

FEDERAL GOVERNMENT AMNESTY STRATEGY IN THE NIGER DELTA: WILL IT GO BEYOND SATISFICING MINIMALISM?



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PREFACE

This policy research paper 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 recent Federal Government policy and programme on the development of the Niger Delta region so as to reduce or eliminate conflict and violence in the Niger Delta has focused on what has been termed Disarmament, Demobilization, Rehabilitation and Reintegration (DDRR). This paper examines the strategy as implemented so far, to see if it meets its set objective of incrementally empowering the oil producing communities in the Niger-Delta or if it is yet another stage in temporarily placating the people by well known non-suatainable interventions of the Nigerian government in the region.

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

INTRODUCTION

Nigerian history is replete with agitation by people from the Niger-Delta expressing fears of possible domination by the so-called majority ethnic groups in an independent Nigeria. They have also 'voiced' their lack of socio-economic development from the huge oil and gas revenue generated from their region, but unlike in the previous cases, the current visible proponents of the Niger-Delta *casus belli* have shown enormous strategic goodwill by voluntarily giving up their violent methods for rapprochement. The aforementioned group made up of different militant groups has accepted in principle the Nigerian government strategy of Disarmament, Demobilization, Rehabilitation and Reintegration (DDRR). The effort here is a review of the strategy as implemented so far, to see if it meets its set objective of incrementally empowering the oil producing communities in the Niger-Delta or if it is yet another stage in the temporarily placating the people by non-sustainable interventions of the Nigerian government in the region.

HISTORICAL BACKGROUND

Defining the Niger-Delta has depended on contextual prism. Petters (2010) asserts that Franki and Cordry using the geological prism first introduced the term "Niger Delta Oil Province" at the 7th World Petroleum Congress in 1967

indicating the region southward from Onitsha, Benin and Umuahia, where oil and gas occur in commercial quantities. The peoples of the Niger-Delta the small ancient city-states and kingdoms such as Bonny, Brass, Akassa, Kalabari, Okrika, Nembe, Ogoni, Opobo, Bassan, Andoni, Itsekiri and Urhobo. Nonetheless, the recent Niger Delta Development Bill equates the Niger Delta with the South-South geopolitical zone, comprising Edo, Delta, Bayelsa, Rivers, Akwa Ibom and Cross River States, to which neighboring oil-producing parts of Ondo, Abia and Imo States were included.

The aforementioned zone is endowed with resources ranging from rubber, timber, palm fruits and the relatively recent commodity of crude oil and gas. Consequently the zone has been enmeshed in the mercantilism associated with international trade of such products. This has left the region embroiled in the political economy of the area in the fight for the control or/and participatory empowerment by internal and external stakeholders.

The consequent social and economic activism on the part of internal stakeholders has a long history, with notable proponents such as King Jaja of Opobo (1821 - 1891), Garrick Sokari Braide (1882-1981), Chief Mowoe, Isaac Boro and Ken Saro Wiwa, as well as notable events such as The Willink Commission (1957-58); the Kaiama Declaration, the Declaration of the Ogoni Bill of Rights amongst others.

Among the issues raised by such proponents was the lack of direct beneficence through royalties for the exploitation of the resources of the region, the limited participation of the citizens in the exploitation of the resources and the lack of infrastructural development in the Niger Delta roads and transportation (including waterways); potable water; electricity; telecommunications; housing; reclaimed land and planned settlements with proper sewerage.

Although the central governments in Nigeria have responded to each crises arising from the activism based on these issues, such responses have been considered temporary and in some cases even brutally indifferent. Some governments in the past created agencies aimed at addressing the concerns of the internal stakeholders; such as the Willink Commission (1957-58), The Oil Mineral Producing Areas Development Commission (OMPADEC) [1992] and The Niger Delta Development Commission (NDDC) amongst others.

However, not much changes were derived from such interventions. In some cases such activism were brutally brought down such as the case with the judicial murder of Ken Saro Wiwa and others, the Odi massacre amongst others. Given this background, it is understandable that many in the region view the current government response to the militant agitation within the region with askance, and wonder if the DDRR strategy of the

Yar'adua/Goodluck government is not a continuation of the organizational strategy of placating minimalism; limited government action enough to create a semblance of concern.

THE DDRR AS A STRATEGY

The DDRR strategy which involves disarmament, and demobilization of militant activists, will be followed by rehabilitation and reintegration of the activists and their followers back into mainstream activities. Rehabilitation centre were designated across the six geopolitical zones of the country where militants would be received and accommodated.

There was an initial controversial N50 billion naira budgetary proposal with an expenditure framework that carries a huge administrative and personnel cost over and above expenditure on militants that ought to be the main target. It is envisaged under the program that militants willing to disarm would receive a monthly allowance of N37, 500.00 and a daily feeding of militants by caterers engaged by the government. The payments will run for an open-ended period of time far beyond the August to October, 2010 timeframe the amnesty was slated to run.

On administration/personnel, the following were budgeted: Co-ordinating centre = N48.5 million, Operation allowance for Nigeria military

personnel at various arms collection centre=N242.5 million, a whopping N6.9 million on purchase of Vehicle/Generator/Diesel and Communication at the cost of N737.1 million giving an initial starting overhead of approximately N1.035 billion which does not directly benefit the affected communities. Nonetheless, the framework recommends the full participation of all tiers of government, security agencies, civil society groups and all other stakeholders in achieving the goal of general amnesty for the ex-militants and the establishment of lasting peace in the Niger Delta.

Other components of the DDRR program entails; nonviolent training and education in line with the non-violent movement of the Albert Luthuli program of the apartheid era in South Africa, to ensure that there is maintenance of civil behaviour in the Niger Delta; career guidance and counseling where these militants will take their own decisions in terms of what careers or skills they want to acquire; provision of micro-credit to fund the businesses of those who want to go into business ventures and opportunity to go back to school or get job training for others.

WEAKNESSES/ CHALLENGES AND OBSERVATIONS

There are obvious and very disturbing observations about the Amnesty

program as packaged and implemented so far. Amongst the concerns are:

- Shoddy and inadequate preparations of the Amnesty program as reflected in absence of actual accommodation for the militants as at the time of commencement of the program portraying a sense of lack of commitment that has been the conventional response of governments to the challenges facing the region;
- Non-involvement of governors of the states of the South-South, on the details of the amnesty programme resulting in the ‘famous’ threat of the state governments to pull out of the implementation of the programme on ground of what the six Governors described as “lack of post Amnesty programme”;
- Lack of compensation for the people of Gbaramatu Kingdom for destroyed homes/displaced persons;
- Failure to address the underlying and fundamental issues such as the re-establishment of true federalism and resource control;
- Doubts about the credibility and accountability of the frontline implementers of the programme as expressed by beneficiaries and stakeholder communities (with a recent protest of militants in Abuja, the national capital)
- There are no concrete details on a post amnesty components of the

programme given that an estimated 25,000 militants on such a programme will run a bill which cannot be open ended. Moreover, the pacification of these groups will embolden other claimants.

- The strategy is symptomatically approached rather than holistically, that is, without addressing the key issues which bring about such symptoms, namely, the fundamental issues of community beneficence and communal indigenous participation in the resource control of the region, it is feared that the current programme will go in the direction of other previous ones.

IMPLEMENTATION OF THE DDDR STRATEGY

In implementing the DDDR strategy, the Nigerian Government has said it will re-launch a rehabilitation programme for more than 20,000 ex-militants, with the first batch of 2,000 due to take part in the first week of June, 2010. Even in this early phase, the strategy can be seen to be a knee-jerk reflex, like other previous government reactions, the infrastructure for the purported training are yet to be in place, while tensions are already mounting on the part of the militants who are now restlessly waiting for the government to meet its own part of the bargain. Moreover, the oil producing communities, whose war the militants assert to be fighting are unclear about

the benefits the communities will derive from the programme directly.

Although the government has recently approved the payment of royalties amounting to 10% of environmental impact for oil producing communities, such royalties will not automatically transform the infrastructure of the region and may not address all the key issues such as environmental degradation. Moreover direct cash payments to people who are mostly inept in financial management may only further deepen social maladies which have been introduced by the social exclusion of the Niger Delta over a long period of time.

FUTURE STRATEGIC SCENARIOS AND RECOMMENDATIONS

The consideration of the future sustainable use of the oil revenues from the Niger-Delta to ensure peace and prosperity in the region, it is pertinent to examine some recent models in other countries. A recent innovative approach to the sustainable use of oil revenues was put in place in Chad, where the oil revenue from the country's Doba oil field will be used effectively for important investments in health, education, environment, infrastructure and rural development to reduce poverty.

The Chadian model was developed under a new law which provides for 10 percent of the special oil revenue

account to be placed annually in a savings account for future generations (future generations fund); 80 percent to be spent in priority sectors such as education, health, rural development, water resources and the environment; 5% for the oil-producing regions for special development projects; and the remainder 5% for general government operating expenditures.

An Oversight Committee was established to monitor all the revenue flows and approve the spending from a special oil revenue account. The Committee has members from the executive branch of the government, the legislative branch, the judiciary, human rights groups, women groups and faith-based organizations. Half of the members of the Committee have no ties to the Chadian government.

Similarly, in Kuwait, the UAE and Norway, revenues from oil and gas has been used for the welfare of the present and future generations (Mehlum et al, 2008), Welfare being not only pure economic benefit, but also education, health, safety, environmental restoration and protection, and the quality of life in general.

Thus, if the DDDR strategy is to work, it has to go beyond the symptomatic action of pacifying militants and take a holistic post-amnesty approach using the examples of countries like Norway, United Arab Emirate and Kuwait and heeding the insights of Nancy Birdsall and Arvind Subramanian, in which they advised that oil rich countries may

be potentially harmed by the following features;

- Volatile oil prices, compared with prices of manufactured goods, resource-exporting countries are exposed to a much greater risk;
- Natural resources create large “rents” that require little human effort, and these rents are easy to appropriate by the state or a few powerful people. Thus, “the state is relieved of the pressure to tax and has no incentive to promote the protection of private property rights as a way of creating wealth”;
- As representation goes with taxation in established democracies, untaxed citizens have no effective means to hold the government accountable; and
- The effect of these rents is corruptive of public officials and in extreme cases, such as in Angola, Gabon and the Congo, the few control the riches and effectively become the state. Fights over wealth distribution can lead to civil war, as happened in several African countries, for example Liberia and Sierra Leone over diamond extraction and trade.

If these valuable insights are taken seriously and heeded, then for the future prosperity and peace of the Niger-Delta and consequently Nigeria, which depends on the region for a large part of its revenue, the following recommendations may be instructive.

1. Commensurate beneficence of the oil producing areas should be accelerated. But this should be done with the delegation method of Tannenbaum & Schmidt taken to account.

The Tannenbaum and Schmidt Continuum is a simple model, which shows the relationship between the level of freedom that a manager chooses to give to a team, and the level of authority used by the manager. As the team's freedom is increased, so the manager's authority decreases. This is a good way in which both teams and managers develop. In this model the level of delegation is dependent upon the level of maturity and competency of the delegate.

Thus as revenue flows are increased to the region it should be accompanied with supervised sustainable programme, with supervision provided by non-profit organizations which allows different communities (considered as teams managed by NGO supervision for the purpose of allocated funds) to handle their increased revenues with a degree of autonomy that is dependent on the amount of capacity within the community for the handling of such revenue flows, until they can completely do so autonomously and in a sustainable way.

1) Environmental concerns in the region should go beyond rhetoric. Action should be taken on zero tolerance for gas flaring, and such other factors which degrade the

environment of the Niger-Delta during exploitation.

- 2) The political matrix upon which the regional economy can develop is very important, therefore, it is necessary to nurture a transparent democratic process which respects the sovereign will of the people as expressed through their votes and consultative channels that allows unrestricted media attention, as well as the development of a political leadership that is accountable.
- 3) Measurable indicators for value creation in the region should be established with the roles of all stakeholders specified and consequences for abdication of roles also spelt out. This should be made clear especially in the creation of values in investments on employment using oil revenues, transfer of skills and technology and social infrastructure for recreation, health and education. The achievement of these indicators should be monitored and coordinated by a consultative forum which involves communities in the region and other stakeholders.
- 4) A periodic review of the amnesty programme with the beneficiary stakeholders involved in the design, implementation and evaluation from the pre, peri and post amnesty period.

CONCLUSION

The DDRR strategy is a commendable initiative in so far as it brings back the developmental problem of the Niger-Delta atop the in-tray of the national policy agenda in Nigeria and allows the proponents of the Niger Delta developmental issues to ventilate their concerns through an administrative rather than an adversarial platform. However, there are many indications that the implementation of the vision driving the strategy was not well thought out and many of the solutions its purports to offer the Niger Delta development problems are unsustainable in the long term.

It is suggested that a holistic approach be taken to account in implementing the strategy, with the stakeholders carried along at all stages and the front line implementers are required to exhibit transparency and accountability to gain the trust of the beneficiaries and of the people of the Niger Delta.

To do this effectively, there are several examples of the sustainable use of oil revenues to enhance community development and economic growth, and the planners and implementers of the DDRR strategy need only to adapt such examples to the local context and the peculiar needs of the Niger Delta situation without necessarily expending time and effort in re-inventing the wheel.

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