minor	Soboma George
21	Yeghe	Bori, Ogoni, Rivers	Minor	Solomon Ndigbara (Osama Bin Laden)

Source: The Week, June 1-2, 2010; Etekpe 2009a:17

There are two basic schools of perception about the militias. The first is that militias are insurgents who took up arms to militantly combat the objects of their misfortune and misery in a resource rich region; and to seek physical development and economic empowerment of the people. The second school is that militias, are a bunch of miscreants, deviants and criminals who are engaged in criminality under the camouflage of the grievances.

The first group is regarded as freedom fighters and patriots. The kinds of reception that Mr Asari Dokuba received in Port Harcourt airport and streets on his return from a meeting with then President Obasanjo at Abuja and the carnival like reception that Government Ekpemupolo received at the Osubi airport (Warri) after his acceptance of amnesty and meeting

with late president Yar'Adua and at Oporoza at his arms surrender denote the popularity that insurgent militias have in the region.

The militias at the lower levels are not a single and unified armed force. There are clan and community based militias and warlord militias that are centred around founding commanders (Table 5). Then there are more broad based, pan ethnic and pan regional militia groups and apex coordinating and command militias. There are also two categories of memberships. The first is a small core group of standing or full time members. These reside in camps, but sometimes spend weekends in the towns and cities. The second group are part time, intermittent fighters who are called up to participate in actions. They may be students, apprentices, workers, artisans, etc.

Table 5 Some Militia Leaders and their Rank denoting the Size of Militia Groups they Command

S/N	State	Generals	Commanders
	Bayelsa	Frank Fiegbele Awe Yinkore Braah John Idiayi Agge VIP Pastor Reuben Lagosman Jackson Joshua Maciver Ogunboss Africa Ukparasia Young Shall Grow Andabafa Opunama	Vaso Owen Amor Bobo Koroporoporo Agadagba Ebi Tonye Smart Don

	Akwa Ibom	General Nico Martins Nico SInteh	
	Cross River	Franklin Duduke	
	Rivers	Ateke Tom Busta Osama Soboma Jackrich (Ekperipapa)	
	Delta	Government Ekpemukpolo (Tompolo) Ezekiel Akpasibowei (underdogs) John Togo	Otagada Ebi Lagos Gbaboyo J. (7 Star) Amin Ogbefe Moses Gagha Ayebo Steve

Source: Thisday Friday May 7, 2010:37

But what is of more interest here is the operations and engagements of the militias. The militias have been armed with sophisticated small arms which by 2006 was said to have comprised of AK-47 and Akabaan 64 assault rifles, Mukha RPG-7VI rocket propelled grenade launchers, Kalashnikov Class 762 MM PKMSN2 general purpose machine guns (Roberts 2010:14) and speed boats. Three main strategies have been utilized to achieve the objective of crippling the oil industry and revenues. The first, **production disruptions have involved the sabotage of production operations, the bombing, vandalization and damages of oil infrastructures as flow stations, and terminals and the damaging of crude oil, refined oil transmission and gas pipelines.** In Operation Cyclone, for example which was declared in 2008 to cripple the nations' oil infrastructure, MEND carried out major

attacks on pipelines and operational facilities that forced many TNOCs to declare force majeure and production deferments (Table 7). The second is **kidnapping which actually began with expatriate TNOC workers.** Then it included Nigerian oil workers from outside the region and then all foreigners in the region. Besides these, the militias have also utilized road side car bombings, speed boat coastal raids, hit and run attacks in urban areas and artillery attacks on the military and police facilities and formations.

The most audacious attacks have been against military and police formations, oil vessels and tankers, major crude oil pipelines and oil terminals. Also quite audacious and demonstrative of its capability are the MEND's attacks on Nigeria's largest off shore facility, Shell's Bonga field

which is about 120 kilometers off the coast in June 2008 and the attack on the Lagos Atlas Cove Jetty in July 2009 (Table 7). The later which extended MEND's operations beyond the region was on a facility that receives and stores for distribution across the country, vessel loads of petroleum products.

The Low Intensity War: The Military, Militias and the Balance of Power and Impact in the Conflict (1998-2009).

The federal government has sought to decisively deal with the militias through dislodge and defeat, and detention and trials of militant leaders. Apart from the extensive military deployment and presence in the region, the military

through various task forces and operational code names, have engaged and fought the militias, sometimes through large scale naval, ground and air attacks on alleged militant bases and communities allegedly hosting them.

But military operations achieved only limited successes. While some communities were overrun and seized and occupied oil installations were retaken, there were also heightened militia attacks and counter attacks and successes against the oil infrastructure. Besides, there were cases of militant seizure or occupation, being retaken by the military, only to be overrun again by militants.

Table 6 Incidences of Militia and Militant Youth Attacks in 2006

Militant Group	Date of attack	Location	Action	Outcome/Casualties
MEND	January 10, 2006	SPDC Area field Ekeremour L.G.A. Bayelsa State	Invasion and Kidnapping	Abduction of four SPDC expatriates. Released after 19 days.
MEND	January 11, 2006	SPDC Trans Ramos pipeline manifold, Brass in Bayelsa State.	Vandalization	
MEND	January 15, 2006	SPDC, Beniseide flow station, Bayelsa State.	Invasion	Killing of twenty-two persons including 14 soldiers.
MEND& Martyrs Brigade	February 18, 2006	Shell Forcados Oil Terminal, Delta State	Abduction	Abducted nine foreign oil workers, 3 Americans, 2 Britons, 2 Egyptians, 1 Phillipino and 1 Thai.

Unknown	March 4, 2006	Delta State	Kidnapping	Abduction of four persons.
MEND & COMA	April 19, 2006	Bori Camp Headquarters of Amphibious Brigade Nigerian Army, Port Harcourt Rivers State.	Bomb explosion	Killed three persons.
MEND	April 29, 2006	Joint Task force headquarters/Warri Refinery Delta State	Bomb explosion	N/A
Bukuma Youths	May 11, 2006	SAIPEM Oil servicing company, Bukuma in Jegema L.G.A., Rivers State.	Abduction	Abduction of staff three expatriate, Italian, 1 Indian Britain SAIPEM oil servicing company.
Martyrs Prigade, MEND & NDPVF	June, 5 2006		Attack	Killed fire naval personnel and destroyed both guns and house-boats
Not known	June 7, 2006	Cawthron Channel River, Port Harcourt, Rivers States	Invasion	Killing of a Commander of the Nigerian Navy
Not Known	July 12, 2006	Chanomi Creeks, Warri South West LGA Delta State	Attack/Shoot out	Six persons were killed including four naval ratings.
Not Known	June 2006	Port Harcourt, Rivers State.	Abduction	Five Koreans working with Daewoo and two Fillinpinos with PGS, an oil servicig company.
Iduwimi volunteer force	June 2, 2006	Bilabiri, Koa Kingdom, Ekeremour L.G.A.,	Kidnapping	Kidnapping of 8 foreign oil workers of an indigenous oil

(IVF)		Bayelsa State.		company, Sea petroleum.
Unknown Niger Delta militants	August 3, 2006	Port Harcourt Rivers State.	Kidnapping	Kidnapping of a German oil worker.
MONDP	August 8, 2006	Aggey Community Bayelsa State	Kidnapping	Four foreigners, two Norwegian, two Ukrainians with peak petroleum industries limited were kidnapped.

Source: Ikelegbe, 2008

The balance of forces and impact can be demonstrated with the May 2009 military war against the Gbaramatu kingdom, in which the JTF succeeded in dislodging Camp 5. But MEND fought back, shut down 2 helicopters, sank 3 gun boats, seized two vessels and killed some military personnel (The week 2009). But more than that, the subsequent attacks on the oil infrastructure brought down oil production drastically to its lowest level for several years thus making the limited military success seemingly hollow and pyrrhic. In fact, there has been little success in the control, mitigation and eradication of militancy and the insurgent militia forces.

Edeogu (2008:77) captures this balance of forces and ensuing stalemate thus;

This on-going tea cup war is already a decade old, yet none of the two parties to the conflict could give a decisive knock out blow to its opponent. The

militants who seem to have the tactical advantage fight classical guerrilla hit and run battle; the security forces who are often on the defensive respond in conventional way using helicopters, gunships and air power... the only self-evident and valid conclusion is that there is no military solution to this crises.

On a balance, the low intensity war was devastating to Nigeria, the federal government, the transnational oil companies and even the region. The hostilities almost grounded upstream operations as installations were frequently attacked and operations frequently disrupted (Tables 6 & 7). The environment of operations was made difficult, costly and unsafe. The cost base of TNOCs substantially escalated. Supplies of materials, food and sometimes ferrying of staff by boat/ships and helicopters were disrupted. Several times expatriate workers were pulled out and even Nigerian workers were evacuated. Oil

wells had to be shut in, pipeline distribution disrupted and production was well below capacity. At some point, onshore operations in parts of the country were suspended. By 2008, about 25-40% of Nigeria's oil production was shut in. By early 2009, both Chevron-Texaco and Total had shut some of their capacity while Agip announced a force majeure. Shells' average daily production of 1million bpd was reduced to about 500,000 bpd in 2006. At a point, almost the entire western operations were shut down (The Nation 2007: 12). From a production of 2.5million bpd in 2005, and a production capacity of 3million bpd, there was decline to between 1.9 and 2.1million bpd in 2008, 900,000 bpd in early 2009 and 1million bpd in mid 2009. The nation has lost on average about 300,000 bpd since 1999. In 2006 the average loss was about 800,000 bpd. The hostilities cost the nation about 800,000 bpd in 2006. Nigeria's position as a leading source

of world energy supply in Africa was lost to Angola.

There was an average of about 400 vandalizations of oil facilities each year between 1998 and 2003 and about 581 vandalizations between January and September 2003 (Watts 2008: 42-43). There were 92 attacks on the oil industry in 1998 while about 167 foreigners were abducted in 2007. About 128 persons, both foreigners and Nigerians were kidnapped between January and March 2008(International Crisis Group(ICG), 2009:5). There was a loss of about \$6.8billion in oil revenues due to militant activities and community unrests between 1999 and 2005 while losses amounted to \$45.5billion between 2006 and 2008 (Watts 2008:42-43). The cost to the nation as at 2007 was estimated to be about \$58.3billion dollars while the decline in Gross Domestic Product (GDP) was estimated at 2.79% (Ajayi 2010:17).

Table 7 Selected Incidents of Militia Attacks on Oil Facilities 2008

S/N	Date	Incidence	Location	Militant Group	Reasons for Attack/Outcome/Casualties
1	January 6	Blow up of NAOC & SPDC Pipelines	Beniboye & Burutu, Delta	Unknown	Protest against pollution of communities
2	January 11	Attacks on 6 oil Industry ships	Bonny, Rivers	Unknown	Some crew members wounded
3	January 11	Bombing of oil tanker	Port Harcourt	MEND	Insurgency
4	February 2	Attack on House boat on SPDC	Nembe, Bayelsa	MEND	Insurgency

		facility			
5	April 12	Bombing of 2 NAOC offshore oil vessels	Beniboye/Burutu Delta	Unknown	Inter communal conflicts over ownership of Agip facility
6	April 16	Attack on Chevron's Dibi and Olero Flowstations	Warri North	Deadly Underdogs	Battle between militants and JTF
7	April 17	Attack on SPDC flow line	Adamakiri, Rivers	MEND	Attack caused spike in crude oil price
8	April 21	Attack on 2 SPDC major pipelines	Isaka & Abonema, Rivers	MEND	Protest of secret trial of Henry Okah. SPDC deferred production of 169,000bpd
9	April 24	Attack on SPDC crude oil pipeline at Kula River	Akuku Toru, Rivers	MEND	Detention and trial of Henry Okah
10	May 2	Blow up of SPDC Diebu Creek flow station	Southern Ijaw, Bayelsa	Commander Douglas	Caused massive spill
11	May 13	Seizure of Chevron oil supply vessel	Fouche Island, Delta	Unknown	Gunmen demanded ransom
12	June 11	Attack on vessel belonging to Addax Petroleum	Calabar, Cross Rivers	Unknown	-
13	June 16	Attack on NNPC pipeline that supplies crude oil to Kaduna Refinery	Ovia North East, Edo	NDFF	Protest against JTF destruction of some communities
14	June 19	Attack on	Bonga, Offshore	MEND	Nigeria's largest offshore

		Bonga, 120 kilometres offshore			oil facility. Shut in of 200,000bpd, about 10% of total production
15	June 22	Attack on Chevron Pipeline	Abiteye-Olero, Delta	Affiliate of MEND	Shut down of 100,000bpd
16	June 29	Attack on SPDC Oloma Flowstation and House boat	Bonny, Rivers	Unknown	-
17	September 8	Attack on Addax Okwori field	Rivers	Unknown	-
18	September 9	Attack on Oil vessel	Sombriero, Rivers	Unknown	Off shore attack
19	September 18	Attack on Major SPDC pipeline	Elem-Kalabari/Cawthorne Channel axis, Rivers	MEND	Insurgency

Source: Onuoha 2010: 26-28

Thus it is clear that the military action was no more promoting the nations' economic survival as it was unable to protect and guarantee oil and gas production, exports and revenues that the nation depended on. Apart from sustained attacks on oil infrastructure, the greatest manifestation of stalemate and failure, is the illegal oil trade, which has thrived in spite of extensive military operations and presence. The insurgency enabled or provided an environment for a huge oil theft industry.

The Economy of the Conflict

There has been an extensive and large scale theft of crude oil since the late 1990s. The estimate of losses is between 10% and 15% of national oil

production. It is also estimated that the nation loses over USD 3.5 billion annually. At the bottom of the oil theft are syndicates, comprised of powerful and highly placed persons such as serving and retired military personnel, top TNOG officials, top government officials and party bigwigs and financiers, and top traditional rulers and opinion leaders. There is also connivance within the security agencies. These syndicates engage in sophisticated bunkering at large scale commercial levels. Besides the large scale bunkerers are small operators, some of which are cult and militia leaders.

Bunkering is at the root of several armed gangs, pirates, cults and militias in terms of funding, arming and

sponsorship. The bunkerers use the militias and gangs to guard and secure their operations and to cause conflicts that divert the security agencies and enable safer bunkering.

The nation has not been able to stop bunkering in spite of the huge security infrastructure in the region. Seeming weaknesses have made the agencies less successful in apprehending bunkerers and their shipments. It is alleged that bunkerers pay protection fees to security agencies and that some security personnel actually escort bunkerers barges and vessels to the high seas (Vanguard 02:08:2003). This is in addition to corruption. The disappearance of MT Africa pride was underpinned by corruption within the security agencies. The government has lacked the political will to arrest, prosecute and convict the large-scale bunkerers and have rather been brutally handling those at the margins.

Human Security Crisis in the Niger Delta : 1966-2009

The Niger Delta has been plagued by violent conflicts since the early 1990s. The conflicts have caused severe hardships and human misery. Communities have been destroyed or devastated. Thousands have been displaced and livelihoods have been disrupted. Properties, infrastructures and social services were destroyed or abandoned. Markets, trading and commerce were disrupted. Communities, families and the communal governance structures and informal institutions that held the societies together were fractured.

Social capital was weakened as social, family and communal bonds, trust and coherence have given place to mistrust, rivalry and uncertainty.

There has been a heightening or flourishing of opportunistic behavior in the communities, the private sector and the state (Addison 2001:13). The culture of hard work and employment has given way to regime of easy funds obtained from the TNOCs, contractors and politicians. Membership of youth groups has become an employment that provides easy funds from diverse extortions. As membership and leadership of youth groups and community associations have provided an easy access to funds, there has emerged violent struggles for leadership and control and a proliferation of these groups.

The region has been plagued by uncertainty, crime, criminality, the militarization of society and insecurity. The proliferation of small or light arms have generated a ready use of arms and a high propensity for violence in communal and social relations. The militia has created a formation of youth, trained in the use of arms, and combat and armed, some of which are living by the gun.

Alongside the huge military deployments and extensive military operations, have been harassments, human rights abuses, excessive force and brutalities. Some communities have been razed down, properties destroyed, some women have been raped while torture, arrests, detention, extortion and even plundering have been occurring. In the May 2009 JTF

attack on the Camp 5 and the Gbaramatu kingdom, innocent citizens were attacked, over 300 homes destroyed, over 100 persons were killed, about 5,000 persons were displaced and many more were driven into the bush. Livelihoods and community life were disrupted for months. Earlier on, the attack on Odi in 1999, was estimated to have killed about 2, 483 persons and displaced about 20,000 people (Ukaogo 2010). In Odioma, over 50 persons were killed and numerous houses were destroyed when JTF stormed the community in February 2005 (Etekpe 2007: 127).

The entire region has been a melting pot of violent conflicts. There have been inter-ethnic conflicts, inter-community conflicts, intra-communal conflicts and inter and intra group, militia and cult conflicts. These are in addition to the conflicts between communities and the oil TNCs, between the federal government and the communities and groups in the region, between the militias and the military, police and security agencies and between the militias and oil TNCs.

These conflicts apart from leaving a trail of blood, deaths, destructions, human rights abuses, insecurity and instability, have created turmoil, fear, uncertainty and an environment that increasingly became ungovernable.

Perhaps the greatest and more enduring threat to human insecurity and unsustainable development in the region has been food insecurity, poverty and under-employment. The impact of the exploration, production, transportation, storage and processing of oil and gas has been loss of arable land and water and destruction of vegetation and soils. Toxic waste has destroyed the soil and water, and oil spillages have destroyed water, land, vegetation, farmlands, and crops. Gas flaring has destroyed vegetation, stunted their growth and diminished production. Thus the natural habitat of rain forests, mangrove swamps and water systems upon which the people lived and derived their livelihoods have been devastated. The result is that even those who still farm and fish have little to show for it. There is therefore hunger, poor incomes and deepening poverty in the region.

CHAPTER FOUR

MANAGING THE NIGER DELTA CONFLICT: STRATEGIES AND EFFORTS

The first response to marginalization and developmental neglect was by the colonial administration which set up the Willinks Commission to examine the grievances of the ethnic minorities for separate regions and make recommendations. When oil related grievances emerged, the first response was to ignore them. The federal government felt that the minority oil rich nationalities and their protests was not consequential and threatening enough. This was also the response of the TNOCs. However as the regions' elite, civil society and communities became more mobilized and organized, the demands and grievances and the protests and growing production disruptions on which they were anchored became more disheartening and the federal government and TNOCs began to respond in diverse ways. These responses which sought to curtail, contain, douse, suppress and repress the conflicts are discussed hereunder.

Commissions, Committees and Reports

The federal government has not been short of commissions and committees to study the crisis in the Niger Delta and make recommendations on its resolution. Thus far, the following can be identified (Etekpe 2009).

1 Willinks Commission and Report, 1958

The Commission was set up to address the complaints of ethnic minorities about marginalization and developmental neglect. It found that the region was poor, backward and neglected (Etekpe 2007: 33). It recommended that the region be declared a special development area.

2 Belgore Committee 1992

The committee was set up to prepare a 30 year development plan for oil producing areas. The committee recommended among others the construction of an East-West highway that transverses the region.

3 The Ministerial Fact Finding Team led by Don Etiebet 1994

This was set up to examine the problems of the OPCs and the reasons for increasing agitation and social restiveness. The committee noted the absence of and inadequacy of infrastructures and social services and a growing restiveness. It recommended urgent and lasting solutions to prevent deterioration.

4 The Popoola Committee 1998

This was set up to address increasing restiveness and make recommendations for the development of the region. The committee recommended immediate embarking of development projects in the short, medium and long term. It recommended that N15 billion be set aside for the development of the region.

5 The Ogomudia Committee 2001

The committee was set up to examine the security and oil related crises in the region and make recommendations. The committee reported that rather than prevailing military solutions, the grievances should be redressed and development efforts should be accelerated.

6 Presidential Panel on National Security 2003

The panel examined among others the insecurity in the region and reasons underlying it. The panel located restiveness on negative oil externalities and accompanying hardships and poverty.

7 The Niger Delta Master Plan 2004

The plan which was initiated by the Niger Delta Development Commission, examined the challenges of development and what plans and strategies should be devised. The plan specified sustainable project priorities to address issues of economic growth, human capital, infrastructures, community needs and environment.

8 Presidential Council on the Social and Economic Development of the Coastal states of the Niger Delta 2006

The council specifically was set up to address the underdevelopment and marginalization in the region and to take actions to address them. The committee recommended among others the granting of amnesty and improved livelihoods.

9 The Technical Committee on the Niger Delta 2008

A Niger Delta Technical Committee or Presidential Committee on Peace and Conflict Resolution in the Niger Delta was launched in September 2008, chaired by Ledum Mitee, to develop a long term strategy based on collation, review and suggestions drawn from previous reports, memorandum and submissions. The committee submitted its report on 1 December 2008, and the government has not released a white report, in spite of several calls by prominent leaders, civil society groups and militia groups to implement it. This is in spite of the pledge of government not to treat its recommendations with levity and to implement recommendations acceptable (ICG 2009).

The Ledum Mitee Committee recommended

1. A Cease Fire and Demilitarization (pull back/out of forces)
2. Bail and release of Henry Okah (MEND Leader)
3. Creation of conditions for credible Amnesty and Establishment of a Decommissioning, Disarmament and Rehabilitation Commission
4. A negotiated undertaking by militants to cease hostilities against oil facilities and kidnapping and hostage taking
5. An increase of derivation based funds allocation to 25% with extra funds devoted to infrastructures and sustainable development

The list is not exhaustive. In 2004, a James Ibori chaired Committee on the Niger Delta was constituted in 2004 just as the Niger Delta Youth Standing Committee of 2004 under Nigeria National Petroleum Corporation. President Obasanjo established a Niger Delta Peace and Security Strategy, to outline a social and economic development plan and address rising violence and insecurity, and provide a mechanism for sustenance. A Niger Delta Peace and Security Group was established to implement the strategy. Also in 2004, the Major General Mohammed Committee on Peace and Reconciliation in the Niger Delta was established to address the Rivers State crisis. In 2008, a Niger Delta Summit was proposed. It had to be scrapped because of local misgivings and opposition particularly over the chairmanship of the Summit whose disposition towards the region was questioned.

Charity, Carrots and the Purchase of Support and Access

The strategy of charity and carrots was begun by the TNOCs, as a means of placating the communities. It took the form of largess, gifts and contracts to communal elites. This later extended to community development projects. Then the government and TNOCs began to incorporate the regions' vocal citizenry through appointments, contracts, overseas medical treatments and gifts. Finally, this has involved the purchase of access and support by oil companies through surveillance contracts, ghost

employments, contracts, bulk payments to communities, buses and related gifts.

Securitization, Containment and Repression

The state has tended to see the militant activists as rascals, criminals, miscreants, disgruntled elements and terrorists and the militancy as driven by opportunism and lawlessness. This has underpinned state perception of the conflict as a law and order crisis and a national security concern. The recent search for military assistance to tackle lawlessness and violence in the region is based on this conception. This is opposed to the conception that sees the conflict, as an insurgency driven by popular struggle and resistance in favour of social, environmental and resource rights and justice. The military regimes saw even the peaceful agitations as security threats. The Obasanjo Administrations military operation in Odi was in the security threat-military option cast, just as its set up of the Ogomudia chaired special security committee on oil producing areas, whose mandate was to look at ways and means of instituting effective security of oil operations and installations (cited in Ukwo 2008: 1180).

The federal government therefore views the conflict from a security perspective. The threat to oil production or disruption is regarded as security breach just as the militant operations in the region. Even peaceful protests are viewed as threats and responded to as such. State policy then has been to suppress

and repress protesters and militants. This emerged clearly from the early state engagements of peaceful communal protesters since the 1990s.

Developmental Intervention Agencies

Interventions to provide infrastructures, social services and economic empowerment programmes has been a major instrument since the early 1960s. Agencies such as boards, commissions, committees and even a ministry have been established as structures for policy and execution of development programmes. Thus far the following have been established;

- 1 The Niger Delta Development Board
- 2 Presidential Committee on the Development of Oil Producing Areas
- 3 The Oil Mineral Producing Areas Development Commission (OMPADEC).
- 4 The Niger Delta Development Commission (NDDC)
- 5 The Ministry of Niger Delta

The Niger Delta Development Board was established in 1961 to survey and provide schemes for the physical development of the Niger Delta. The Board was starved of governmental

attention, commitment and funding particularly after the military intervention of 1966. The Board did not do much in terms of physical development apart from some surveys and researches. OMPADEC was established in 1992 to receive newly allocated funds of 3% of the Federated Account and administer same for the development of oil producing areas. However, OMPADEC became a bee hive of contractors most of whom abandoned awarded contracts. The Commission was too federal directed and maintained little liaison and partnership with state and local governments. The Commission was characterized with misappropriation of funds, corruption, centralization, politicization and mismanagement. It was littered with elephant projects, uncompleted and abandoned projects and non functioning projects. But there was a clear lack of governmental commitment. Its entitled funds from the Federation Account and budgeted sums were either not fully paid or withheld (Table 8). Its failure to provide concrete improvements in the development of the region and particularly its reputed corruption and mismanagement led to the setting up of a panel of inquiry, the appointment of an administrator and finally its dissolution.

Table 8 Financial Allocation to OMPADEC 1992-1996

N(OOO,00)	1992	1993	1994	1995	1996	TOTAL
Expected Allocation(N Million)	6,042	6414	6,621	27,827	38,596	85,590
Actual Allocation	1,614	2,619	2,629	3,215	3,077	11,858
Allocation Shortfall	4,428	3,795	3,992	24,612	35,509	72,335

Source Central Bank of Nigeria Annual Report and Account, 1999 as compiled by Etekpe (2007a)

The NDDC was established by an Act in 2000 to survey, plan and implement physical, socio-economic and industrial development of the Niger Delta. It receives funding from 15% of statutory monthly allocations of member states, 50% of the ecological funds due to member states, 3% of the total budget of oil and gas producing companies and allocations from the federal government. The NDDC like the OMPADEC has been plagued with delays in budgeting, delays in the release of budgeted funds and receipt of only portions of the budgeted funds

(Table 9). The Commission is also suffering from excessive federal control, top down and centralized structure and programming, little collaboration and partnership with state and local governments, overlapping project outlay with state and local governments and participation in small projects as classrooms and supply of books. The Commission has not made substantial difference to the development status of the region in spite of its loud public relations.

Table 9 Federal Release of Funds to NDDC 2001-2008

Year	Budget Allocation	Releases	Releases as % of Budget	Releases as % of Federal Government Revenue
2001	10,000	7,500	75%	1.4%
2002	12,650	11,385	90%	1.85%
2003	10,064	10,064	100%	1.4%
2004	14,000	7,000	50%	1.33%

2005	60,150	17,357	29%	1.2%
2006	96,250	26,130	26%	1.13%
2007	26,565	24,000	19%	1.1%
2008	79,200	19,050	25%	1.3%
Total	408,880	156,484	-	-

Source: Federal Dept. of Finance, Expenditure Dept, June 2004 & Revenue Mobilization and Fiscal Commission, February 2009; See Etekpe 2007b:38

The Ministry of Niger Delta was established to provide specialized attention to the development of the region within the federal government structure. It was established by the Yar'Adua administration in 2008 to denote the importance that the government attaches to the development of the region. The ministry is expected to fast track the planning and execution of development projects.

However, the creation of the ministry did not denote more funding to the region in the federal budget. In the 2009 budget, the ministry was allocated N50 billion. But the budget for NDCC was reduced from N77.12 billion to N27.12 billion. What this meant was that rather than increased resources for development, the earlier funds for NDCC in the 2008 budget was simply split between it and the ministry. This evidently demonstrated that the ministry was a lip service and insincere effort, meant to symbolically show that the government was doing something whereas it lacked the political will and commitment to actually do so.

In addition to these, there have been ad hoc efforts. For example, In 2006, President Obasanjo set up a Coastal Areas Development Plan, with a nine point development plan to build a coastal highway, recruit indigenes into the Armed Forces and the Police, and the NNPC, upgrade the Petroleum Training Institute in Effurun, set up a National Polytechnic in Bayelsa State, build a secondary school in Okerenkoko and address problems of power, healthcare, environment, water resources and agriculture. Though several meetings and briefings were undertaken with the then president, apart from few employments, nothing much concretely was achieved.

These agencies apart from having poor performance records, were bogged down by huge operational costs, were poorly managed and were hijacked by federal officials, political clients, party men and political associates. But more importantly, beyond being established to satisfy the region, they lacked the political will and commitment of the federal government.

The Military solution

The first extensive test case of militarization and consequent brutalities was the Ogoni region. The Ogonis were harassed, driven into the forest, tortured, raped and brutalized for years while through divide and rule strategies, her neighbours were armed, assisted and turned on her. Since the 1990s, the entire Niger Delta region has been a huge garrisoned command, with military and police check points and sandbags. The military has guarded, protected and escorted oil installations, TNC personnel and quarters, and oil vessels and barges since the late 1990s. The actions against the militant movements in the region have been decisive. The military has been in the communities and waterways, conducting operations and searching for the militants.

The Joint Task Force code named Operation Restore Hope has apart from fighting militias, had the task of protecting oil installations. The military had deployed a large number of troops particularly from the army and navy, to patrol, guard and secure the regions oil infrastructures. The JTF has used sophisticated gunboats, helicopter gunships, artilleries, machine guns and other hardware in its operations against militias and communities alleged to harbor them. Perhaps the most extensive operations was the May 2009 war against MEND's Camp 5, Oporoza, Okerenkoko and other Gbaramatu communities in Delta State, while the later was celebrating a festival. The war involved the

deployment of about 4 helicopter gunships, 24 gun boats, 2 warships, and between 3,000 and 7,000 troops, drawn from arms of the military and involved a water, land and air operations. Earlier similar attacks have been mounted in Okerenkoko, Delta State in 2007 and the Eastern Delta, particularly Rivers and Bayelsa States between 2004 and 2008.

In September 2009, there were reports of arms and equipment purchases and training programmes for the military for fighting in the delta (Daily Independent 17/09/2009:A1-A2). Instructors from Russia and Israel were alleged to be providing specialized training for Navy sailors and Air force pilots on the operation of the hardwares. These included;

1. Shaldag MK-2 and MK-20 Patrol boats equipped with artillery and machine guns (Israel)
2. Aerostar unmanned drones surveillance system (Israel)
3. Seastar Vessels (Israel)
4. 20 troop – carrying Catamarans for transportation of troops (Netherlands) in small creeks and rivers
5. 2 38 metre Manta-class patrol boats (Malaysia)
6. 4 17-metre Manta-class patrol boats (Singapore)
7. 15 Mi-24; Mi-34 and Mi-35 helicopter gunships (Russia)

8. 35 Machine gun equipped fast patrol boats.

Dialogue and Rapprochement

Several times and at critical periods such as those of intense hostilities, short falls in oil production and the emergence of new administrations, the governments have tended to reach out to state governments and the regions' leaders. The strategy has been to use prominent and influential regional leaders to discuss with ethno-cultural associations, ethnic leaders and militia leaders. For example, in early 2009, a government peace team was led by Senator David Brigidi.

These peace missions have been ad hoc, interim and were not followed up by negotiations and peace agreements. Rather, they were meant to sound out the regions leaders, douse hostilities and make promises most of which were never kept. The government has always believed in talking to its selected leaders, rather than to the militias, communities, ethnic groups and civil society groups. Rather than dialogue broadly and in an organized and integrated manner, the government consults, talks down, dictates and imposes. Further stakeholder meetings are meant for government to outline its policies and programmes, and not to seek their participation and input into the policy making process.

Sometimes this approach became handy only when military operations were failing or oil production had fallen drastically. Some frequent but temporal truces have often been

brokered behind the scene, between militants, security personnel and bunkerers, between militants and state government officials, and between militants, ethnic leaders and political and business elites that provided some stability, protected oil production and derivation revenues or safe havens for bunkering.

Improved Revenues

The attempts at improved revenues to the region has come through the 1999 constitution that declared a minimum of 13% of the revenues accruable to resources as plough back to resource bases as derivation based allocation. This was implemented in 2000. But because of lack of transparency, there have been arguments as to what exact percentages is been paid. Further, in spite of deep grievances and discontent, the federal government contested the off shore ownership of oil and gas resources and claimed that it rather the littoral states owned such. The Supreme Court decided in favour of federal ownership with huge consequences of losses of derivation funds by the littoral states. However a political solution was worked out and passed by the National Assembly in which off shore oil and gas resources within some distance off the coast belonged to the littoral states while those beyond belong to the federal government.

But this denoted the sincerity and commitment of the federal government. The search to further deprive the region of more oil and gas based resources could not be facilitative to the resolution of the crisis

against the backdrop of the violent struggle for more revenues and resource control in the region. Further, if the experience of the region's leaders in the Obasanjo administration's Constitutional Conference is anything to go by, some other regions are quite hostile to the region's struggle for increased derivation allocation.

The Amnesty in Rivers State (2004 – 2005)

The first amnesty programme was implemented in Rivers State in 2004. It was consequent on first, the intense inter militia and inter cult wars largely between Tom Ateke's Niger Delta Vigilantes, and Asari Dokunbo's Niger Delta Peoples Volunteer Force and their affiliate groups. Second, was an intensified hostility by militia groups against the federal government and TNOCs, over the conditions and grievances in the region.

While the inter militia wars devastated many communities and caused intense insecurity in Port Harcourt and other towns, the intensified militia war against oil facilities disrupted oil and gas operations. These actions, made president Obasanjo to intervene, first to make peace between Tom Ateke and Asari Dokunbo, and second, to discuss with prominent militia leader Asari Dokunbo. This resulted in an October 1, 2004 peace agreement between NDV and NDVF, and an Amnesty programme by the Rivers State Government.

The amnesty involved a Disarmament, Demobilization and Reintegration

programme. Between late 2004 and early 2005, militants were encouraged to surrender their arms, for compensatory payment. Over 3,000 weapons were retrieved. The government set up a camp for the re-orientation and reintegration of militants. About 2,000 youths were trained to acquire technical skills.

However, the programme lacked coordination, administrative structure and a sustainable strategy. Militants that surrendered arms were not monitored, controlled and integrated into society. Acquisition of technical skills was not followed with employment or economic empowerment programmes. Therefore, in the end, the militants returned to the creeks. Even though over 3000 arms were surrendered, and compensated for, very little and old arms were actually surrendered and the militants not only recouped but were not short of arms in subsequent hostilities.

The Rivers State amnesty programme (2004-2005) therefore faltered at the disarmament and rehabilitation stages. There was incomplete and in fact insincere disarmament. The militants did not trust the government enough to hand over all their arms. Besides it was a programme that affected only a part of the Niger Delta and it would have been fool hardy to believe that only the Rivers segment would have completely embraced the DDR without the rest of the militias in the region. The reintegration stage was incomplete in the sense that though some technical skills were taught, the

militias were not productively and substantively re-engaged. Thus the DDR programme was not effectively managed and monitored and therefore was only partly successful. Its immediate impact was a temporary truce and cessation of hostilities. There was a full resurgence of militia activities in the sub-region by 2006.

The Bayelsa State government sought a peace accord with militants in December 2007. The government reached out and influenced some militant leaders to come out and surrender arms and work with the government to restore peace but only few such as General Josua Ma Chiver surrendered arms and came out of the creeks.

CHAPTER FIVE

THE AMNESTY: DECLARATION, MANAGEMENT AND CHALLENGES

The Amnesty Programme

The idea of an amnesty can be traced to the efforts of the newly inaugurated administration of late president Umaru Musa Yar'Adua to chart pathways of peace in the Niger Delta region, the series of consultations beginning in 2007 between government officials and militia leaders, the regions' political, ethnic and community leaders and TNOC officials and the series of memoranda to the President and interactions with some militant leaders by the then Inspector General of Police Mike Okiro between August 2008 and February 2009 (Sunday Vanguard 2010:38). An amnesty programme was also recommended by the Ledun Mittee Technical Committee whose report was submitted in 2008.

To test the waters, the amnesty idea was broached to some militant leaders like Mr Tom Ateke of the Niger Delta Vigilante. Initially, some militants were reluctant and did not trust that the federal government was sincere. The example of Asari Dokubo who was arrested, detained and was tried for various crimes, after he had embraced government reconciliatory efforts was a clear evidence of how government sincerity could be.

The Amnesty was declared or proclaimed on June 25th 2009 by late president Yar'Adua. It was presented as a major effort to resolve the Niger Delta crisis and end the militancy in the

region. Militants were expected to embrace the amnesty within the 60 day moratorium from August 6th to October 4th. The amnesty was an executive declaration. But it was not and has not been gazetted. The militants by the terms of the amnesty were pardoned for all offences committed in the course of their militant agitation.

There were several meetings between the president's special adviser on Niger Delta, the minister of Defence and other top government officials and top militant leaders to persuade the former to embrace the amnesty. Apart from these meetings, there were meetings with stakeholders and meetings between stakeholders, state government officials and militant leaders.

Many militant leaders embraced the amnesty. The government was magnanimous to receive major militant leaders who embraced the amnesty at the presidential villa and some held meetings with the president as part of efforts to clear doubts, build trust, express demands, seek guarantees and clarify intentions. The militants were expected to accept the amnesty by reporting at pre-designated centres, signing required forms, surrendering their arms and reporting at camps for demobilization and reintegration. The federal government estimated that about 10,000 militants would surrender and be part of the DDR programme.

Most of the militant group leaders and members who embraced the amnesty and came out of the camps to surrender arms and ammunitions at

arms collection centres. There were designated arms collection depots in Edo, Bayelsa, Delta, Aquia Ibom, Cross River, Ondo and Rivers. In Delta State for example, there were arms collection centres at Koko, (Warri, North, LG, Council Secretariat), Burutu (Burutu Primary School), Warri (Federal Government Secondary School) and Otu Jeremy, (Otu Jeremy Secondary School). There were also 4 arms collection centres in Rivers State. Arms surrendered were to be documented and were transported to designated centres. The militias apart from their leaders reported to rehabilitation camps in the various states of the region.

The amnesty declaration was preceded with a Presidential panel on Amnesty and Disarmament of militants in the Niger Delta which was to co-ordinate the efforts and activities. Mr Timi Alaibe was appointed honorary special adviser to the president on the Amnesty. Air Vice Marshal Lucky Araribe was appointed as National Co-ordinator of Armament Reception Depots. There were state coordinators of the Amnesty Implementation Committee, most of which were top civil servants.

While presented as an olive branch to militants, the amnesty was associated with veiled threats. First was that the amnesty signified officially the end of government tolerance of militia activities in the region and further activities after the expiry of the moratorium was to be regarded as criminality and treated as such within the law. Second, the JTF threatened to

deal with any militant, who persisted in militancy. The message was clear, accept amnesty or be smoked out. In other words, political violence or insurgency was unilaterally declared ended and subsequent insurgency was to be treated as common criminality (Ezumah 2009:A3).

The Amnesty was based on some trust in the political will, sincerity and commitment of the late president Umaru Yar'Adua, the vice President and presidential adviser on the Amnesty Programme . Although the content of the private discussions between militant leaders who embraced amnesty and the presidency were not made known, the discussions and the promises and clarifications made therein, clearly provided some basis of trust and hopes about the resolution of militancy and the region's problems. This was besides the honesty of the late president in acknowledging the grievances of the region, the mistakes of earlier administrations and the anger that transformed into armed militancy. What was officially acknowledged was that militancy and insurgency were somewhat created by the neglect of previous governments and that the present administration was bent on addressing the wrongs against the region.

There were grey areas over the comprehensiveness, short and long term goals, specific policy packages, the funding component and exact content of the amnesty programme. More importantly, there was no clear programme of post conflict transition

particularly as it related to the post amnesty outline of government policy in relation to the grievances and demands of the region..

The response of militias to the declaration was immensely positive if the turn out of militias and the surrender of arms and the number of militias that were encamped are used as indicators. However between November 2009 and March 2010, the programme was stalled, suffered from inertia and was failing. The clear indications of this were non release of funds, slow pace of implementation, the non actualization of promises and inactivity or stalling of further stages of the programme. These caused considerable unease and despair among the ex militias and the regions' leaders and by early 2010, they were clearly losing confidence and patience with the amnesty programme. Elements of disgruntlement with the programme were most manifest in MEND and the Joint Revolutionary Council (JRC). There were not only fears of resumed hostilities but of a return to the creeks.

The programme's problems were partly associated with the late president's ill health and the vacuum that was created in the presidency. The emergence of Dr Goodluck Jonathan as acting president and later president helped to calm the nerves of the regions leaders and former militants, raised hopes and maintained patience with the programme. Apart from some violent attacks on oil infrastructure, the most volatile manifestation of disgruntlement with

the amnesty was the bomb blasts in Warri. Following the incidence, the then acting president G.E. Jonathan met with the regions leaders, militia leaders and other stakeholders to chart the paths of reinvigorating the programme on March 26, 2010.

Since then, several changes have taken place and a new blue print of plans, structures and implementation of the programme has emerged. The Presidential Committee on the Implementation of the Amnesty Programme has been dissolved. The Responsibility for the implementation of the programme is now in the office of the Special Adviser to the President, Mr Timi Alaibe who is also now the national co-ordinator of the post amnesty programme. The programme has now been jerked up and the second phase of completing the demobilization stage and commencing the reintegration programme is scheduled to begin in June 2010.

The amnesty programme was well received outside the Niger Delta region and by the international community. Different sections and segments of political society and civil society perceived the programme as a bold and statesmanly effort at addressing the problems of the region. When president Yar'Adua died, the amnesty programme and the peace it has seemingly brought to the region was touted as the main achievement of his administration. The international community has also supported the programme. The European Union pledged E190million towards efforts at sustainable rehabilitation and

reintegration of former militants while the United States of America has also pledged support.

The Content of the Programme

The Amnesty

The amnesty was approved by the Council of State and proclaimed by the president. It involved a pardon for militants who accept the amnesty, surrender and participate in the amnesty by disarming, being registered and documented. This is taken to mean that the militia has renounced violence and has undertaken to be of good behavior. It also meant that the militia has received state pardon for all actions undertaken in the course of militancy. The militants were given a 60 day moratorium to accept the amnesty.

Demilitarization

The demilitarization was one sided. The militias were expected to come out of creeks and camps and dislodge or dismantle their deployments and facilities. The JTF however was not affected. It retained its deployments and operations and was to be used against militants that fail to surrender or that undertake further militant activities. The JTF role seems to have been made irrelevant by a seeming peace, security and stable oil production. However, the new plan of reinvigoration of the Post Amnesty Programme, includes the withdrawal of the JTF probably to the barracks in the region.

Disarmament

An immediate fallout of the amnesty was the surrender of thousands of militants. It is estimated that about 7000 militants accepted amnesty in Rivers State and about 20,000 in the entire region (The Guardian 15/02/2010). According to the government, the disarmament programme was done successfully.

Demobilization

The demobilization involved the Identification, registration and documentation of militias, who gave up militancy before the October 4, 2009 deadline for the amnesty programme. Demobilization involved reorientation programmes to facilitate demilitarization or transformation of attitudes and perceptions away from violence and combat to those of civilian lives. Demobilization took place in camps. The militants were to be paid N1,500 per day feeding allowance and N20,000 per month for a maximum of 3 months for the period of demobilization

As at May 2010, a new re-orientation programme to train militants on non-violence and non armament was still in the pipeline. This means that the demobilization programme is incomplete.

Rehabilitation

This involved initial financial support to the militants. While at camp, the militants were paid N20,000 monthly stipends. This has since been increased to N65,000. Militants opened

accounts with specified banks and were paid through the banks until about May 2010, when a system of payment through militant leaders was introduced.

Reintegration

The reintegration programme was in comatose until reawakened in June 2010. A proper reintegration programme was scheduled to begin late March 2010, almost 5 months into the Amnesty Programme, but it has been rescheduled to begin in June 2010. The current phase envisages the following;

- 1) Re-orientation programme of 20,192 ex-militants. There is to be a call to camp in batches of between 1,500-2000 and is to begin in June 2010.
- 2) Training and capacity building in technical and vocational skills such as welding,
- 3) Entrepreneurial development, employment placements, and identification of employment opportunities.

In the new reintegration phase, advisers and counselors are to determine individual militant's profile, skills, vocations, education, and ascertain reintegration requirements, in terms of further education, skills, vocational development and employment. This phase according to then Minister of Defence would have representatives of ex militants in various sub-committees (The Nation, 06/03/2010).

The Implementation of the Amnesty Programme

The examination of the programme could be categorized into three phases. The first phase of the programme began in October 2009 and lasted till November 2009. This was an active phase in which disarmament was undertaken and demobilization began. Apart from complaints from the demobilization camps, there were activities and a fair progress. The Second phase of the amnesty programme was between December 2009 and May 2010. This period was characterized with inactivity and uncertainty. The programme was undermined by shortage of funds and loss of direction and control and was characterized by disillusionment and threats of slippage into renewal of hostilities. The current phase which can be said to have begun in June 2010 is characterized with a repackaging and reinvigoration of the programme. The new programme comprises of initiatives and schemes targeted at ex-militias in phases (Sunday Vanguard 2010:39).

As noted, beyond November 2009, the implementation of the amnesty was stood down, abandoned, neglected or even sabotaged during President Yar Adua's ill health. It seems the programme was taken as Yar Adua's rather than a federal government programme. This meant that policies, funding, structures and activities were put in waiting pending the president's recovery. Apart from these issues, there were those of overall poor commitment, poor management,

delays and inactivity. The slow and perhaps unserious implementation may be attributed to problems of planning and execution.

Though the federal government was the main funding partner, the state governments were expected to complement the federal efforts. But it seems that the commitment and financial support by some state governments was shallow. The Joint Revolutionary Council (JRC) at a point alleged that some governors have refused to fund the post amnesty programme in their states (Saturday Sun 2010:11). There were also allegations that the programme has been abandoned by the federal government for the state governments.

Federal funding has in fact been epileptic and inadequate. Though about N50b was initially proposed for the programme, about N15b was eventually approved. Late President Yar'Adua reportedly approved funds for the third phase before he fell ill. But the funds were not released. This stalled the implementation of the programme. The funds for the amnesty, was encapsulated in the 2009 supplementary budget. There were hiccups and delays in the passage of the bill, which was finally passed and given presidential assent in March 2010. It was after this that the sum of N9b was released for implementing the programme in March 2010.

Though the programme has been awakened and restructured following the consolidation of the Jonathan Presidency, it is yet to be seen what

level of funding, commitment and organizational and managerial effectiveness would be brought to bear on the programme. Already, the president has given directives to other agencies and bodies connected with the implementation to surmount challenges holding back the programme (The Guardian 2010:1-2).

As an indication of the state of things to come, and particularly the new status, direction and expectations, the presidential adviser, presented a new package and agenda of DDR in May 2010. This involved a new planning process and a new status of self accounting to ensure fairly smooth operations. The new package has renewed confidence and faith in the amnesty programme (The Nation 2010:1-2).

There seems to be some confusion over structures. There was the Committee on Amnesty and Rehabilitation, chaired by the then Minister of Defence Godwin Abe. The Committee was accused of working alone, as against working with other arms and agencies of government, and of being arrogant (Vanguard 11/3/2010:7). Then there has been the office of the special adviser to the president on the Amnesty. Right now, the Amnesty programme is under the office of the special adviser. Because of the ad hoc nature of the amnesty structures and the fact that it was tied to and supervised by the late president, the programme was abandoned, devoid of clear leadership and responsibility while the late

president ailed. It was seen as the president's programme.

Obviously the amnesty's DDR was not founded on adequate preparations and administrative and technical structures. The Amnesty programme was not backed by a firm and organized administration and a detailed programme of management. The implementation structure is presently hazy in focus, goals and actions. It is obvious that the commitment put into enacting and securing the amnesty deal is not being demonstrated in the rehabilitation phase.

There are indications that point to an unco-ordinated and ineffective management of the programme. Existing organizational and managerial deficits and their outcomes have made some militia leaders to believe that they have been cheated, short changed and deceived to surrender arms and to believe the government on rehabilitation and reintegration. The programme has not been implemented fully in terms of content and promises. The violent protests in Benin, Port Harcourt and Yenagoa threw up several allegations that point to non transparency and non accountability. The militants complained of poor quality of accommodation, poor feeding, non payment of allowances and non fulfillment of promised benefits, while they were in camps.

Militia Responses to the Amnesty

The militia formation largely welcomed the amnesty but with some reservations. These pertained to doubts about the sincerity of the

programme and the commitment to the resolution of the grievances and demands of the region.

As part of its restrained acceptance, MEND declared a 30 day ceasefire which expired 15 September but was later extended to 15th October 2009. The purpose was to give space to the government to address the root causes of the agitation as opposed to a narrow based amnesty offer. MEND later threatened to resume hostilities because it was not comfortable with the amnesty. The reasons given were among others that;

1. The government was not ready for broad and meaningful dialogue on the issues at the root of the crisis.
2. The government was pretending to be talking peace, but was actually arming and equipping the military through hardware purchases for a military onslaught.
3. The reasons for militia fighting have not been addressed.
4. The JTF deployment was still intact and constituted a threat to militants during the 60 day moratorium. The JTF should be withdrawn from the region into the barracks.
5. The extant reports of commissions and committees on the region were not been implemented.
6. International organizations were not involved in the amnesty. Such involvement would build trust and reputation that can guarantee security and safety of what has been promised.

MEND's belief was that any amnesty offer, without the resolution of the root causes and injustices in the region, is empty and would fail and sabotage any immediate gains in the long term. Its position is that they are freedom fighters with a cause and that the reasons for their existence have not been addressed. MEND therefore requested that the issues that are at the root of the crises and agitation should be addressed. Further MEND made demands for specific provisions to shield the militias from prosecution by other governments and the security of militants who come out of the creeks to embrace amnesty. Apart from MEND, there were more specific requests made by militant leaders at meetings with government officials and even with the late president at the Aso Rock presidential villa, at official declarations of embracing the amnesty.

It is also becoming clear that some of the militias did not participate in the amnesty. This seems to have been partly strategic to test out the programme's sincerity. According to a statement, claimed to have been made by the JRC's Cynthia Whyte,

There are a few more active combatants in the creeks and they will not give up arms unless they are sure that the amnesty is true, sincere and for the greater good" (Saturday Sun 2010:11).

In fact, it does seem that those who were the first to embrace the amnesty or were quick to do so were either peripheral or fringe elements, those who had been neutralized or

compromised, or were simply criminal and opportunistic elements and thugs, who wanted to take advantage of the benefits of the programme. According to MEND, rather than address substantive development efforts and grievances based on dialogue and negotiations, the Amnesty is based on settlement of few thugs, aims to the youth and divisive strategies as to benefits between communities that bear oil facilities and those that bear oil and its exploration impacts.

The militias also had doubts about the sincerity of the administrative structure of the Amnesty as well as the federal bureaucracy in the implementation of the programme. Some of the militias, such as the JRC believe that the implementation and funding problems can be attributed to a segment of the bureaucracy that is not interested and committed to the programme and has therefore made it impossible for it to be implemented (Saturday Sun 2010:11). The JRC also doubted the sincerity, genuineness and benefit of the amnesty. The doubts arise from the non gazetting of the amnesty, the absence of full implementation of the contents and promises of the programme and the failure of some state governors to complement the funding of the programme in their states.

The militias have been impatient with the delays in discussions, implementation of the amnesty, the addressing of issues of development and other grievances. MEND launched a warning strike in December 2009 in Abomema, Rivers State to protest

federal government delays. Further, it detonated about 2 bombs, outside the Government House Annex in Warri, on Monday March 15 2010. The bomb was planned to disrupt and actually disrupted a Vanguard Newspapers organized 'Post-Amnesty Dialogue', which MEND described as deceitful and endless dialogues and conferences, that propagate falsehood" (The Guardian 2010:1-2). MEND threatened to attack oil installations and particularly those of Total in early 2010. MEND has called off its unilateral ceasefire since 30th January 2010. MEND has threatened renewed attacks on TNOCs and oil servicing companies and has warned them to halt operations to safeguard their staff and facilities (Ebiri 2010:13).

The Effects of the Amnesty Programme

The first major fallout from the point of the declaration was the cessation of hostilities. There was a MEND ceasefire which lasted until January 2010.

As a result of the cessation of hostilities between the government troops and armed militias, there have been relative peace, security and stability in the region. Since the amnesty, oil production has steadily risen. It rose from about 1million bpd in early 2009 to about 2.1m bpd by October 2009 and 2.5m bpd as at March 2010. Oil production has peaked since after the amnesty as compared to the period of intense militant insurgency that begun in 2004. Most of the oil companies such as Shell and Chevron-Texaco have

returned to hitherto abandoned sites. Further gas production has recovered. Even the refineries at Warri and Port Harcourt have resumed production (Thisday 2010:19).

The increased production and export of oil and gas has translated to more revenues and higher growth of Gross Domestic product, the economy as well as higher foreign direct investments in the region. In fact, the 2010 budget is predicated on 2.3m bpd and \$67 per barrel. This is built on the hope of increased production in the post amnesty period, which hope has been realized.

The other effect of the amnesty has been improvements in the security and stability of the region. Though there were some incidents of pipeline vandalizations in the Batan and Forcados areas of Delta State in December 2009 during the unilateral ceasefire (This Day 2009:19), and some incidents of attacks in Delta and Rivers after the Amnesty took effect, these are insignificant as compared to the pre-amnesty declaration period. With declining attacks, the stoppage of kidnapping of oil workers and reduced youth restiveness, the human security situation has improved.

Critical Assessment of the DDR Programme

The Amnesty

The first challenge of the amnesty was that it meant a pardon for militias who were not convicted of crimes and were therefore not declared guilty or condemned. The militia members as a

collective, it seems were pronounced guilty, without the due process of law or without guilt being established. This seems to be improper because it meant a criminalization of militias, and a condemnation of a formation, which at least in the Niger Delta region are regarded as freedom fighters and patriots of a regional and ethnic cause.

The issue of trust and confidence between militants, citizens, the military and government was not addressed. First, detained suspected militants in the region were not affected by the amnesty. Apart from Henry Okah, who was on trial for various charges including treasonable felony and gun running, others were not released as part of the amnesty. Some militants and even MEND feared that given the political volatility and instability in Nigeria, the offers being made cannot be trusted and guaranteed. Therefore they called for the involvement of international mediators to build trust, confidence and reputation in the process. In fact, given these doubts, it took pressures from Ijaw leaders, governors and regional leaders for some major militant leaders to accept the amnesty and surrender just before the expiry of the moratorium.

The problem of trust is evident in the slow response of militants to the amnesty and the fact that the number of surrendered militants seems to have swelled even after the expiration of the moratorium on October 4th 2009. While at the expiration, about 15,260 militants surrendered and registered, the number has risen to over 20,000, because of either an upsurge after the

expiration or some challenges having to do with registration and authentication .

Demilitarization

There was only a partial demilitarization. The militias announced and executed a ceasefire, ended hostilities, withdrew from their camps in the creeks and disarmed. But the JTF has remained intact, in terms of its size, locations and deployments. Rather than being downsized and redeployed, JTF has even consolidated 'its strangle hold on strategic positions in the creeks and on the mainland' (Tell 2009:35), and is being strengthened and repositioned to deal with subsisting militancy. The JTF represents a continued state of war symbolizes a state of fear, insecurity and uncertainty. It further represents the display of state oppressive and suppressive power and state excessive and abusive force.

However, it is doubtful whether the militia groups have been actually disbanded. The recent payment of reinsertion benefits through militant leaders indicate that there is at best, impartial or even temporary disbandment and that the possibility of remobilization is quite high.

Disarmament

Disarmament was incomplete. The attacks on oil facilities and the Warri bombing though few, indicate that there are still arms in the creeks. Thus all arms were definitely not surrendered. In fact, there were no estimates of militia arms or arms

availability in the region. Thus the proportion of actual stock that was surrendered is not known. Further, disarmament has mainly pertained to insurgent militia groups and has excluded criminal bands and cults. The disarmament has also left out the arms in the stockpiles of communities, diverse armed bands and cultist groups and individuals. There have been no arms mop up and no weapons control strategy and measures to reduce the level of small arms in circulation in the region. The sources of arms also remain just as the funding for arms. For example, the maritime and coastal waters, ports and jetties are still porous and largely uncontrolled in relation to arms smuggling and trading.

Demobilization

There were challenges of accommodation, facilities and space during the demobilization phase. The Aluu centre in Port Harcourt could only accommodate about 800 out of an estimated 7000 militants (Ebiri 2010:13). Shortages of bed spaces, beds and other facilities made only few militants to be accommodated. Some centres were abandoned or came alive only at month ends when allowances are paid. There was little control, supervision and rehabilitation programmes and activities in the centres. As a testimony of poor organization and disenchantment, most of the rehabilitation centres were empty. At a point, the Aluu centre that could accommodate about 800 persons had only about 110 militants (Ebiri 2010:13).

There were protests by former militants on the streets of Port Harcourt, Yenagoa and Benin City over the administration of the demobilization programme especially in terms of neglect, poor living conditions, poor facilities and accommodation at the rehabilitation centres, unpaid maintenance allowances and failing rehabilitation and integration.

Reintegration

Until recently, it was difficult to identify a concrete integrated and sustainable programme of rehabilitation and reintegration of militants. Though the new programme is yet to properly unfold, what existed was poorly planned and executed. There is presently no proper programme of reintegration in terms of specific training, skills development and acquisition, human capital development and economic empowerment and employment programmes. Though certain agencies such as National Directorate of Employment, National Poverty Alleviation Programme and the Small and Medium Scale Enterprises Development Programme are supposedly the structures for reintegration, these have not seemed to put up programmes of sustained work and interests. Besides, the centres have not been equipped adequately for the kinds of training and skills development required (Ebiri 2010:13).

What this means is that there was no concrete reintegration programme at the onset. What was even planned or anticipated was at best ad hoc. Even

the current programme that has recently been released is deficient in several respects. First it is narrowly focused on a segment of the militant formation as it ignores non militias and non violent militants in the region. Second, it excludes the assistants, carriers, porters and the women who were engaged in the militant struggle. Third, the communities to which the militants would return and be integrated into are not part of the reintegration programme and do not benefit from it. Reintegration support, orientations and incentives to communities that has large population of ex militias could make communities stakeholders to the DDR process and could be partners in ensuring compliance of ex-militias with the DDR.

There seems to be no plan yet of an employment programme, internship programmes and partnerships with the private sector on the engagement of ex militias that would be trained in the reintegration programme. In fact, intervention programmes of public job creation, apprenticeship programmes in the private sector particularly in the oil companies and systems of support for organizations that employ ex-militants do not seem to have been envisaged. Further, the proposed or actual content of private sector involvement and support for the reintegration programme is still low. It should be noted that such involvement is critical to reintegration success because of probable contributions in the areas of training, apprenticeship and employment. The challenges of what exactly to do with most ex militants that are largely uneducated

may not even have been addressed. According to the former IGP Mike Okiro, of the list of 443 militants sent to him by Tom Ateke, none had a school certificate (Sunday Vanguard 2010:38). The point to note here is that reintegration is a broad and long term programme that requires careful planning and implementation.

There is presently no programme of resettlement for ex-militia members interested in farming, fishery and animal husbandry such as access to land, tools, inputs and capital. Further, there is no provision for wounded and disabled militia members.

There are other reasons why the integration programme may fail. The poor economic growth rate cannot be supportive of reintegration. Economic prosperity facilitates reintegration because it provides funds, employment opportunities, jobs, credits and other socio-economic opportunities. A sound economy broadens the absorption capacity of products of DDR. The current rates of unemployment and even job losses is not encouraging to a DDR programme.

If we refer to our literature on the goals of DDR and the critical issues that should be addressed, it would be clear that at the general level, the DDR programme is failing. It is true that some security and stability has been restored and that oil and gas production has further been restored. Beyond these, the following critical goals are either not addressed or are poorly and inadequately addressed.

- 1 The militias are not yet permanently disbanded because the ties between them and control over members have not been broken.
- 2 There have been some incidents of attacks but not a return to organized militia formation hostilities. However, the prospects of remobilization are not so dim.
- 3 Ex-Militia orientation is presently incomplete and inadequate as a basis for re-orientation to civil, peaceful and democratic means. There is a good sign however in the organization of former militant leaders into a Coalition for Ex-Armed Agitators and their participation in civil agitation and engagements.
- 4 Skills and capacity are yet to be built as a means to legitimate earnings and incomes through productive economic activities and engagements.
- 5 The narrow based conception of the amnesty has precluded critical aspects of reintegration of ex militias into communities, involvement of communities in the DDR process and the resettlement of militias,
- 6 Arising from the government based and non inclusive processes of planning and implementation, and the current failures of management, there are problems of sincerity, trust, confidence and commitment

between ex militias and managers of the programme.

- 7 The grievances of militias and the reasons for taking up arms are not yet in the front burner of government policy action. In the circumstance, a situation of permanent non relapse or non re-eruption of hostilities has not been created.

Critical Assessments of the Amnesty Programme

The amnesty programme was a bold, realistic and pragmatic action that could have a profound effect on the conflicts in the region. It represented a frank assessment of the earlier efforts at resolving the crisis and a decision to chart a novel and broad path to resolving the crisis permanently. It objectively and frankly came to grips with the grievances, discontent and anger in the region and accepted that some militancy was driven by grievances which have been genuine because of the nature of governance and scanty benefits to the region.

However the amnesty package was without negotiations and agreements. Though there were obviously consultations, there was no concerted or integrated dialogue and solicitation of inputs into the process. The process and planning of the DDR and the implementing structure was not based on participation, inclusiveness and the involvements of all parties such as the militias, the TNOCs, ethnic and regional leaders, civil society leaders and communities. Therefore the goals, policy, planning, content,

implementation and management of the programme have been sort of dictated and imposed rather than negotiated. We should note that the less the involvement and input of ex militias into the entire DDR process, the less ownership and commitment they would claim and show towards the programme.

The programme was unilaterally planned and implemented from the top. Even the Presidential Amnesty Implementation Committee was not inclusive of critical groups and civil society. The officers that drove the process were command, order and obedience oriented, rather than mediative, consultative and collective decision oriented. They did not evolve a process of broad consultation, broad engagement with civil society and community leaders, and broad mobilization of stakeholders. Further, the programme was ad hoc and hurriedly put together after the declaration of the amnesty. Thus a broad, comprehensive and multi-faceted analyses and policy package was not designed or put in place. There was obviously no well articulated, thought out plan and no concrete, co-ordinated programme of implementation after its declaration. This accounted for disarticulated and un-coordinated implementation structures and programmes, the slow speed and the lull in the programme during the president's ill health.

As Professor Kimse Okoko, former president of the Ijaw National

Congress stated in an interview with the Guardian,

The problem being encountered today is because the programmes were not thought through in the beginning; they are just doing it on day to day basis. They are just stumbling..... Again, they throw into it bad leadership; over ambitious politicians who know nothing but intrigues, lies and deceits. All these have created go slow into the amnesty programme.

The Amnesty does not seem to have benefited from careful and coordinated studies, planning and strategy. This is obvious in that several critical issues were ignored. For example, no clear definition of who a militia, militant and militia group are exists. Thus who are the militants? what are the militia groups and who are their leaders? The programme has a blanket definition of groups that report at designated centres and surrendered arms. But the actual determination of militants that should benefit from the amnesty programme is important.

This is because the militia formation was a variegated and very diverse one. It comprised of elements that were genuinely insurgent and driven by the regions' grievances. But alongside were opportunists, pirates, criminals, cultists, armed bandits, thugs and bouncers all of which could claim a popular militant tag. There is the fear that probably, criminals, miscreants and armed bands rather than genuine insurgents were the participants in the programme. It is possible that opportunistic armed youths but not combatants in the

struggle may have taken advantage of the amnesty's rehabilitation and reintegration benefits. MEND actually claims that opportunistic militants and criminals are the ones that speedily grabbed the offer because of benefits anticipated (The Guardian 5/07/ 2009).

The amnesty programme tends to have and point to a narrow scoped perception of the agitation that is only based on militancy. It is this narrow perception that has informed current perception of the amnesty efforts as essentially an Ijaw issue, rather than a broad, multi-ethnic agitation that cut across the states and the about twenty minority groups in the region. Even within the militia formation, there are elements that are non Ijaw. Further, this narrow perception has underlined the efforts at placating the militias as a panacea to peace in the region.

The amnesty programme also tend to appear as a new largess, lucrative business and big money activity, that is the bee hive for all kinds of politicians, youth leaders, NGOs, activists, consultants and contractors. Further, some of those involved in the programme's management are politicians, who may have been involved in fuelling the crisis, funding or utilizing militias or who have interests or axes to grind with some militants or political leaders and who may have other ambitions and selfish objectives. There have been allegations of manipulations and politicization of the DDR process. In Bayelsa State, the differences between the governor and his opponents, and between state managers of the DDR

and the federal component particularly the presidential honorary adviser Timi Alaibe, was blamed for militia protests in Yenagoa (The Guardian 17 /09/ 2009).

There have been allegations of corruption and frittering of funds meant for rehabilitation. There have been allegations too that much of the funds set aside for the programme is taken more by consultants, contractors and administrative fees rather than actual rehabilitation and subsequent empowerment of militants (Ebiri 2010: 13). There have been allegations of misapplication of funds and fraud, by the presidential committee on the programme's implementation. The militants have alleged embezzlement of funds and their been shortchanged, through non payment of allowances, non maintenance of camps, poor feeding and living conditions.

The entire amnesty programme has been haphazardly designed, packaged and implemented. It is therefore not surprising that it has been deficient in several ways. It is obvious that the programme has been ad hoc and has lacked a consistent permanent structure. It can be derived there-from that there is also the lack of experienced and technically capable personnel to manage it. Beyond pledges of support and funds, there is the clear absence of technical advice and support of international organizations which would have grown credibility, strengthened technical competence, facilitated monitoring and moderated behavior of officials.

CHAPTER SIX

BEYOND THE AMNESTY: THE POST CONFLICT TRANSITION TO PEACE

The cessation of hostilities and the end of vocalized or overt violence does not mean the achievement of peace. Even peace agreements where they exist do not in themselves end wars and build sustainable peace. Rather these situations present an environment where with proper, delicate and committed leadership, the prospects of peace can be translated into lasting peace and the situations that threaten peace are eliminated. If we take the amnesty as a major milestone in the resolution of the conflict, then the region is in a transition to 'political stability and socio-economic transformation (Malan 2008:133). A post conflict transition programme is not an ad hoc arrangement, but a well planned, organized and institutionalized programme. Further, an amnesty and consequent DDR is not tantamount to conflict resolution and do not build and sustain the peace. Rather, it denotes an environment of cessation of hostilities and state of readiness to engage further on the path to peace. Thus, it provides an environment to dialogue and reach agreements to commence the redress of grievances and to make, build and sustain peace. Therefore, beyond the amnesty and its DDR programme is the more critical issue of the management of conflict resolution, conflict transformation and peace building. There are numerous issues involved in the afore-stated that still

needs our attention. In the current circumstance, the amnesty programme is so deficient in critical elements that it is difficult to be emphatic about a post amnesty phase. The present amnesty and post amnesty programmes are ad hoc and create imminent fears of failure. There are emerging fears that the current phase may only be a temporary phase of conflict suppression. There are reasons for this.

The Amnesty

As earlier noted, the amnesty was a bold initiative and promise to reverse the status of conflict in the Niger Delta region. But it was built on trust in the president, personal promises made to militia leaders and government statements of intentions. It was in a sense, a form of surrender without losing the low intensity war. It was a great show of statesmanship by the president, a massive gamble on the path of government and a big risk taken by militants. This in essence is the greatest weakness and vulnerability of the programme. A surrender without defeat and without negotiated agreements and substantial efforts at address and resolution of grievances and problems that root the conflict, is an imposed and fragile peace that is highly susceptible to pushes beyond the precipice.

To the region, the amnesty was perceived as the path to peace, and an opportunity to participate in the dialogue and processes of resolving the crisis. The amnesty was also seen as the creation of a conducive

environment for the tackling of the problems, grievances and needs of the region. But it seems that the government perception was different. The restoration of full scale oil production seems to be the primary interest and concern of the federal government and oil companies.

The Amnesty is still not backed by law or even a gazette. This means that it is not stable or established either as a policy or even institutionally. Its existence continues to be at the whims and caprices of the president. Without a legal existence, its future and sustained operations cannot be guaranteed. We noted earlier that an amnesty is usually backed by a statute or act of parliament. The post conflict transition in the Niger Delta involves the following stages and issues which now engage out attention.

The Conflict Resolution Process

There are major elements of a conflict resolution process. These among others are dialogue and negotiations, conflict settlement and peace agreements and the management of conflict actors

Dialogue and Negotiations

The amnesty was not within a framework of negotiations and peace agreements, that should be the prelude to conflict resolution and peace building. Though the president met with militant leaders on October 9th 2009 and had met with surrendering militant leaders earlier, these were no fora for dialogue and negotiations. Either before or during the moratorium,

it does not seem that the opinion of the militias and regional leaders were factored into the programme planning, policy and content through bargaining and negotiations.

In fact, the Committee recommended a DDR within the framework of a third party driven negotiations with politically driven militias and civil society and resolutions that address central grievances and that provides a basis for comprehensive and enduring conflict management and peace. Even the government whitepaper or policy reaction to the committee either does not exist or has not been made public.

The Yar Adua Administration acceded to the demand of MEND for a negotiation of the core issues that underlie the crisis. MEND had raised an independent group which included Prof. Wole Soyinka, that it called the Aaron Team. The issues for negotiation were among others; resource control, the development of the region, gainful employment for youth, withdrawal of JTF and free and fair elections. The ill health and death of Yar'Adua halted the process of initiating or commencing the negotiations.

Recently as part of efforts to reinvigorate the amnesty programme, there was a meeting between the presidential adviser and about forty militant leaders among whom were; Chief Government Ekpemupolo (Tompolo), Osama Bin Laden, Fara Dagogo, Franlan Sozee, Young Shalk Graw, Pastor Reuben, Idi Amin, Ebokabowe Victor-Ben, Boyloaf and Maciver. The reintegration programme

ahead was presented. But it is important that thereafter the militant leaders promised peace and security, uninterrupted production without disruptions, and national unity. This has been the key issue and not permanent resolution and peace building. What can be noted too is the euphoria in government circles about increased production and revenues, while little effort is being made in post conflict transitional efforts.

The need for dialogue between parties to the conflict and stakeholders remains outstanding. While some of the issues are being addressed, it is being done by one party and one-sidedly. Since the amnesty, negotiations with stakeholders for mutually accepted approaches, strategies and frameworks for further action on the issues concerning the region has still not been engaged.

As part of the amnesty, and as is usual with past governmental peace efforts, the government did not meet with the militia as a group or even with MEND, the most prominent group. Rather, the emphasis was on reaching and holding meetings with individual commanders.

Peace Agreements

Up till now, there is no agreement, framework of understanding, or any documented minutes of decisions reached in multi-stakeholder or multi actor meetings with government that could constitute some basis for holding the government to account or guarantee some security for the programme.

Absence of concrete post amnesty programme for the region

There is yet no post amnesty programme. Even though the absence of a concrete and on ground post amnesty plan was a major reason why South-South governors threatened to pull out of the amnesty programme in July 2009, such a clear programme is not yet in place. There is furthermore no sustainable development plan for the region and no clear, specific and integrated documented commitment to the sustainable development of the region, apart of course from the Niger Delta Development Commission's master plan.

All that was depended on were promises by the president that the issues that warranted militancy would be collectively looked at and resolved to everyones' satisfaction. Besides promises are proposed expenditures of about N200billion for vague projects over an unspecified period. These propositions of projects include

- 1) Establishment of a federal polytechnic of oil and gas in Bayelsa State
- 2) Upgrading of facilities at the Petroleum Training Institute at Effurun
- 3) Construction of Atlantic Coastal Highway
- 4) Construction of East-West railway line
- 5) Development of inland waterways

- 6) Clean up of environment
- 7) Massive land reclamation
- 8) Development of new towns (Etekpe 2009)

Conflict Actors

The critical actors in the region and their goals, motivations, incentives and opportunities were not factored into the amnesty and post amnesty transition. For example, what are the motives of the militants? What do they seek or want? What is the balance of benefits or losses to militants in embracing amnesty? Who are those outside militias and camps, who profit from the conflict? Who benefits or loses from the amnesty? A major challenge of the amnesty is that of constructing a win-win solution for conflict actors and protagonists, to foreclose any prospects of renewal of hostilities.

Currently, militant leaders seem to have been incorporated into state governments through largess and patronage. They have access to top state government leaders, are sometimes accommodated in government houses and expensive hotels in the state capitals and major cities (Vanguard 2010:7). But what happens to the militia members? How are the boys brought in and how would they benefit from the post amnesty period? These are questions that need to be answered.

The current rehabilitation and reintegration programme and its content are not adequate in preparations for productive

engagements and inducements to disengage from militancy. The government would have to do definitely more in terms of outlets of employment. In May 2008, the federal government through the then Minister of Defence, Yahale Ahmed indicated that it was considering engaging militants who constitute themselves into limited liability companies, to protect the oil pipelines (ThisDay 21/05/2008). Though this breaches some objectives of DDR, such considerations particularly those that do not involve reconstitution of former militia groups and the bearing of arms are important for productive engagements.

Managing Conflict Entrepreneurs

There is a certain segment of businessmen who capitalized on the agitation and conflict in the region. They constructed violence into a commodity for hire, commercialized militancy, and made huge profits by organizing and deploying violence in favour of political, ethnic and business patrons and chieftains and against opponents, opposition and rival claimants. Linked to powerful patrons, these entrepreneurs have been above the law and have built a culture in which violence pays and is used to settle scores and contest leadership positions and contracts. This category of violence entrepreneurs do sometimes parade themselves as militants but are actually armed bandits and criminals. These entrepreneurs should be managed either in terms of the security agencies breaking into their criminal networks to demobilize

them or they and their boys need to be brought into the DDR and particularly reintegration programme.

Post Conflict Reconstruction and Recovery

Reconstruction of the Region

Several parts of the region have been devastated. Schools and social services were destroyed, decadent or abandoned. Properties and whole communities were destroyed. Several communities in the Ogoni region, as well as Umuechem, Ikon, Ikenyan, Choba, Odi, Odioma were destroyed by invading policemen and military. Numerous communities were sacked, destroyed or even burnt down as the military hunted for militias. In the attack on Gbaramatu kingdom, the kings palace and over 250 houses were destroyed. Businesses and livelihoods have been dislocated.

There is need therefore for reconstruction and rehabilitation of displaced persons, destroyed properties, devastated communities and damaged social services and amenities. The local economies have to be reconstructed and regenerated.

Regeneration of the Culture of Work, Production and Earned Incomes

The culture of work and productive activities has been eroded. In its place is a culture of laziness, easy funds and lousy expenditures. There is a plethora of groups and particularly youth movements and community youth groups that have become agencies of

extortion, compelled extraction, easy acquisition and unearned distribution of funds. Being youth and being part of these groups has become an employment in itself. There are some youth who do not work, but thrive in being youth, hanging out among youth leaders and engaged in diverse forms of compulsive appropriation of others earnings.

There is need for a change towards productive activities. Government should ban youth levies, tolls and extortion on land, housing development and commercial activities. All avenues of easy but illegal funds have to be blocked. It is noteworthy that this unproductive culture is linked to violent crime and particularly kidnapping.

Social and Human Capital

There is need to restore social and human capital in the region. There are issues of restoration of social and communal order; reorientations of attitudes and behaviour; revitalization of traditional systems of managing conflicts and revitalization of social order and morality that existed in the communities. The traditional governance systems in the region are in various stages of decline and collapse.

Post Conflict Risks and Threats

Incentives for Violence in Post Conflict Transition

The violent segment of conflicts is often conducted by a minority but with some support of the locals and regions

citizenry. Sometimes, the non violent majority are unable to restrain the stronger protagonists of violence. There is danger that a minority of the militants may still stick out, as protagonists of violence in the post amnesty period. It is possible that these elements benefit from continued violence and receives least harm from it. Therefore, the issue of continuing incentives for continued violence has to be critically examined? Emerging questions that need to be raised and answered are what conditions generate new incentives for violence and what incentives exist for further violence?

Crime and Security

A major post amnesty challenge is that of managing crime and violence. In several countries such as Guatemala, experience has shown that crime rates tend to rise sharply with the advent of peace. We identified earlier experiences in Africa that further point to this. The surplus availability of arms, ammunitions, organized criminal syndicates and ex militants/rebels tend towards an easy explanation. Clean breaks from theft, smuggling, violence and impunity don't fall through easily in post conflict situations. Curtailing violence and crime is going to be a tall order. Already, the incidence of criminal excesses of ex-militias in rehabilitation camps indicates the huge challenge. Given the poor equipment, resources and poor intelligence capacity of the security agencies, it would be difficult to manage the ex militia involvements in crime.

Demilitarization of Society

The society in the Niger Delta region has been militarized. There is a huge individual, group, communal and ethnic arsenal of sophisticated arms and ammunitions. There is a ready resort to violence to resolve even trivial problems. A culture of impunity, nihilism, machismo and might is right is pervasive indicated by such slangs as 'nothing de happen' and 'no shaking' particularly among the youth. Furthermore, there is now the destructive pursuit of personal interests at the expense of anything or anyone, the disregard for authority and social and parental control and a growing lack of affective feelings and absence of guilt. This new militarist order and culture has to change to more civil attitudes that respects rights, abhors violence, detests abuse and rejects impunity and lawlessness.

Post Conflict Management of Conflict Economies.

An entire conflict economy based on extensive smuggling of arms, illegal theft and sale of crude oil and petroleum products, the compelled appropriation of resources from TNOCs, oil servicing companies and contractors to TNOCs, the kidnapping for ransom of oil industry staff and the cornering of compensation benefits exist. This economy which is driven by opportunism and greed runs into billions of dollars and drives outrageous lifestyles and expenditure profiles. But more importantly, it is a major source of conflicts, arms and funds for diverse armed groups and militias. Particularly, bunkering

perverted the militants, criminalized them and turned the conflict into a business. This illegal economy is also the motivation for compromise of security operatives. The continued existence of this lucrative economy is a sine qua non for continued and sustained conflicts.

A post conflict transition has to address the conflict economy, identify those behind it and that profit from the conflict, eliminate the underground economy and deal with its protagonists or actors and find alternative productive economic engagements for those willing to desist from it.

Emerging Threats and Risks of renewed hostilities

Experience has shown that 'the risk of war occurrence is higher in post conflict societies' than the risk of conflict onset in countries without histories of violent conflicts (Collier & Sambanis 2002:5). The amnesty programme is a landmark achievement. If it fails, it would mean a resumption of hostilities. Already, MEND has declared a renewal of actions. The main problem however is that further insurgency would be a less organized, coherent and principled militia resurgence. The disbanded groups would re converge under new groups which may already be in formation in the rehabilitation camps. A new phase of militia resurgence would be less insurgent and more criminalized. Particularly, there would be balkanized and small groups with disparate tendencies and actions.

But this time, we should not expect the militants to go back to the creeks. They

would operate from the cities and even outside the region. They would be less oil based and would take the country as a wide constituency for diverse extortion based crimes such as kidnapping. In fact, the failure of the amnesty would mean the generalization of militia activities and the beginning of terror attacks. The recent incidences of kidnapped persons in Northern parts of Nigeria being found or released in the Niger Delta is an indication.

The danger of failed DDR and particularly reintegration and of the absence of peace dividends for ex fighter youth is quite horrendous. One danger is migratory conflict mobility. As the examples of Liberia, Sierra Leone and Cote d'Ivoire reveals, the youth "have moved from one militia to the next, crossing borders in pursuit of the next conflict, when peace dividends appeared to be yielding nothing for them (McInfyre 2007:23).

A major effect of the lackluster implementation and poor results of the Amnesty Programme was the resurgence of militia attacks on oil facilities in 2010. There was the attack on the Makaraba-Utonama pipeline of Chevron-Texaco in Delta State which cut of about 20,000bpd. Then there was the attack on Shell and Chevron crude oil pipelines at Abonemma in Rivers State which breached crude oil delivery. The point to be underscored here is that the capacity for attacks remains and the potential for resumption of hostilities could still be in the horizon. This is precisely the reason for more sensitive and

comprehensive management of the post conflict transition.

Peace and Peace Building

Reconciliation

The current peace could be seen as a paper peace, a charade that is unreal.

This is because it did not leave room for genuine peace processes. For example, it has not provided room for genuine reconciliation between the key protagonists and actors such as the federal government, the military and security agencies, the oil TNOCs, the militias and the communities. Rather it has exonerated the state, ignored the TNOCs and pronounced the militias guilty. Therefore the state has absolved its military and security agencies of culpability in all the killings, abuses, destructions and atrocities and absolved itself from the terrible neglect, marginalization and mistreatments of the region. Its joint venture partners, the TNOCs have been absolved of the irresponsible devastation of the environment, disrespect for local citizens, harassment using state security agencies and negligible compensation for the destructions of the local people sources of livelihoods. But these issues cannot be swept under the carpet if sustainable peace is to be restored. There have to be openness, apologies, forgiveness and new rapport and understanding.

Reconciliation is important to rebuild the confidence of the indigenes of the region in the security forces, the oil TNOCs, the agencies of the state, the systems of law and justice and the existence of rights.

Justice

There is need for transitional restorative justice for perpetrators of violence (the military and oil TNOCs) the victims such as in Gbaramatu, Odioma, Odi, Kaiama, Ikenyan, Iko, Umuechem, Choba and Ogoniland. The government and security agencies may need to apologize to certain communities and the citizens that suffered from intimidation and abuses. The TNOCs have to pay for the degradation and devastation of the environment, the repression they supported and the accompanying human rights abuses and the scanty compensation paid over the years.

Conflict Transformation

Participation and Benefits From the Oil Economy

There are plans for some level of equity ownership and benefits of the oil and gas business through community ownership of the joint venture. As has been revealed, the NNPC would divest 14% of its current equity in the SPDC joint ventures and 19% in other joint ventures, of which 10% would be released to oil producing communities, while the remainder would be sold to Nigerians through the stock market (Sunday Vanguard 2010:39). Though the details as to who benefits are not yet clear, and the bill's passage into law has been much delayed, there are already claims that it is only oil infrastructure bearing communities that would benefit as opposed to oil exploitation impacted communities. If this is so, the emergent discrimination between neighbouring communities, perhaps within the same clans and

local government areas, may introduce a new regime of claims and counter claims, litigations, violent struggles over ownership and conflicts within and between communities.

The Local Content Act is further an effort that could in part possibly address the scanty participation of Niger Deltans in the oil industry. The act stipulates local content provisions that give preference to Nigerians and Nigerian companies in employment, contracts, legal consultancy and financial services in the upstream and downstream oil and gas operations. The act also provides for training and Nigerianization of job positions, preferences for companies with higher Nigerian content in contracts, and preference to indigenous oil and gas companies in onshore operations. It limits the utilization of expatriate workers even in management positions and restricts oil companies to carry out fabrication and welding activities in the country (Okusam, 2010:XV).

Development of the Region

The federal government has been outlining broad frameworks of plans to address the development based grievances in the region. Apart from the East – West road, there are plans of a coastal road, an East – West standard gauge single trunk railway that is to be implemented in two phases and the development of new towns, land reclamation and development of infrastructure for inland waterways transportation (Sunday Vanguard 2010:39). In the 2009 supplementary budget of November 2009, about N200 billion was said to be approved for infrastructural

development of the region. Apart from the proposed projects, there is yet no integrated programme of addressing the poverty, welfare, environmental destructions and economic recovery of the regions citizens.

There have been growing misgivings about the intentions and commitments of the federal government to the development of the region. Rather than a specific programmatic package of development backed with funds, there have only been the award of contracts for execution of about 44 projects including roads, bridges, hospitals and portable water at a cost of about N200 billion by the federal executive council. Otherwise, the development of the region is still left to the structures and funding of NDDC and the ministry of Niger Delta Affairs.

In fact, there is an infrastructure component of the amnesty programme. This is placed under the activity areas of NDDC, the Ministry of Niger Delta and the Federal Government. Government has directed these agencies to fast track the development of the region (The Guardian 17/05/ 2010: 1-2). Apart from this, there is no comprehensive intervention programme to address the development of the region, either in the immediate, short, medium or long term. Only promises have been made.

Sustainable Development and Poverty

Can there be sustainable development against the backdrop of degraded natural resources that constitute the basis for the primary occupations of the region? The issue of remediation

and restoration of degraded land and water can only be a basis for regenerating the local economies of the region. The physical basis for sustainable development has to be restored. The land and water must be replenished and remediated to make farming and fishing worthwhile. The displaced farmers and fishermen have to be rehabilitated with capital and equipment. Whatever development efforts must be made sustainable in terms of maintenance, independent operations, regeneration and replication, capacity building and further production or reproduction.

Post Conflict Political Engineering

There is a persisting non accommodation of the region's interests in the legislative and policy frameworks and practices in the oil industry. Even the much touted Petroleum Industry Bill does not adequately pay attention to community participation in the oil economy, protection of community welfare, development programmes, environmental hazards and compliance and related interests of the communities. The participation of the region in the oil and gas economy and in the state sector of the oil economy is still very poor.

The Amnesty programme has not addressed critical issues such as the redress of under-development and the address of the agitation for resource control and regional autonomy. The need to change the political and socio-

economic formation, comprehensively enough to substantially address the prevailing inequalities, disadvantages, injustices, devastation and human insecurity meted against the people and communities in the region has not been addressed.

The political demands for a reform of the federal system and the state in such ways that there is regional autonomy and de-concentration of the centre, equitable treatment of ethnic nationalities, recognition for resource rights, ownership and control and the reinstatement of the principle of derivation to its pre 1963 levels has to be considered seriously within the current efforts of constitutional reform. The region may be quiet now because its son is the president of the Federal Republic, but the grievances would persist, demands would resurface and their non realization could source future conflicts.

Recently, militants leaders of the Niger Delta have constituted themselves into a civil society organization "coalition of Ex-Armed Agitators of Niger Delta". Through this group, they have continued the agitation through press statements. For example, in a five page advertorial in This Day signed by thirty militant leaders, in response to an article in Daily Trust Newspapers, the ex-militia leaders condemned the Northern domination of the oil industry and the NNPC, and lopsided appointments and employments in the industry (Thisday 2010:37).

CHAPTER SEVEN

CONCLUSION: TOWARDS RESOLVING THE CONFLICT AND ACHIEVING THE PEACE: POLICY RECOMMENDATIONS AND IMPLICATIONS

The current amnesty does well in realizing the fact that military force alone and military successes have rarely resolved problems of marginalization, the national question and resource conflicts. The amnesty has further indicated that the grievances and ensuing armed insurgent dimension of the conflict requires a political resolution. It was obvious that the military and repressive approached failed to douse, suppress and defeat the agitation and insurgency. The more effective strategy for comprehensively addressing the grievances and resistance is massive development efforts and increased revenues and resource benefits, woven around regional autonomy and reforms of governance and federal practice.

The amnesty programme of President Yar'Adua brought hopes of conflict settlement and a post conflict transition stage. However, after initial successes in terms of militia acceptance, surrender, disarming and entering into rehabilitation centres, the programme is currently freezing, in comatose and stalled. There is now huge disenchantment by militants and a huge fear of conflict relapse, with some resurgence of hostilities by MEND that had earlier suspended its unilateral cease fire.

The amnesty programme has faltered on the altar of poor planning and organization, weak and non inclusive implementation structure and institutionalization, poor implementation and poor results. Political commitment is now suspect just as actual funding and release of funds. As a result, a supposed conflict settlement phase is faltering and the issue of a post conflict transition and conflict resolution are now becoming mere hopes.

There is danger in the seeming assumption of government that resolving conflict means eliminating violence and the conflict actions. Sustainable peace rather has to do with instituting conditions that transforms the conflict situation and resolves the conflict. In the case of the Niger Delta conflicts, resolving the conflict requires more than an amnesty. Certain other issues have to be addressed. As it stands, the current peace in the region is more or less the cessation of hostilities. There are emerging fears that the current phase may only be a temporary phase of conflict suppression. The current challenge is to translate the amnesty programme into a concrete progress and lasting solution to the Niger Delta crisis.

Policy Recommendations

Inclusive Multi-Stakeholder and Permanent Structure

The current amnesty programme and DDR process is deficient in several respects and needs to be re-engineering and re-constructed. There

is need for a new management structure that is fairly autonomous and determined by all the conflict actors, comprised of all stakeholders and funded by the federal and state governments, TNOCs and international organizations. Such multi-stakeholder constituted, funded, controlled but autonomous agency is a better guarantee of impartiality, confidence, respect, integrity, credibility, transparency and neutrality.

There is need for a national commission for Demobilization, and Reintegration in the Niger Delta. Such a permanent structure can only constitute a serious organizational platform to manage the programme dispassionately and without politicization.

The Incorporation of Civil Society, Nongovernmental Organizations and the International Community

The amnesty programme need to bring in civil society, community based organizations and the international community. There is a Niger Delta Civil Society Coalition (NDCSC) which is an umbrella group of over 80 CBOs/CSOs and NGOs that work in the core Niger Delta states of Bayelsa, Delta and Rivers that can constitute the link to these groups.

Further, the international community needs to be involved to provide funds, technical assistance, expertise and experience, and diverse support into the programme. We noted earlier that most DDR programmes in Africa have benefitted immensely from the international organizations, donor

agencies, international civil society and non governmental organizations, bilateral and multilateral bodies and international humanitarian organizations and even local civil society, non governmental organizations and communities, in terms of financing, technical assistance, monitoring, humanitarian assistance and confidence building. The absence of third parties that could guarantee compliance and moderate behavior in the current amnesty is a major deficit. The current programme is too government based, oriented and dictated and needs to broaden up and form partnerships and collaborations.

Effective Design and Implementation of Reintegration Programme

The need for the redesign and effective implementation of a Reintegration Programme that effectively addresses employment, economic empowerment and productive engagement of militants is imperative for sustainable peace and security. The ex-fighters have to be managed in such ways that reinvest their energies in civil and productive engagements. This may involve the establishment of an employment programme or even the establishment of labour intensive industries, public service and infrastructures in which militants can be employed. Whatever such programmes would be, they have to be serious and productive enough to dissuade former militants from living by the gun.

The dangers of incomplete and failed reintegration are terribly dire. We

highlighted earlier some of these dangers as the experience in Africa has shown to include a small arms scourge, violent crimes, banditry, the phenomenon of migrant fighters, political violence and diverse forms of extremism. It has been made clear that it is the fate and performance of reintegration that determines the overall fate of DDR and post conflict transition to peace.

Efficient Management

The programme needs to be better managed. There is need for the close monitoring and periodic evaluations of the amnesty programme to identify problems that arise, response speedily and forestall others. This could achieve several critical objectives such as co-ordination of overall efforts to ensure smoother and effective transition from conflict to peace

Integration of the Amnesty's DDR and Post Conflict Transition into Overall Programme of Development

DDR and a post conflict Transition are essentially political programmes of peace building, security management and national stability effort. As a political exercise, these efforts need to be made part of overall national and governmental planning and socio-economic development efforts. The facilitation of the Reintegration programme should be factored in to efforts in the management of the capital market, labour market, human capital, small scale industry development, infrastructure, social services, industries and private sector growth.

Inclusive Dialogue and Agreements

There is need for broad consultations and dialogue with critical actors such as communal and ethnic group leaders, youth leaders, militia group leaders, leaders of active NGOs/CSOs and businesses and civil/environmental rights activists in the region. Such consultation with real leaders should produce agreements that reflect a broad spectrum of the feelings, interests and demands of the region that should constitute a basic platform for actions on accelerated development and peace building.

Reconciliations and Relations Re-building

Building peace requires more than arms surrender. There has to be a process of reconciliation within and between communities, militia groups, traditional leaders, local elite, youth, women as well as the oil TNCs and communities. There has to be peace within and between groups in society that were engaged in conflict. Relations have to be restored and rebuilt. Even the JTF may need to reconcile with some communities. The government may have to facilitate this process by identifying groups that were in conflict and utilizing NGOs/CSOs as links and actors in peace building.

Confidence and Trust Building

In the Niger Delta as elsewhere, the compact between government and the people has been broken. There have been so much hopes that were dashed, promises that failed and expectations that were not met.

Government has been like a circus dance; plenty of talk that were not matched with actions, funds that were supposedly released that produced nothing and plenty of motions and actions that didn't improve lives. How can the people trust the federal government to deliver on a post conflict development of the region? Government needs to build trust and confidence by delivering on promises being made now. Government officials need to be sincere, honest, truthful and demonstrate integrity at this stage of post conflict transition. As for the amnesty programme, it had lost political will and dissipated confidence before. Even now, there is no certainty as to the will and commitment to drive the programme to its fullest.

De-Militarization and De-Garrisoning of the Region

Since the early 1990s, the region has been a large garrisoned command with the largest military deployment since the Nigerian civil war. It is time to begin a phased withdrawal and eventual disbandment of the JTF. **There are enough military barracks in the region.** Right now, at least in a sense, there are no more militias and no tea cup and low intensity wars.

Security Sector Reform

The military, police and other security agencies as they have operated in the Niger Delta, have themselves been major sources of human insecurity. They constituted themselves into an occupier force that abused, intimidated, harassed and humiliated the regions' citizenry. They have

lacked respect for citizens' rights. In their confrontations with the communities, many would be guilty of war crimes if their behavior were to be brought into public scrutiny, courtesy of indiscriminate shootings, killings, destructions, burnings and other atrocious violence against Nigerian citizens.

The Nigerian security sector needs reform particularly in terms of reorientations, citizenship training and behavior modification as it relates to the use of arms, the treatment of citizens, respect for human rights and the rules of war as it applies to internal conflicts. There are also issues of strengthening loyalty, patriotism, commitment to the national cause, discipline, transparency and accountability against the backdrop of the underground oil economy, opportunism and compromise in which some have been involved. The security agencies and indeed all Nigerians should be held to account for their actions even in the management of security.

Managing the Post Conflict Economy

A post conflict transition is also the time to destroy illegal conflict economies and build alternative and genuine businesses and productive activities. Government can utilize and implement the local content policy in the oil industry to build a viable regional economy which can engage the business entrepreneurs and youth of the region. Furthermore, as was suggested in May 2009, the militias can be integrated into normal socio-

economic life such as engagement in regulated security roles. They could be incorporated as private security companies to provide security for oil installations and pipelines (International Crisis Group 2009).

Building Stakes for Peace

A system of stakes has to be constructed for peace to keep armed groups to accept and sustain peace. As Keen (2006:13) notes, an important consideration in the transition to peace, is *'to a considerable extent, in ensuing that some of those benefitting from war are in a position to benefit to a greater extent from peace'* One way of doing this is to ensure that individuals and groups that benefitted from the conflict are in some way made to benefit from the peace time economy. Beyond these, stakeholder-ship has to be constructed for the communities and even ex militants such that peace becomes more profitable.

Conflict Transformation

As noted earlier, there cannot be peace except the conditions that generated the conflict are re-ordered or transformed. Otherwise some conflict may only be prevented and others reduced in intensity. The deep underlying grievances that sourced the agitation and insurgency are clearly well known. Various technical committees have submitted reports and the Ledun Mitee Technical Committee even studied earlier reports and made submissions. The federal government should put in place a clear blue print to address the demands and

objectives of the struggle and begin immediate implementation.

A major grievance is scanty resource ploughback and benefits from oil and the oil economy. The region has struggled for substantial increase in derivation funds and resource control. The politics of resource distribution has been such that other regions resist such increase. The impression has been given that such increase requires a constitutional amendment which is not true as the constitution specifies a minimum which means an increase above 13% requires only enacting a law. More recently, the federal government is giving the impression that it is offering a 10% equity to communities. The details are not yet clear and it is not yet backed by a law.

The federal government has to negotiate and reach agreements on conflict resolution and transformation with the region's leaders that address issues of federal restructuring, resource control and participation in the oil economy.

Justice and Equity

The injustices and inequity that underlined the conflict have to be addressed. The people have been disinherited, deprived, denied, maltreated and abused. There can be no lasting peace without instituting justice for today and redressing past wrongs. The federal government and its security agencies and the oil TNOCs may need to apologize to the region and rebuild destroyed communities and properties. The oil TNCs would have to pay reparations

for the devastation of the land and water, the paltry compensation and the exclusion of the region's people in the oil industry.

Accelerated development

Luring militants into peace without tackling the root causes and underlying grievances of the conflict, has proven to be damaging in some countries such as Mozambique and Sierra Leone. As Keen (2006:15) notes, a critical issue is how to reverse the process by which diverse groups take up arms, and successfully persuade others to do so (Keen 2006:15). In the Niger Delta, the central problem is huge underdevelopment amidst a huge resource contribution. The best strategy is a Marshall plan of massive and extensive development.

Past and existing development interventions such as Niger Delta Development Board (1961), OMPADEC (1992) and NDDC (2000) failed or are failing on the altar of top down approach, hijack by elites, corruption, huge operational costs, elephant, unsustainable and abandoned projects and performance deficits. The big agency development has been a jamboree for political contractors and has been a museum for elephant, whitewashed, uncompleted, abandoned and high cost projects that have had little bearing on the peoples' livelihoods.

There is need for a new form of development that is people centred and participative and that is different from the previous failed and failing efforts. The anchor of this development

strategy should be the communities and local people who through extensive participation would now drive development. The local people should address issues that affect them particularly those that affect their livelihoods and should make the decisions and participate actively in programme implementation and monitoring. They should be allowed to build confidence, capacity and production by their involvements in development programming and efforts.

Sustainable development has to be pursued. Unsustainable development practices are deepening poverty, under-employment, socio-economic dislocations and degenerated local economies. The issue of poverty is at the bottom of the grievances and marginality of the youth and the citizens of the region.

The Negative Externalities of Oil and Gas

There has to be urgent and emergency efforts in the management of negative oil externalities. The TNOCs must be held to account and pay for such externalities. The TNOCs has to remedy the environmental and stop gas flaring. They have to contribute to the health care system in the region and pay for the treatment of all persons with diseases associated with oil and gas exploration and production. Further, the TNOCs have to restore the sources of livelihoods that have been destroyed by providing capital, inputs and capacity for farming and fishing. In other words, the TNOCs must contribute substantially to the restoration and regeneration of

livelihoods and local economies of the region.

Effective Governance

There are gaps and voids in governance that has to be filled. Governance is yet to be grounded in the people and their perceived needs and interests. There are huge voids in assistance and welfare that numerous associations have risen to fill and are hijacking the loyalty and identity that ought to go to the state. Even the militias performed welfare and social service roles such as scholarships, school fees, medical care and grants to local entrepreneurs. Thus there

were bonds, reciprocity and solidarity between militias and communities. As Ibaba (2008:201) notes, militant groups are not just organizations for personal aggrandizement but benefactors to some people.

The corruption in the region has been awesome. In spite of perceived needs, the regions citizens in office have frittered and wasted so much resources. Loyalty and commitment to the cause has been lacking. There is need to build good governance systems and to construct new regimes of accountability and transparency if development is to be accelerated.

REFERENCES

- Adeyemi-Suenu Wale (2010) Armed Rebellion and the Future of Self Determination in the Niger Delta. Paper Presented at 2nd *International Conference on Natural Resource, Security and Development in the Niger Delta*, at Niger Delta Wetland Centre, Yanagoo. 8-11 March
- Addison Tony (2001) Reconstruction from War in Africa: Communities, Entrepreneurs, and States. Presented at Centre for the Study of African Economies Conference on Development Policy in Africa – Public and Private Perspectives. Oxford March 29 – 31, 2001.
- Addison Tony (2003), Africa's Recovery from Conflict: Making Peace Work for the Poor. Helsinki United Nations University/World Institute for Development Economics Research UNU/WIDER
- Ajayi Kunle (2010) Beyond Amnesty: The Crisis of Federalism and Conflict of Resource Generation and Value Distribution in the Niger Delta of Nigeria. Paper Presented at 2nd *International Conference on Natural Resource, Security and Development in the Niger Delta*, at Niger Delta Wetland Centre, Yanagoo. 8-11 March
- Arnold, Matthew B. & Chris Alden (2007) The Gun is Our Food: Demilitarizing the White Army Militias of Southern Sudan. Norwegian Institute of International Affairs: *Working Paper No. 722*.
- Assefa, H (2001) Reconciliation in Peace Building: A Field Guide. In Luc Regcholer & Thama Pattnholz (eds) *Peace Building* Boulder: Lynne Rienner Publishers.
- Ayoob, M. (1995). The Third World Security Predicament: State Making, Regional Conflict and the International System. Colorado: Lynne Rienner Inc.
- Ayoob, M. (1997) *Defining Security: A Subaltern Realist perspective*. In Kath Krause and Michael Williams (eds) *Critical Security Studies: Concepts and Cases* London: Routledge.
- Cilliers J. (2004) Human Security in Africa; A Conceptual Framework for Review. ISS Monograph.
- Colletta Matt, Kostner Markins & Wiederhofer Ingo (1996) The Transition from War to Peace in Sub-Saharan Africa. Washington DC: The World Bank.
- Collier P. & Hoeffler A. (2000) Greed and Grievance in Civil War. Washington D.C. *Policy Research Working Paper 2355*, World Bank.
- Collier Paul & Sambanis Nicholas (2002) Understanding Civil War: A New Agenda. *Journal of Conflict Resolution* 46 (3)
- Collier Paul, Hoeffler Anke & Soderbam Mans (2006) Post Conflict Risks. Oxford: Centre for the Study of African Economies, (CSAE WPS 2006 – 12 August 17.
- Collier P. & Hoeffler A. (2004) Great and Grievances in Civil War. Oxford Economic Papers.

Development Alternatives Inc. (2005) A Partnership in Need of Reaffirmation: Mid-Term Review of the Multi-Country Demobilization and Reintegration Programme (MDRP). January 25.

Doyle, Michael & Sambams Nicholas (2006) Making War and Building Peace. Princeton (NJ) Princeton University Press.

Ellis, S. (1998) Liberia's War Economy, In Clapham (ed) *African Guerrillas*. Oxford: James Currey.

Edeogun, Charles, (2008) Peace Building Strategies for Peace in the Niger Delta: A Comprehensive Four Phased Model, In *The Nigerian State, Oil Industry and the Niger Delta, International Conference* Organized by the Department of Political Science, Niger Delta University in Collaboration with The Center for Applied Environmental Research, University of Missouri, Kansas City. At Yenagoa, Nigeria. March 11-13,

Etekpe, Ambily (2007a) The Politics and Conflicts over Oil and Gas in the Niger Delta Region: The Bayelsa State Experience. Port Harcourt: Niger Delta Forum Study Group Series BP005.

Etekpe Ambily (2007b) The Politics of Resource Allocation and Control in Nigeria; The Niger Delta Experience. Port Harcourt: Harey Publications

Etekpe, Ambily (2009a) The Political Economy of Post Amnesty Management in the Niger Delta Region: Prospects and Challenges. Unpublished Mimeo.

Etekpe, Ambily (2009b) Policy Option and Adaptation: A Comparative Study of the Niger Delta and Other Deltas of the World. Port HARCOURT: Towergate Resources

Fusato, Mssimo (2003) Disarmament, Demobilization and Reintegration of Ex-Combatants: In Guy Burgess and Heidi Burgess (eds) *Beyond Intractability*. Boulder: Conflict Research Consortium, University of Colorado.
<http://www.beyondintractability.ng/essay/demobilization>.

Gwinyayi, A. Dzinesa (2007) Post Conflict Disarmament, Demobilization and Reintegration of Former Combatants in Southern Africa. *International Studies, Perspectives* Vol. 8, pp. 73-89.

Holsti K.J. (1992) *International Politics: A Framework For Analysis*. Englewood Cliffs: Prentice Hall Sixth Edition.

Ibaba S. Ibaba (2008) Promoting Peace in the Niger Delta: Some Critical Issues. In *The Nigerian State, Oil Industry and the Niger Delta, International Conference* Organized by the Department of Political Science, Niger Delta University in Collaboration with The Center for Applied Environmental Research, University of Missouri, Kansas City. At Yenagoa, Nigeria. March 11-13,

Ikelegbe Augustine (2001) Civil Society, Oil and Conflict in Nigeria: Ramifications of Civil Society for A Regional Resource Struggle. *The Journal of Modern African Studies*, 39(3).

Ikelegbe Augustine (2004) Crisis of Resistance : Youth Militias, Crime and Violence in the Niger Delta Region of Nigeria. *Seminar Paper Presented at the African Studies Centre Seminars, University of Leiden, Leiden, Netherlands. August 5 2004*

Ikelegbe Augustine (2005) *Engendering Civil Society: Oil, Women Groups and the Resource Conflict in the Niger Delta region of Nigeria. Journal of Modern African Studies, 43 (2) .*

Ikelegbe Augustine (2005) Encounters of Insurgent Youth Associations With the State in the Oil Rich Niger Delta Region of Nigeria *Journal of Third World Studies, Vol XXII, No 1, Spring.*
Ikelegbe Augustine (2005) The Economy of Conflict in the Oil Rich Niger Delta Region of Nigeria, *Nordic Journal of African Studies 14 (2).*

Ikelegbe Augustine (2006) The Economy of Conflict in the Oil Rich Nigeria Delta Region of Nigeria. *African and Asian Studies Vol. 5 No. 1.*

Ikelegbe Augustine (2006). Beyond the Threshold of Civil Struggle: Youth Militancy and Militia-ization of the Resource Conflicts in the Niger Delta Region, Nigeria. *African Study Monograph*, 27 (3)

Ikelegbe Augustine & Onovughe Ikelegbe (2006) Gender, Resources and Conflicts: The Case of Rural Women and the Oil Economy in the Niger Delta Region of Nigeria, In *The Nigerian Journal of Politics and Public Policy. Vol 4 No 1-6*

Ikelegbe Augustine (2006) Multinational Oil Companies, the Political Economy of Oil and Conflict in the Niger Delta. Research Report to French Institute for Research in Africa (IFRA)

Ikelegbe, A. (2008). Popular and Criminal Violence as Instruments of Struggle: The Case of Youth Militias in the Niger Delta Region. *Paper presented at the Nordic African Institute, Post Conflict Programme Workshop. Oslo, Norway. August*

Ikelegbe, Augustine (2008) The Niger Delta and National Security. Presented at the *Workshop on the Relationship Between the National Assembly and Security Agencies in Security Management*, Organized by the National Assembly, Abuja and National Defence College, Abuja, at Protea Hotel, Asokoro, Abuja. 19th -20th August.

Ikelegbe Augustine (2008) Interrogating A Crisis of Corporate Governance and Its Interface with Conflict: The Case of Multinational Oil Companies and the Conflicts in the Niger Delta. In *The Nigerian State, Oil Industry and the Niger Delta, International Conference* Organized by the Department of Political Science, *Niger Delta University in Collaboration with The Center for Applied Environmental Research*, University of Missouri, Kansas City. At Yenagoa, Nigeria. March 11-13,

Ikelegbe, Augustine (2009) Towards Accelerated Development and Peace

Building in the Post Amnesty Niger Delta. Inaugural Lecture Presented to Project Uduaghan International at Government House Squash Club, Asaba 24 November

Ikelegbe, Augustine (2010) Resolving the Niger Delta Conflict: A Critical and Comparative Interrogation of the Amnesty and Post Amnesty Challenges. Paper Presented at 2nd International Conference on Natural Resource, Security and Development in the Niger Delta, at Niger Delta Wetland Centre, Yanagoo. 8-11 March

Imobighe Thomas A. (2004) Conflict in Niger Delta: A Unique case or a Model for Future Conflicts in Other Oil Producing Countries in Rudolf Traub-Mern and Douglas Yates (eds) *Oil Policy in the Gulf of Guinea: Security and Conflict, Economic Growth, Social Development* Bann: Friedrich-Elbert Stifting.

International Crisis Group (2009) Nigeria: Seizing the Moment in the Niger Delta. Briefing No. 60, April 30.

International Peace Academy (IPA) (2002) A Framework for Lasting Disarmament, Demobilization and Reintegration of Former Combatants in Crisis Situations. New York: IPA.

Kaufman Daniel J., Mckitrik Jeffrey S. and Leney Thomas J. (1985) U.S. National Security: A Framework for Analysis Lexington: D.C. Health & Co.

Keen, D. (2005) Conflict and Collusion in Sierra-Leone. Oxford: James Currey.

Keen David (2006) War and Peace: What is the Difference? In Adekeya Adebayo and Chandra Lekha Sriram(eds) *Managing Armed Conflicts in the 21st Century*. London: Frank Cass.

Kigma Kees (2000) Demobilization in Sub-Saharan Africa: The Development and Security Impact. New York: St. Martins Press.

Law M. David (2006) The Post-Conflict Security Sector. Geneva. Geneva Centre for the Democratic Control of Armed Forces (DCAF) Policy Paper No. 14.

Lawrence, J.E & Shie, R.T. (2003) Disarming for Peace in Aceh: Lessons Learned. Monterey, Carlifornia: Institute of International Peace Studies.

Macartan Humphreys & Jeremy M. Weinstein (2007) Demobilization and Reintegration. *Journal of Conflict Resolution* 51 (4) pp. 531 – 567.

Mair, S. (2003) The New World of Privatized Violence *International Politics, Gesellshaff* 1 (2).

Malan James (2008) Understanding Transitional Justice in Africa. In J. Francis (ed) *Peace and Conflict in Africa*. London & New York: Zed Books.

McIntyre Angela (2007) Giving Back the Future: A Discourse on the Dilemma of Child Soldiers in Festus B. Aboagye (ed) *Complex Emergencies in the 21st Century: Challenges of New Africa's Strategic Peace and Security*

Policy Issues. Pretoria: Institute of Security Studies.

Omach Paul (2010) The Regionalization of Rebel Activities: The Case of the Lord's Resistance Army, In Wafula Okumu and Augustine Ikelegbe (eds) *Militias, Rebels and Islamist Militants: Human Insecurity and State Crisis in Africa*. Pretoria: Institute of Security Studies. Forthcoming.

Onuoha, Freedom. C (2010) Proto-Insurgency and Oil Terrorism in the Niger Delta: Implications for the Security of Nigeria's Strategic National Oil Infrastructure. Paper Presented at 2nd *International Conference on Natural Resource, Security and Development in the Niger Delta*, at Niger Delta Wetland Centre, Yanagooa. 8-11 March

Osaghae, E. Ikelegbe, A.O, Olarimoye, B & Okhomina, S. (2007) Youth Militias, Resource Control and Self Determination struggles in the Niger Delta Region. *Research Report, Consortium for Development Partnership* Module 5.

Paes Wolf-Christian (2004) Oil Production and National Security in Sub-Saharan Africa in Rudolf Traub-Merz and Douglas Yates (eds) *Oil Policy in the Civil of Guinea; Security and Conflicts, Economic Growth, Social Development* Bonn: Friedrich Ebert-Shftung.

Pugel James (2007) What the Fighters Say: A Survey of Ex-Combatants in Liberia: Monrovia: United Nations Development Programme/. Food and

Agricultural Organisation (FAO) 2004: Food and Security Atlas 2004.

Reno, W. (2000) Shadow States and the Political Economy of Civil Wars in M. Berdal & D.M. Malone (eds) *Greed and Grievance: Economic Agenda in Civil Wars*. Boulder: Lynne Rienner.

Roberts Nyemutu (2010) Natural Resource Governance in Federal Democracies: Oil and the Challenge of Militancy in Nigeria's Niger Delta Paper Presented at 2nd *International Conference on Natural Resource, Security and Development in the Niger Delta*, at Niger Delta Wetland Centre, Yanagooa. 8-11 March

Trager Frank N. and Simone Frank L., (1973) An Introduction to the Study of National Security in Frank N. Tragger and Phillip S. Kronenberg (eds) *National Security and American Society: Theory, process and Policy*. Lawrence: University of Kansas Press.

Turshen, M. (2002) Introduction ACADS Bulletin; Its About Oil. *Review of African Political Economy*.

Ukaogo, Victor(2010) Gowon's Three R's and Yar'Adua's General Amnesty: Policy Failures and Sub-Regional Security Challenges in the Bight of Benin and Biafra. Paper Presented at 2nd *International Conference on Natural Resource, Security and Development in the Niger Delta*, at Niger Delta Wetland Centre, Yanagooa. 8-11 March

Ukiwo Ukoha (2008) Horizontal Inequalities and Insurgency in the Niger Delta in *The Nigerian State, Oil*

Industry and the Niger Delta. Proceedings of International Conference Organized by Department of Political Science, Niger Delta University and The Centre for Applied Environmental Research, University of Missouri. Yenagaa; March 11-13th.

United Nations Commission on Human Security (UNCHS (2003) Human Security Now, New York.

United Nations Development Programme (2000) UNDP Human Development Report, Nigeria 2000-2001. Millennium Edition . Lagos.

Watts Michael (2008) The Rule of Oil: Petro-Politics and the Anatomy of an Insurgency. In *The Nigerian State, Oil Industry and the Niger Delta, International Conference* Organized by the Department of Political Science, Niger Delta University in Collaboration with The Center for Applied Environmental Research, University of Missouri, Kansas City. At Yenagaa, Nigeria. March 11-13,

Walker F. Barbara (1999) Designing Transitions from Civil War: Demobilization, Democratization and Commitments to Peace. *International Security* Vol. 24, No. 1 Summer pp. 127-155.

Wolfers Arnold (1962) Discord and Collaboration: Essays in International Politics. Baltimore: John Hopkins University Press.

NEWSPAPERS AND MAGAZINES

Thisday (2009), Arrest Pipeline Vandals Now, Uduaghan Tells JTF. Monday December 14, p. 10.

This Day (2008) Vandalism; FG set to hire N'Delta militants. May 21.

Thisday (2010) Coalition of Ex-Armed Agitators of Niger Delta: Press Statement on the Ongoing Reforms in the Oil Industry Friday May 7, p. 37.

Thisday (2010) Nigeria's Oil Production Hits 2.5 Million bpd. Tuesday March 16, p. 19.

Thisday (2010) Local Content Law: Is This The One? Thisday Tuesday May 25, p. xv.

The Guardian (2009) Jomo: We Take Orders from Okah And Not From Yar' Adua. Sunday July 5, pp. 22 – 23.

The Guardian (2010) Focus: Amnesty on the Precipice: Monday February 15, p. 13.

The Guardian (2010) Bomb Blasts abort Amnesty Dialogue. Tuesday March 16, p. 1-2.

The Guardian (2010) Government Probes Warri Bombings. Wednesday March 17, pp. 1-2.

The Nation (2010) Post Amnesty: Reintegration, rehabilitation begin month end: Saturday March 6, p. 49.

The Nation (2010) 40 Ex-Militants Endorse Post Amnesty Scheme. Thursday May 20, pp. 1-2.

Sunday Independent (2009) Amnesty: I don't trust Amaechi – Ateke Tom. September 20.

Sunday Independent (2009) Ateke Tom Demands Palley with Yar ' Adua. August 2, A3.

Saturday Sun May 22, 2010, Militants Issue Threat Over Amnesty. Lagos: p. 11.

Sunday Vanguard (2007) our fight against illegal bunkering and unscrupulous Navy officers interview with Ganiyu Adekeye chief of Naval staff. March 25.

Sunday Vanguard 2010 May 23, Some Government Officials almost sabotage amnesty deal. Ex-IGP Mike Okiro, p. 38.

Sunday Vanguard (2010) Post-Amnesty Programme gets a Push. Sunday May 16, p. 39.

Vanguard (2010) Ahead Vanguard's Post Amnesty Dialogue: The Imperatives of Sustainable Development in Niger Delta. Thursday March 11, p. 7.

The Week (2009) War against the People. June 1.

Tell (2009) Heading for the Final Battle. September 28.