



**Tarila Marclint Ebiede**

## **Instability in Nigeria's Niger Delta: The Post Amnesty Programme and Sustainable Peace-Building**





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## ABSTRACT

Nigeria's oil rich Niger Delta region has been a hotbed of violent instability in the last two decades. These violent events have had negative impact on human security and undermined the security and stability of Nigeria's oil industry, as well as the collective security of the Gulf of Guinea. In June 2009, the Federal Government of Nigeria proclaimed an amnesty and implemented a disarmament, demobilisation and reintegration (DDR) programme for armed militant groups in the Niger Delta. The DDR programme in the Niger Delta was implemented under a framework that is locally known as the Post Amnesty Programme (PAP). The Niger Delta experienced relative peace and stability following the implementation of PAP. However, hostilities targeting oil industry infrastructure have started occurring again since January 2016. These hostilities have been carried out by new groups such as the Niger Delta Avengers (NDA) and the Niger Delta Greenland Justice Movement (NDGJM). The reoccurrence of militant violence in Nigeria's Niger Delta shows that PAP has not been able to achieve sustainable peace or security in the Niger Delta. There is an urgent need to explain why the PAP was not able to lead to sustainable peace and security in the Niger Delta. The study also explains the root causes of conflict and political violence in the Niger Delta.

The study adopts a political economy approach. The study evaluates the role of different stakeholders involved in conflicts and political violence in the Niger Delta. The stakeholder analysis concludes that there are different dimensions of conflict and political violence in the Niger Delta. The analysis notes that there is an intersection of the dimensions of conflicts and different stakeholders. This intersection contributes to the complexity of the conflicts

in the Niger Delta. The study notes that the implementation of the Post Amnesty Programme (PAP) focused on armed militancy, which is only one dimension of the Niger Delta conflict. The study found that the Federal Government of Nigeria failed to address the root causes of conflict and political violence in the Niger Delta after the implementation of PAP. The study also found that the objectives of PAP, particularly the demobilisation and reintegration of ex-militants have not been fully realised. Instead, ex-militants remain connected to their old militant networks and have been unable to find gainful employment after undergoing expensive educational and vocational training programmes. In the short term, the study recommends that there is an urgent need to reform PAP to enable it facilitate the sustainable reintegration of ex-militants. The study recommends that long term peace in the Niger Delta can only be achieved when the Nigerian government addresses the root causes of the different dimensions of conflict and political violence in the Niger Delta within a comprehensive framework for peacebuilding and security in the Niger Delta. Finally, the study notes that the recommendations can only be achieved in an environment of political governance that is inclusive, transparent and accountable to the ordinary people in the local communities of the Niger Delta.

## BACKGROUND AND CONTEXT

Nigeria's Niger Delta, measuring about 70,000 km<sup>2</sup>, is Africa's largest and the World's third largest Deltaic region. The region stands in a geostrategic location on the shores of the Gulf of Guinea, bordering Nigeria and the Southern axis of the Atlantic Ocean. In 1956, the Royal Dutch Shell Company discovered commercial quantity of crude oil deposits in Oloibiri community, which is in present day Bayelsa State. Since then, crude oil exploration and production has continued unabated in the Niger Delta. It is estimated that the Niger Delta region has about 37 Billion barrels of crude oil deposit (OPEC, 2017). Globally, Nigeria's Niger Delta has the 10th largest crude oil reserves. In addition to crude oil, the Niger Delta region is also richly endowed with over 120 trillion cubic feet of Natural Gas (OPEC, 2017). Current estimates suggest that there is the capacity to produce about 2.5 million barrels of oil per day in the region (NNPC, 2017).

The Niger Delta is a densely populated, culturally and politically diverse region. An estimated 30 million people live within the region's 70,000 km<sup>2</sup> geographical territory. At least 10 million of this population are youth within the age bracket of 18-34 years. Culturally, the region is made up of about forty ethnic groups. Major ethnic groups in the Niger Delta are the Ijaw, Isoko, Ikwerre, Urhobo, Itsekiri, Isoko, Efik, Ibibio, Benin and Anang. These ethnic groups are spread across nine states within Nigeria's federal administrative structure. Nigeria's federation is divided into 36 States. These States are further divided into six geopolitical zones. The geopolitical zones are South East, South South, South West, North Central, North West and North East. The Nine States in the Niger Delta are within the three geopolitical zones: South South, South East and

South West. Bayelsa, Akwa Ibom, Cross River, Delta, Edo and Rivers States are in the South South. Imo State is in the South East and Ondo State is in the South West. The Niger Delta is largely defined by oil production. This is why oil producing states in different geopolitical zones are included in the official definition of the Niger Delta.

The Niger Delta is densely populated. Bayelsa State, the least populated in the region, has a population of over 2 million people. Cross River State has a population of about 3.5 million people. This is followed by Abia State with a population of about 3.5 Million people. Edo State has a population of 3.9 million people. Ondo State, the fifth most populated state in the region, has a population of 4.1 million people. Imo State has a population of about 4.7 million people. Similarly, Akwa Ibom State has a population of over 4.7 Million people. Delta State has a population of about 4.9 million people. Rivers State, the most populated state in the Niger Delta, has a population of more than 6.2 million people (National Bureau of Statistics, 2017). While their output varies, oil production takes place in all of these states. This places the states in the Niger Delta in a strategic position within the Nigerian federation.

The Nigerian State has benefitted immensely from oil production. Crude oil production and exports account for about 70 percent of export revenue for Nigeria (Ministry of Budget and National Planning, 2017). Historically, it is estimated that a total of 32.7 billion barrels of crude oil were produced between 1960 and 2014. Budget IT, a leading public-sector transparency initiative in Nigeria, estimates that Nigeria earned about US\$ 509 billion (NGO) from 1999 to 2013. This is the major source of funding for all levels of government within the Nigerian federation. However, oil production

has had significant negative impacts on the environment and human population in the Niger Delta. It is estimated that more than 13 million barrels of oil have been spilled in the Niger Delta since oil production began in the region. This has had a devastating impact on the environment, degrading the rich biodiversity of the region. Oil industry-induced environmental pollution has led to the loss of farmland and destroyed aquatic life. This has negatively impact on local economic activities, as indigenous people largely depend on farming and fishing as primary sources of livelihood. It is estimated that 70% of people in the region live below the poverty line. There is 40 per cent youth unemployment. The oil producing communities in the Niger Delta are also known to lack public infrastructure such as roads, schools, hospitals, electricity, drinking water, and markets. The negative impacts of oil production on the environment and lack of development infrastructure in the Niger Delta have in turn, diminished the quality of life of people in the region.

The Nigerian constitution bestows ownership of crude oil to the Nigerian State. However, exploration and production are carried out either through Joint Venture Agreements (JVA) or Production Sharing Contracts (PSCs). JVAs and PSCs are contractual principles that governs the relationship between the Nigerian Government and International Oil Companies (IOCs) operating in the Niger Delta. The Nigerian National Petroleum Company (NNPC) represents the interest of Nigerian Government in these contracts. The NNPC has majority interests in its partnership with IOCs. IOCs, on the other hand, are expected to pay royalties and taxes from its profits in the Niger Delta. While royalties are paid to the Department of Petroleum Resources (DPR), taxes are paid to Federal Inland Revenue Service (FIRS).

Constitutionally, all revenues accruing to the NNPC, DPR, and FIRS from oil industry activities are expected to be transferred into the Federation Account held at the Central Bank of Nigeria (CBN). The Federal Government receives oil revenues on behalf of the '36 States and 774 Local Government in Nigeria'.

Oil revenues do not directly go to communities where crude oil production takes place. Instead, allocations are made to States and Local Governments, which are responsible for the administrative control of these communities within the Nigerian federation. Oil producing communities argue that they tend to benefit less from oil production as they are excluded from the distribution of oil revenues. Instead, it is the elites that control the state and local government structures that determine how these revenues are spent. Next to this, is a claim that States in the Niger Delta are entitled to more rents from oil production beyond the current 13 percent derivation principle. This claim is premised on claims of resource ownership and environmental consequences of oil production by communities in the Niger Delta. These contentious claims have largely shaped the relationship between communities, the States in the Niger Delta and the Nigerian government.

Oil production in the Niger Delta occurs either within or in close proximity of communities. One consequence of this is that the activities of IOCs affect the socio-economic and political structures, as well as the natural environment of the communities. Specifically, oil exploration destroys the environment which is the main source of livelihood of people of the communities in the Niger Delta. Oil producing communities in the Niger Delta have had to struggle for IOCs to implement development projects in their communities. IOCs have conceived and

implemented corporate social responsibility (CSR) policies to influence their relationships with oil-producing communities. These policies have not often led to the intended outcomes. CSR projects are known to have fueled patronage politics and divisions within communities. This has resulted in contentious relationship between oil producing communities and IOCs in the Niger Delta.

Since the early 1990s, local activists in the Niger Delta embarked on violent and non-violent actions to protest against the development conditions in the Niger Delta. Ethnic civil society organisations and traditional rulers called for increased development funding by the national government for the Niger Delta. In addition, there were agitations demanding IOCs and the Nigerian government to address the environmental consequences of oil production in the Niger Delta. However, the poor development conditions of the region remained unchanged and oil pollution continues unabated in the Niger Delta. Beginning from the late 1990s, youth groups became more prominent in the agitations for development in the Niger Delta. In December 1998, The Ijaw Youth Council (IYC) proclaimed the famous Kaiama Declaration. As part of its demands, the Declaration called on IOCs to end all oil production in the Niger Delta. The IYC also called on youths from the Ijaw ethnic group to occupy all oil production facilities in the Niger Delta. This Declaration was followed by widespread protests by youth across different cities in the Niger Delta. The Nigerian government violently repressed these youth agitations. For example, a protest organised by the IYC in Yenagoa, the capital of Bayelsa State, on December 28, 1998, was violently dispersed by the Nigerian Army. The IYC organised several protests in the months that followed. The agitations led to more repression by the Nigerian military. In general,

the Niger Delta became characterised by violent and non-violent protests over oil resources by the end of the 1990s.

Nigeria's transition to democratic rule in May 1999 had an impact on the nature of youth agitations in the Niger Delta. First, democracy opened the civil society space and encouraged youth groups to demand for resource rights. Second, regional political elites seeking to capture political power employed and armed youth gangs to subvert the electoral process in their favour. Youth participation in democratic politics led to the proliferation of civil society groups in the Niger Delta. However, the alliance between regional political elites and youth activists in the electoral process had perverse effect on both politics and youth agitations in the Niger Delta. Youths employed by regional political elites, especially in Rivers State, carried out electoral violence with the aim of facilitating the electoral victory of their political patrons. This occurred during the 2003 general elections in Rivers and Bayelsa States. It was reported that Peter Odili, the then Governor of Rivers State, recruited Alhaji Asari Dokubo, who was a President of the Ijaw Youth Council (IYC), to carry out electoral violence during the 2003 general elections. Other prominent youth leaders, such as Ateke Tom of Okrika Town in Rivers State, were also mobilised by Governor Peter Odili during the 2003 general elections.

The violent mobilisation of youth groups during the 2003 electoral process led to the proliferation of small arms and light weapons (SALW) in Nigeria's Niger Delta. This situation had an impact on youth activism in the Niger Delta. Ownership of SALW made it possible for youths to carry out armed attacks in a bid to register their grievances on issues of resource rights in the region. This contributed to the change in the dynamics of youth activism in

the Niger Delta. By the mid-2000s, many youth groups had begun using violent means to register their grievances against International Oil Companies (IOCs) and the Nigerian Government in the Niger Delta region. These groups began to assume formal militant structures and identities. Militant camps were established in the swamps of the Niger Delta. The groups that emerged carried out armed attacks targeting oil industry infrastructure. Kidnapping and hostage taking of expatriate staffs of IOCs was a common strategy adopted by the nascent militant groups in the Niger Delta. These activities were coordinated under the group the Movement for the Emancipation of the Niger Delta (MEND).

Nigeria's oil production suffered as a result of increasing militant activities in the Niger Delta. In response, the Federal Government increased its military campaign in the Niger Delta. The Nigerian military targeted youths in the region. This contributed to human rights violations, as collective punishment of communities by the military became common occurrence in the Niger Delta. Notwithstanding these military actions, the growing insurgency in the Niger Delta escalated. There was a proliferation of militant camps across the Niger Delta. Militant groups developed sophisticated tactics and carried out more ambitious attacks targeting oil industry infrastructure in the Niger Delta. This led to a loss of about 500 thousand barrels of crude oil production per day in 2006. From 2006 to 2008, Nigeria's oil production stood around 2.2 million barrels per day, lower than the estimated production capacity of 2.5 million barrels per day. A deep decline was witnessed in 2009 when oil production fell further to 1.75 million barrels per day (Bloomberg, 2016). This decline was as a result of increased militant attacks on oil industry installations in the Niger Delta. The fall in production had neg-

ative impacts on the revenue accruing to the Nigerian federation. President Umaru Musa Yar'Adua, who was sworn in as President of Nigeria on May 29, 2007, adopted a conciliatory approach following repeated failures of the military approach to stem the tide of militant attacks. It is in this context that the Federal Government announced an offer of amnesty and a disarmament, demobilisation and reintegration (DDR) programme for armed militants in Nigeria's Niger Delta in June 2009.

The DDR programme in the Niger Delta was implemented under the institutional framework of a Post Amnesty Programme (PAP). There were uncertainties over the nature of the amnesty and structure of PAP. For example, while there were negotiations between armed groups and representatives of the Nigerian government, these negotiations were not formally signed as a binding peace agreement. After several political persuasions from local political leaders, armed militant groups accepted the amnesty. This was followed by the implementation of a DDR programme. There was also an immediate cessation of hostilities by major armed groups in the Niger Delta. This relative stability led to increase in crude oil production in Nigeria's oil industry. In the interim, the Post Amnesty Programme (PAP) remained the major stabilisation effort by the Nigerian government in the Niger Delta. It reshaped the relationship between the Nigerian government and armed groups that emerged in the region. Initially, the plan of the Nigerian government indicated that PAP will be implemented over a period of five years (2010 – 2015). However, the government has maintained funding of PAP up to 2017. There is currently no indication that the programme will be terminated in 2018.

Renewed threats involving new armed groups in the Niger Delta emerged in early 2016 de-

spite the continuation of PAP beyond its estimated end year. New attacks have been carried out by armed groups such as the Niger Delta Avengers (NDA). The NDA, like previous armed groups in the region, claimed to be representing and expressing the grievances of oil producing communities in the Niger Delta region. The NDA has repeatedly targeted oil industry infrastructures. This has negatively impacted oil production in the Niger Delta. The emergence of the NDA and its destructive attacks on oil industry infrastructure questions the effectiveness of the Post Amnesty Programme (PAP) as a peacebuilding policy instrument by the Nigerian government in the Niger Delta region. This question is even more urgent because PAP has been ongoing for more than five years and it has trained more than fifteen thousand ex-militants in a bid to promote peace. The emergence of the NDA brings a sense of urgency to the situation in the Niger Delta. This indicates that the Post Amnesty Programme (PAP) has not been able to address the underlying causes of instability in the region.

The persistence of militancy raises concerns for both the Nigerian government and the international community. Militancy in the Niger Delta continues to reduce oil production, further depressing the country's economic viability in a period of low oil prices. Militancy also provides a conducive environment for oil theft, a criminal phenomenon that thrives in the Niger Delta. Militancy in Niger Delta creates an opportunity for criminal networks to thrive in the Gulf of Guinea. Of particular concern is piracy in the Gulf of Guinea. Armed groups from the Niger Delta are prominent actors in the piracy networks of the Gulf of Guinea. These threats are of concern to both the Nigerian government and the international community.

## STAKEHOLDER ANALYSIS

The context discussed above is largely defined by competing interests from different stakeholders in Nigeria's Niger Delta. These stakeholders all have an interest in oil production and stability in the Niger Delta. From the contextual analysis, the key stakeholders in Nigeria's oil industry are (1) the Nigerian Government, (2) Oil Producing Communities in the Niger Delta, (3) International Oil Companies. While all stakeholders tend to have a common interest in the production of oil, their actions vary according to their place in the process of oil production and distribution of rents accruing from oil production. In the context, understanding stakeholders in Nigeria's Niger Delta also needs to take into account the heterogeneous nature of the conflict in the region. Stakeholders here constitute of multiple actors within one framework. This calls for further clarifications of each category of stakeholders that have been identified.

### The Nigerian Government

The Nigerian government is composed of a range of institutions at both national and regional level. Within Nigeria's federal structure, the Nigerian government is comprised of the Federal, State and Local (municipal) governments. The laws governing the oil industry were established by the Federal Government. The Federal Government has also established public institutions to govern the oil industry, as well as facilitate the development of Nigeria's Niger Delta region. These institutions are the Ministry of Petroleum, Niger Delta Development Commission (NDDC) and the Ministry of Niger Delta Affairs (MNDA). The Ministry of Petroleum is the state institution responsible for oil industry governance in Nigeria. This function is implemented by different institutions within

the Ministry. One prominent institution within the Ministry of Petroleum is the Nigerian National Petroleum Corporation (NNPC). The NNPC is the state-owned entity that represents the Nigerian government in oil industry operations. As the state's commercial representative in the oil industry, the NNPC is the primary institutional pipeline through which oil revenues extracted from the Niger Delta are transferred to the Federal Government.

The NDDC was established in year 2000 through an Act of Parliament. The NDDC is a development interventionist agency funded by the federal government and IOCs. The NDDC is mandated to implement infrastructural and human development projects across all the oil producing states in Nigeria. The MNDA was established in 2007 by Alhaji Umaru Musa Yar'Adua, the then President of Nigeria. President Yar'Adua established the MNDA as a fulfillment of his 2007 election campaign promise to the people of the Niger Delta. The MNDA was designed to facilitate infrastructural and human development in Nigeria's Niger Delta region. However, unlike the NDDC, the MNDA is solely funded by the Federal Government. These institutions are the prominent vehicles through which the government seeks to transfer oil wealth to the Niger Delta. However, these organizations are known to have performed poorly in fulfilling their mandate. They have been characterized by corruption, lack of transparency and low accountability.

The second level of governmental actors are the State Governments. Historically, states have been created in Nigeria in response to ethnic agitations. This ethnic dimension of states in Nigeria also makes them a platform for ethnic groups to canvass for their interests within Nigeria. In Nigeria, ethnicity plays an important

role in state creation. Leaders of ethnic groups demand for the creation of states as a way to attract development to their homelands, as well as increase their political representation within the Nigerian federation. In Nigeria's Niger Delta, regional leaders use the platform of state governments to demand for increased oil derivation to the region. Thus, even though states are governing units within the structure of the Nigerian federation, they are known to have persistently expressed demands for increased derivation. This position is against that of the Federal Government of Nigeria that seeks to maintain the current status quo.

## Oil-Producing Communities

Oil producing communities are key actors within the prevailing contestation for resource rents in the Niger Delta. There is a consensus within communities that the exploration and production of crude oil in the Niger Delta has not led to development. This has led to protests against IOCs operations in local communities. However, oil producing communities are made up of multiple actors and interests. Historically, traditional rulers and members of the Community Development Committees (CDCs) are known to have represented the interest of oil producing communities in the oil sector. Chiefs and Members of CDC are responsible for negotiating with IOCs and government institutions in the oil sector. However, this has changed over the years. Youth groups emerged as prominent actors in community agitations against IOCs. The emergence of youth groups challenged the dominant place held by traditional rulers and chiefs in local communities. Although all groups within communities are known to canvas for development and resource rights, research has shown that these groups have increasingly become motivated by financial and political gains.

Several armed groups have emerged in the Niger Delta. All of these groups claim to represent the grievances of oil producing communities. While different militant groups emerged in the Niger Delta, these groups were largely organized under the umbrella of the Movement for the Emancipation of the Niger Delta (MEND). However, individual commanders had control over their militant units. MEND is used as a framework to coordinate communication of militant attacks and demands of militant groups. Politically, militant groups persistently pressured the federal government to address the grievances of oil producing communities. These groups are known to be engaged in oil theft, locally known as oil bunkering. Militant groups from the Niger Delta are also participating in piracy in the Gulf of Guinea. These criminal activities are used to generate funds to finance the armed militancy.

One consequence of armed militancy in the Niger Delta is that militant groups became powerful and dominant actors in the oil rich region. This power and dominance is an outcome of the attention militants received from IOCs and the Nigerian government. The activities of militant groups had direct impact on oil production. Non-violent groups in communities such as traditional rulers and CDC members remained influential. But the actions of militant groups created a sense of urgency within the oil industry. Hence, the IOCs and the Nigerian government initiated several strategies to engage militants. The attention received by militants increased their power within community politics. Increasingly, militants gained influence within communities. In some communities, militants displaced traditional rulers and took control of the CDC. This made militants the dominant powers in communities where they exist in the Niger Delta.

Oil producing communities are the least beneficiaries of Nigeria's oil wealth. However, these communities are also characterized by competing factions and interests that are indigenous to the communities. These factional powers and interests are in competition to control political power and decision-making structures in communities. The purpose of this competition is to enable them to gain control of Corporate Social Responsibility (CSR) projects implemented by IOCs. This control leads to financial benefits. These competing interests within communities tend to obscure the grievances of the majority of people adversely impacted by oil production. However, these grievances remain popular among local people and remain a binding motivation for protests against IOCs and the Nigerian Government.

### International Oil Companies (IOCs)

There are about twenty IOCs operating in the oil fields of Nigeria's Niger Delta. Prominent IOCs are Shell Petroleum Development Company (SPDC), Chevron Nigeria Limited (CNL), Nigerian Agip Oil Company (NAOC), Exxon Mobil and Total. These IOCs have different levels of engagements. IOCs operating in Nigeria's Niger Delta are typically enter into a Joint Venture (JV) or a Production Sharing Contract (PSC) with the Nigerian National Petroleum Corporation (NNPC). The profit motive of IOCs is self-evident. But IOCs have also engaged in CSR projects as a way of building social capital and maintaining good relations with communities in the Niger Delta. CSR projects have largely been criticized as having limited impact on communities. Some critics have blamed CSR projects for fueling divisions within communities. However, CSR projects of IOCs have also evolved. Current efforts of IOCs have applied a partnership mechanism that

seeks to collaborate with Non-Government Organizations (NGOs) and Government Institutions in the design and implementation of development projects.

Militant activities directly target IOCs in the Niger Delta. Beginning from community protests, local agitations was always focused on shutting down the operations of IOCs in local communities in the region. The emergence of armed militancy increased the vulnerability of oil industry operations in the Niger Delta. Armed militants bombed oil industry infrastructure and kidnapped expatriates. This often led to a declaration of force majeure by IOCs. Increased militant agitations by local communities also led to more corporation between IOCs and the Federal Government of Nigeria in the area of security. IOCs used the services of Nigerian security agents to suppress community protests. This security relationship intensified during the period of armed militancy, as troops from the Nigerian military were constantly deployed to secure oil industry facilities and personnel in the Niger Delta.

## INTERACTIONS OF STAKE-HOLDERS IN THE CONTEXT OF VIOLENT CONFLICTS IN THE NIGER DELTA

For the last two decades, the armed insurgency led by militant groups has been known as the dominant form of conflict in the Niger Delta. However, it should be said that the Niger Delta has also experienced other forms of conflict and political violence. Both armed militancy and other types of conflict and political violence have shaped the context of violent conflicts in the Niger Delta. While many commentators have viewed these forms of conflict and political violence as differentiated, research has shown that, in fact, the actions of stakeholders involved in the different forms of conflicts are mutually reinforcing. An interrogation of the different dimensions of conflict shows the interaction of different stakeholders within the context of violent conflicts in the Niger Delta.

### Community versus State and IOCs Conflict

Conflicts between communities on the one hand, and the Nigerian State and oil industry on the other constitute the overarching narrative of conflict in the Niger Delta. Since the discovery of oil, communities in the Niger Delta have been involved in agitations against the State and oil industry over poor development in the region. This has resulted in protest movements and litigations carried out by communities against the State and oil industry. This is particularly so because most people in communities in the Niger Delta continue to experience endemic poverty even though oil produced from their region has become Nigeria's main source of revenue. The neglect of development in local

communities and environmental pollution associated with oil production became the foundation for anti-state mobilization in local communities in the early 1990s.

At first, anti-state mobilization was characterized by non-violent ethnic movements in the Niger Delta. A high-profile example was the Movement for the Survival of the Ogoni People (MOSOP). Civil society organizations such as MOSOP mobilized communities against the Nigerian Government and oil industry. Their demands were mainly associated with rights to oil rents, inclusive and sustainable development in the Niger Delta and environmental remediation. Civil society movements were mostly repressed by the then military government of Nigeria. The symbol of this repression was the murder, in Port Harcourt on 10 November 1995, of Ken Saro Wiwa and nine other Ogoni activists by the General Sani Abacha-led military government. His murder marked a turning point in agitations by local communities against the state, because it was the first time the Government had used state institutions to prosecute and murder environmental activists for what has since been described as trumped-up charges by the General Sani Abacha-led Nigerian military government.

Research has shown that all forms of communal and ethnic conflict have an impact on the emergence of armed militias in the Niger Delta. Youths who participate in these conflicts are often organized into armed groups representing factional interests. During the first phase of armed militancy lasting from 2005 to 2009, youths armed and mobilized by local elites against fellow members of their communities emerged as armed militants. Similarly, youths who became community warlords in inter-ethnic conflicts emerged as leaders of militia groups during the anti-State armed militancy that characterized the region. This transforma-

tion of community warlords and gang leaders into anti-State militants is apparent in the leadership of key militant groups in the Niger Delta, such as the Movement for the Emancipation of the Niger Delta (MEND), the Niger Delta People's Volunteer Force (NDPVF), and Niger Delta Vigilante (NDV).

From a political economy perspective, a complex network of actors and interests emerged in the Niger Delta as a result of the region's nature of conflict and political violence. An aspect of this political economy is the emergence of a 'conflict economy'. This conflict economy is hardly distinguishable from the genuine struggles of the local people. This created the crucial challenge of identifying and differentiating the different forms of conflict and violence. The analysis so far suggests that there are at least six categories of actors that became apparent in the context of the conflict and political violence. They include: community chiefs and leaders, local and regional politicians, non-violent civil society movements, women's groups, youth groups and violent militant groups. To a large extent, these different groups now frame the narrative driving their participation in the Niger Delta conflict in the overarching discourses on resource rights and political marginalization. However, the analysis also suggests that beneath these overarching narratives lay overlapping dimensions of conflict.

The disagreement between the ethnic communities of the Niger Delta and the Nigerian State is a key dimension of this conflict. In this category, all identified groups appear to be in opposition to the current governance framework of the oil industry and the allocation of crude oil rents. For example, local and regional politicians, who emerge as representatives of Niger Delta communities in the National Assembly often decry the continuous use of the Land Use

Decree and Petroleum Industry Decree. The Land Use Decree transfers all land to the Nigerian Government. The Petroleum Industry Decree transfers ownership of all petroleum minerals to the Nigerian Government. The combine effect of both Decrees limits the rights of local people to land and petroleum resources.

People from local communities of the Niger Delta have repeatedly demanded for increased revenues since the end of the Nigerian Civil War in 1969. In 2005, the representatives of the Niger Delta states staged a walk out from the Nigerian Political Reform Conference after their demands for increased revenue allocation to Niger Delta States were rejected by other delegates at the conference. Similarly, members of the House of Representatives representing Niger Delta states have expressed displeasure at the ongoing constitution-amendment process after their proposal for the abrogation of the Land Use Decree was rejected by other members of the National Assembly. These examples show that the political elites and leaders from the Niger Delta identify closely with the agitations for increased oil rents in the Niger Delta.

Civil society groups and armed militant groups play vanguard roles in the conflict between oil producing communities and the state and IOCs in the Niger Delta. These groups have adopted different strategies in their struggle. The civil society groups and ethnic communities have used extensive advocacy and litigation within the national and international community. Groups such as Environmental Rights Action (ERA) have remained at the forefront for environmental remediation in the Niger Delta. These groups have developed international partnerships with human rights organizations such as Amnesty International, which has put pressure on the Nigerian Government and multinational oil companies to address some

of the region's environmental problems. These pressures have yielded results. For example, the Nigerian Government agreed to implement the report of the United Nations Environment Programme (UNEP) on oil spills in the Ogoni area of Rivers State. In addition, Bodo, an ethnic community in the Ogoni area, instituted a case against Shell over oil pollution of their land. Shell offered a settlement of \$83 million, which was accepted by the community. These outcomes are the result of extensive advocacy by civil society groups and ethnic communities. Conversely, the actions of armed militant groups differ from those of civil society groups in the Niger Delta. Militant groups were able to establish themselves as principal actors in the Niger Delta conflict by the use of violence targeting oil industry infrastructures and the kidnapping of expatriate oil workers. The activities of non-violent movements and violent militant groups have put pressure on the Nigerian Government. However, unlike non-violent civil society movements, the impact of the armed militant groups was immediately felt by the Nigerian government because the attacks by militant groups led to reduced oil production and attendant revenue losses for the Federal Government.

### Intra-communal Conflicts

Intra-communal conflict is a common form of conflict and source of political violence in the Niger Delta. This form of conflict often involves actors belonging to the same communities. Intra-communal conflicts are usually caused by disputes over land and contention for leadership positions in communities. While land disputes are frequently about contentious ancestral claims within communities, leadership disputes are often related to competition for power and control. The struggle for the control

of rents and benefits accruing to communities from oil production is one major driver of the competition for power and control in communities. This competition leads to violent conflict.

The key stakeholders in intra-communal conflicts are local groups consisting of traditional chiefs, Community Development Committees (CDC) members and youth groups in communities. IOCs are also passive actors in community conflicts. This is especially the case where such communal conflicts are driven by local competition for the control of rents and benefits accruing to communities from corporate practices of IOCs. An example of this form of conflict is the 1998 crisis in Peremabiri community of Bayelsa State. In this crisis, community factions fought over compensation payments received from Shell Petroleum Development Company (SPDC). The compensation payment became necessary due to an oil spill from SPDC pipelines in the community. Members of the community argued that SPDC agreed to pay a compensation of about US\$2.2 million. However, a faction of community leaders negotiated and received about US\$100 Thousand from SDPC. It led to a violent confrontation between those who negotiated with SPDC and those who insisted on the payment of US\$2.2 million. The group of community leaders that received US\$100 Thousand from SDPC were dismissed from community governance. However, they did not receive the agreed compensation from SPDC. Instead, the Nigerian government intervened with the military to ensure continuous oil production by SPDC. This shows that the corporate practices and approaches to community engagement, dispute settlement and compensation for environmental pollution from oil activities of IOCs may lead to violent intra-communal conflicts.

One immediate consequence of intra-communal conflict is the destruction of lives and property. Warring factions in communities attack other community members, often leading to deaths. This is followed by retaliation, which then leads to a cycle of conflict. In most cases, these conflicts were terminated following state intervention, but the perpetrators of violence are rarely prosecuted. The failure to prosecute perpetrators of violence often leaves victims of conflict aggrieved. Even after the cessation of hostilities, the drivers of conflict remain unresolved. Hence, the conflict itself is simply frozen and not fully resolved.

There is a link between intra-communal violence and the proliferation of small arms and light weapons (SALW). Factional groups involved in intra-communal violence seek arms and ammunition in their bid to overpower opposing groups in communities. Communities that are involved in this type of conflict are often awash with SALW, even when violence ends. Hence, there is usually a link between these forms of conflict and criminality, because youths who were involved in the conflict use SALW for criminal activities.

## Inter-Communal/Inter-Ethnic Conflicts

Inter-communal conflicts are those forms of conflict that involve at least two opposing communities. This form of conflict has been a common feature of some communities in the Niger Delta since the late-1980s. In most cases, inter-communal conflict is driven by economic factors mainly associated with disputed claims over land used for farming and fishing activities. These conflicts are heightened when crude oil production takes place on disputed land. Inter-community conflicts also

occur over equity claims in the distribution of political opportunities at the level of the local governments. Intra-communal conflicts could occur among communities with similar ethnic compositions. Ethnic based inter-communal conflict has significantly contributed to the socio-political order in the Niger Delta. This form of conflict has occurred as a result of disputed claims over land. Ethnic groups also fight over political competition within the Nigerian State. A typical example of ethnic conflict as political competition and contested claims over land is the Ijaw versus Itsekiri conflict in Delta State.

### Political (Electoral) Violence

The competition for political power at state-level has led to electoral violence in the Niger Delta. It is important to take this violence into account in explaining the context of conflict in the Niger Delta, because this feeds into the larger, complex network of violence in the region. Politicians, in their bid to win elections, often arm and mobilize youth gangs against their opponents. Members of these gangs are drawn from local communities and urban-based confraternity groups. Electoral violence has been a recurring phenomenon in the political process in the Niger Delta since Nigeria's return to democracy in May 1999. This form of violence has been particularly evident in Rivers and Bayelsa states, where it has been reported that elections became a "do or die affair" leading to a "war-like situation".

The nature and outcome of electoral violence often leads to the proliferation of SALWs. Politicians who arm youth gangs do not often engage in any form of disarmament after elections. Hence, the gangs that are armed for elections keep their weapons afterwards. In many instances, these arms are used for other

forms of criminal activities in cities and towns in the Niger Delta. This form of violence also contributes to the formation and strengthening of armed groups in the Niger Delta. Peripheral groups which hitherto had little or no access to arms and ammunitions become empowered through access to arms during elections. Thus, after elections, they are able to carry out more ambitious and lethal attacks.

The relationship between politicians and youths is largely defined by a patron-client dynamic, with the political elites acting as the patrons, while youths are the clients who carry out the violence during elections. This relationship was mainly observed during the 2003 general elections in Rivers State. During the elections, the People's Democratic Party recruited and armed youths from the Ijaw Youth Council (IYC) in Rivers State. These youths, who had hitherto been known as activists in communities, carried out acts of electoral violence in a bid to ensure the victory of their patrons in the electoral process. Since 2003, electoral violence carried out by armed youths has been a recurring phenomenon during elections in the Niger Delta.

### Criminal Violence

Criminal violence is an important dimension of the conflict context in the Niger Delta. It is manifested as sea piracy, oil theft (bunkering), hostage taking, armed robbery and gang violence, among other crimes. Sea piracy occurs at two levels: within the internal waterways of the region and within the Gulf of Guinea in the Atlantic Ocean. While waterway piracy impacts only on human security in the region, sea piracy in the Gulf of Guinea impacts on international trade, transport and regional security. Sea piracy is mainly carried out by armed groups.

Oil theft has been found to involve a complex network of actors in the Niger Delta region and in the Nigerian State apparatus. Oil theft is carried out by local youths, political and military elites in Nigeria and youths in communities in the Niger Delta. In practice, there are at least three levels of oil theft in the Niger Delta. The first is conducted by corrupt members of the Nigerian Government and the oil industry. It involves over-invoicing and overloading of oil tankers at oil export terminals and benefits oil industry and State elites. The second form of oil theft involves the sabotage of oil industry infrastructure. It is conducted on a large scale with oil stolen from pipelines loaded into trucks and sold on the international market. It involves local criminal networks, militant groups and dishonest security agents and government officials. The third form of oil theft is that of oil for artisanal refining carried out by local groups. These groups provide locally made infrastructure used to refine oil which is supplied to the local and regional market to meet the energy needs of low-income earners. It is estimated that at least 13,000 barrels of oil are refined daily by artisanal refiners spread across the Niger Delta. The amount of crude oil stolen for artisanal refining is insignificant when compared to Nigeria's daily production. However, the criminal nature of this activity affects the socio-political order in local communities and the crude methods of refining contributes significantly to environmental pollution. This form of illicit refining has led to state sanctions and punitive action by the Nigerian military. Unlike other forms of oil theft, the violence associated with artisanal refining is mainly between the groups involved in artisanal refining and the Nigerian military.

The analysis of the context of violent conflicts in the Niger Delta also demonstrates that there are internal contradictions fueling the conflicts

beyond the overarching narrative of anti-state rebellion. These contradictions are manifest in intra-communal, inter-ethnic and inter-communal conflicts, and other forms of political violence. Clearly, the actors involved in the different forms of violence are interconnected. For example, youths who emerged as armed militants had been involved in community militias in earlier communal conflicts in the region. Similarly, most members of militant groups are known to have served as armed thugs of the political elites that perpetrated election-related violence. Participation in electoral violence was a foundation for armed mobilization by militant youth groups in the Niger Delta and these internal conflicts cannot be ignored in attempting to understand the conflicts and address them using a holistic security framework.

Communal conflicts facilitate other forms of political violence in the Niger Delta. This is because actors involved in communal violence use political violence to compete for power. When gained, this power is then used to dominate community affairs. In some instances, militants who had participated in communal conflicts emerged as community overlords, occupying important positions in the traditional institutions of governance. Leaders of militia groups also gained political influence within state communities based on their positions as local warlords. One key consequence of this was that, as armed militants gained influence in their communities, ordinary civilians who had previously occupied these positions of influence were displaced. Hence, one consequence of the armed militancy was that it divided opinions over traditional authority and political power within Niger Delta, especially in communities where armed militants used as their operational base.

The complex interactions of actors and groups, and the outcome of armed militancy in the Niger Delta reveals that the agitations for resource rights in the region occurs alongside a competition for political power within local communities. By 2009, violent conflicts in the Niger Delta had evolved from an expression of grievances against the Nigerian State to a competition for power between different groups. At best, this development can be described as reflecting the same problem: all groups involved in the expression of grievances against the Nigerian state were also involved in local competition for power.

## THE POST AMNESTY PROGRAMME IN THE NIGER DELTA

On assuming office in May 2007, President Umaru Musa Yar'Adua identified the Niger Delta as one of his areas of focus. He promised to address the development issues in the Niger Delta and resolve the crisis between the people of the region and the Nigerian state. To fulfil this promise, President Yar'Adua formed the Niger Delta Technical Committee (NDTC) to review and identify the root causes of the region's violent conflicts. The committee was also mandated to make recommendations that would enable the Federal Government to resolve the situation in the region. The NDTC engaged extensively with militia groups, civil society organizations, traditional rulers and local political groups and in November 2008, its subsequent report made the following key recommendations:

- Increase the derivation from 13% to 25% and provide additional revenue for new infrastructure and sustainable development;
- Open the trial and bail offer to the accused militant, Henry Okah;
- Complete the East West Road including spurs to the coast;
- Pay the outstanding statutory funds owed to the Niger Delta Development Commission;
- Begin a disarmament process for youths involved in militancy through a credible decommissioning, disarmament and rehabilitation (DDR) process;
- Establish a Youth Employment Scheme that would find work for at least 2,000 youths in each local government area in Niger Delta states. (Niger Delta Technical Committee Report, 2008)

These recommendations formed the basis on which the Nigerian Government negotiated with armed militant groups in the Niger Delta. To drive this dialogue, the Government formed the Niger Delta Peace and Reconciliation Committee (NDPRC), led by Senator David Brigidi. The NDPRC carried out an extensive dialogue with all armed groups in the Niger Delta, with committee members crisscrossing the region's creeks to negotiate with armed groups. The Committee assured the militants that the Nigerian Government was deeply committed to the development of the region. In peacebuilding practice, these consultations would be considered as negotiations leading to an agreement between armed militants and the Nigerian government. However, these negotiations mainly focused on prominent armed militants. There were very limited consultations with other stakeholders within communities that have been impacted by conflicts. Hence, the peace process initiated by the national government excluded several other stakeholders within communities that have been impacted by violent conflicts.

On 25 June 2009, President Umaru Musa Yar'Adua announced an amnesty for armed groups in the Niger Delta. In his announcement, the President said that militants must demonstrate "willingness and readiness to surrender their arms, unconditionally renounce militancy and sign an undertaking to that effect". This proclamation was based on Section 175, sub-section 1 of Nigeria's 1999 constitution, which states that "the President may grant any person concerned with or convicted of any offence created by an Act of the National Assembly a pardon either free or subject to lawful conditions".

Recognizing the need to manage the transition of militants who accepted amnesty into a

"post-militancy" Niger Delta, the Government announced that it would "institute programmes to assist in disarmament, demobilization, rehabilitation and provision of reintegration assistance to the militants". The Government hoped that the amnesty and DDR programme would "contribute to security stabilization in the Niger Delta ... as a precondition for medium- and long-term development" (The Post Amnesty Programme, 2009). Armed militants were given a period of sixty days to accept the amnesty and register for the DDR programme. The proclamation laid the foundation for the establishment of the Post-Amnesty Programme (PAP) in October 2009. The Government appointed a Special Adviser on the Niger Delta and PAP Chairman to lead the implementation of the amnesty and DDR. Subsequently, key militants started embracing the offer made by the Nigerian Government.

At the end of the amnesty period in October 2009, armed militant groups surrendered about 2,760 assorted arms and 287,445 forms of ammunition as part of the disarmament component of the DDR programme. The submission of arms and ammunitions by armed militants marked the beginning of the implementation of the DDR programme in the Niger Delta after the proclamation of the presidential amnesty programme. The Nigerian military was responsible for the collection and destruction of weapons surrendered by the militants. Although militants submitted a large cache of arms, there was no audit to confirm whether there was complete disarmament in the Niger Delta. This raises a critical challenge as reports and events indicates that the region is still awash with SALWs.

The demobilisation component of the DDR programme took place at Obubra, Cross River State. During demobilisation, ex-militants who

accepted the amnesty engaged in activities such as verification and documentation, transformational training, peacebuilding and conflict resolution training, counselling and career guidance, wellness assessment, reintegration classification and education and vocational placement. As with most demobilization programmes, the PAP expected that these activities would re-orientate ex-militants, sever group ties and prepare militants for reintegration. By the end of the demobilization programme in 2010, the PAP committee announced that it had successfully demobilized 26,361 ex-militants. The PAP was, thus, prepared to facilitate the reintegration of ex-militants who had undergone the demobilization programme.

A key objective of demobilisation programmes in DDR initiatives is to weaken the cohesion of militant groups. It aims to end the relationship between ordinary fighters and the leaders of armed groups. However, the Niger Delta DDR programme tends to reinforce this relationship. In the Niger Delta, the monthly stipends allocated to ex-fighters are paid through the leaders of armed groups. This gives the ex-militant leaders an important role to play in the DDR process in the Niger Delta. This function also ensures that they maintain control and influence over their fighters. As such, this feature of the Niger Delta DDR programme defeats the aim of a demobilisation programme.

## Reintegration of Ex-militants in the Niger Delta

Following standard practice in DDR programmes, the Nigerian Government committed itself to facilitating the reintegration of ex-militants in the Niger Delta. Reintegration of ex-combatants is a common challenge faced by societies

emerging from armed conflict and is commonly seen as crucial in determining the success or failure of DDR programmes. Successful reintegration implies that ex-combatants who have undergone DDR programmes will live peacefully in post-conflict communities without resorting to violence or being discriminated against by members of those communities (United Nations, 2010). To achieve this goal, DDR programmes ensure that ex-combatants receive support and training that will enable them to find jobs and engage in legitimate economic activities.

The Nigerian Government took steps to facilitate the reintegration of ex-militants in line with global DDR practices. First, the Government decided to pay a monthly stipend of US\$400 to ex-militants. This sum was agreed as part of efforts to ensure that ex-militants had an income while undergoing educational and vocational training which would prepare them for long-term employment in various sectors of the economy. The ex-militants undertook training in vocational fields such as agriculture, agro-allied processing, transportation, cold-room management, information and communication technology, maritime services, building and construction professionals, oil and gas, and environment and sanitation management. Ex-militants who decided to further their academic training were given the opportunity to pursue their education in disciplines such as law, political science, business management, mass communication, international relations, public administration, medicine, engineering, applied sciences, building and construction, and information and communications technology. The structure and content of the reintegration component had an impact on the funding of the programme. At conception, the Nigerian Government estimated that the entire amnesty programme would cost about USD 361 million,

which reflects the exchange rate of the Naira to the US dollar at the time. This changed in 2011, when a new administration introduced a more extensive educational programme for ex-militants and other beneficiaries. This led to an increase in the yearly budgeted cost of the programme. In 2011, USD 532 million was budgeted for the programme. This fell to about USD 479 million in 2012. The Post Amnesty Programme (PAP) received a budget allocation of about USD 428 million in 2013. PAP received USD 408 million and USD 379 million in 2014 and 2015 respectively. In 2016, the federal government budgeted about USD 281 million for the implementation of PAP. The budget provision for PAP in 2017 was USD 213 million. The difference in the initial estimated cost of the DDR programme and the yearly recurring cost of the programme since its implementation is the result of the change in the reintegration training offered by the PAP. The PAP remains active and a major source of its financial cost is the monthly stipends paid to ex-militants.

### Immediate outcomes of the DDR Programme

The Niger Delta witnessed relative stability in the immediate aftermath of the implementation of the amnesty programme. The programme led to the immediate cessation of hostilities against oil companies. Damaged oil industry infrastructure was repaired and put back into use. Kidnapping of expatriate oil workers was significantly reduced and normality started to return to the creeks of the Niger Delta. By February 2012, oil production had increased close to its former high of 2.39 million barrels per day. The PAP had been proposed in response to the attacks on oil industry infrastructure and the gains made in securing oil industry

infrastructure and restoring production of oil to peak levels suggests that it has been successful. As a DDR programme, the Niger Delta amnesty programme has had other benefits: it has led to the training of 17,323 ex-militants registered on the programme with the training of a further 12,677 ex-militants due to be completed by the end of 2018 (The Post Amnesty Programme, 2017). This shows that the training component of the reintegration programme have had an impact on human capacity development in the Niger Delta. Some ex-militants who underwent training have gained employment in different vocational activities. However, very few of those who various vocational training has found employment or are engaged in entrepreneurship. Employment figures for these ex-fighters are very low compared to the number of ex-militants who participated in the amnesty programme.

Unemployment remains a key challenge faced by ex-militants involved in the programme. Available evidence suggests that many of those trained are still unemployed. For example, ex-militants who participated in the programme have remained dependent on the stipend of USD\$400 paid monthly by the amnesty programme, and widespread protests over non-payment have been common since late-2015. The delay in payment is mainly associated with the sharp drop in oil prices which has made it challenging for the Nigerian Government to meet public expenditure commitments. These protests are an indication that the termination of the payments to ex-militants will leave most of them without an income and exposed to the temptation of illicit economic activities.

Although unemployment is a common problem across the Niger Delta, analysis of the training component of the reintegration programme reveals a problem specific to the amnesty

programme. In an interview, an ex-militant participating in the amnesty programme had this to say about the training received:

The fact is that we are facing some challenges in our training. First, the people that are training us are not giving us good training. We are not working very well. Some days, we will come for training and we will stay here for about 30 minutes and they will dismiss us to go back home. Our training is supposed to be for nine months and we have been here for four months now. In the four months, we have achieved nothing. We have not learnt anything; I can say that the four months have been wasted (The Gist Magazine, 2013).

This ties in with the views of another ex-militant who noted that, "I don't have experience here because I am not learning anything". A third ex-militant explained that the period of training was too short and did not give him and his colleagues the skills required to succeed in their chosen vocations. Another ex-militant explained that poor training affected job prospects after the training was complete. "Right now, most of my brothers that were sent on training are back home, doing nothing", he said. These documented views of ex-militants resonate with many ex-militants who have undergone vocational training; it was an outcome that meant the Nigerian Government had to either continue the payments or terminate the programme before ex-militants had been fully reintegrated.

It is noteworthy that while the DDR programme in the Niger Delta has focused on training of ex-militants, it has been confronted with several challenges. These challenges are inherent in the process leading to the amnesty and design of the DDR programme. A fundamental limitation of the process leading to the amnesty programme

is that it was not inclusive. The Nigerian government specifically focused on the armed militants, thus neglecting other stakeholders within the communities. This exclusion implies that the Nigerian Amnesty Programme is not a comprehensive peacebuilding programme. Instead, it is a short-term programme that seeks to maintain stability for the benefit of the oil industry. The Nigerian government focused on facilitating cessation of hostilities, and not sustainable peacebuilding. This could be discerned from the fact that while the Nigerian government focused on funding the amnesty programme, it did not meet the development needs of the communities in the Niger Delta. Neither did the government implement the environmental remediation programmes it promised to the local communities in the region. Thus, the exclusive focus of the federal government on the training of ex-militants through the DDR programme is a limited approach to peacebuilding in the Niger Delta. There is also limited participation of IOCs in the peace process. As identified earlier, IOCs are critical stakeholders in the conflicts in the Niger Delta. Beyond exploration and production of oil, the corporate practices of IOCs fuel conflicts in communities. The limited participation of IOCs in the peace process could undermine the process. This is especially the case when IOC corporate practices continue to fuel conflicts within communities of the Niger Delta. There are initiatives by some IOCs to improve their partnership with communities in the Niger Delta. For example, Chevron Nigeria Limited has developed the Foundation for the Partnership Initiative in the Niger Delta (PIND). The PIND initiative is designed to address the socio-economic grievances of communities in the Niger Delta. Hence, it largely focusses on developing the non-oil economic potentials of communities with the aim of facilitating employment. There are still very limited efforts

to integrate this initiative within a larger development framework of that is pioneered by the Federal government of Nigeria.

The Federal Government has engaged political leaders at the state level to negotiate with armed groups. However, there has not been a significant effort by regional politicians to deviate from the use of armed thugs, often drawn from militant groups, to carry out electoral violence during elections. Militants who had participated in the amnesty and DDR programme were reported to have carried out acts of electoral violence in both elections conducted in 2011 and 2015. These actions show that while armed groups may have participated in the peace process, they are still tied to the patron-client relations that enables their recruitment to carry out other forms of political violence, such as electoral violence. As stakeholders, the actions of the regional and local political elites tend to undermine the peace process.

Although the initial plans of the peace process envisaged the inclusion of several conflict stakeholders, the implementation of the programme has been largely limited to a pact between armed groups and the Federal

government of Nigeria. This approach does not address the different dimensions of conflict and political violence that take place within the context of the Niger Delta. Equally, it shows that the peace process is not built into a larger framework of peacebuilding in the region. Instead, the peace efforts of the Nigerian government have largely been reduced to the cessation of violence and ensuring the security of oil industry infrastructure in the Niger Delta. To confirm this assertion, the Nigerian government has extended formal security contracts to ex-militants to protect oil industry facilities in the Niger Delta. For example, the Nigerian government awarded a contract worth US\$7.5 Million per month to Government Ekpomopolo (commonly known as Tompolo), prominent militant leader in Delta State. Similar contracts were awarded to militant leaders in Bayelsa and Rivers State. The implication of this is that while it empowers militant leaders in community affairs. Stakeholders within communities who did not emerge as militant leaders are marginalized. This patronage from the Nigerian government gave ex-militant leaders an incentive to ensure the security of oil industry infrastructure. This pact between armed militants and the Nigerian government led to relative stability in the Niger Delta.

## NEW THREATS IN THE NIGER DELTA

Oil industry infrastructure attacks resumed in April 2016. New militant groups claiming to represent communities have emerged. Prominent among them are the Niger Delta Avengers (NDA), Red Scorpions and the Niger Delta Greenland Justice Movement (NDGJM). The emergence of new militant groups shows that the instability in the Niger Delta has not been resolved. The attacks carried out by the NDA have been most potent: the group claimed responsibility for the underwater bombing of Shell's Forcados 48-inch export pipeline on 14 February 2016 which was followed by several other attacks. These assaults caused oil production to fall, reflecting a re-emergence of the previous strategy of militants targeting oil industry infrastructure.

Instability and security risks in the Niger Delta have not only been associated with the activities of new clandestine groups such as the NDA. Several other events have also threatened stability of the Niger Delta region. The region experienced an increase in oil theft and the illegal oil refining. This practice has pitched criminal groups engaged in oil refining against the Nigerian military in the creeks of the Niger Delta, leading to violent attacks by the Nigerian military against those groups. Ethnic and communal tensions between Itsekiri and Ijaw ethnic groups have also resurfaced in some areas of the region. This ethnic tension predates armed militancy (2005-2009) and the Amnesty Programme in the Niger Delta. The conflict between the Itsekiri and Ijaw is mainly a micro political ethnic struggle over access to resource rents through the Warri South West Local Government Area (Ukiwo, 2006). In this struggle, members of both ethnic groups sought

to use ethnic identities as a means of resource appropriation. This competition led to violent conflict between both ethnic groups. This conflict has been frozen since 2005 following the intervention of the Nigerian Government. The tensions between the Ijaw and Itsekiri ethnic groups were briefly reignited following the emergence of the NDA. The Itsekiri ethnic communities claimed that these attacks were carried out by Ijaw militants within the NDA. This shows that tensions remain and renewed militancy is threatening the fragile inter-ethnic accord in the region.

### Reasons for Renewed Instability

Analysis of the amnesty and DDR programme suggests that the failure of ex-militants to find gainful employment is one reason for the renewed instability in the Niger Delta. This school of thought suggests that idle ex-militants are engaged in different forms of illicit economic activities and crime that undermine regional security. For example, the emergence of the Niger Delta Avengers (NDA) has been blamed for the potential termination of the amnesty programme. It is argued that these groups emerged to apply pressure on the Nigerian Government to maintain the monthly payments to ex-militants. Indeed, ex-militants have consistently protested against the potential termination of the amnesty programme. Unemployed ex-militants are at risk of recruitment into criminal networks who seek to engage in activities such as oil theft and sea piracy. They are also at risk of recruitment as armed thugs by political patrons to perpetuate election violence. This shows that there is an urgent need to ensure that ex-militants in the Niger Delta are properly reintegrated.

A second, and significant, reason why there has been renewed instability in the Niger Delta is the termination of some security contracts awarded to ex-militant leaders. This action was carried out by President Muhammadu Buhari when he assumed office on May 29, 2015. President Buhari instructed the cancellation of oil industry contracts awarded to Government Ekpomopolo in Delta State. In addition, Government Ekpomopolo was also charged with defrauding the Nigerian government. These actions meant that the informal pact between the Nigerian government and Government Ekpomopolo that was established within the context of the amnesty programme was broken. Although the government terminated the security contracts of Government Ekpomopolo, similar actions were not taken against other ex-militant leaders in Rivers and Bayelsa State. Thus, ex-militants in Rivers and Bayelsa States remained powerful in their communities, despite the political transition at the national level. The data presented in Table 1 shows that the actions undertaken by Niger Delta Avengers have largely taken place in Delta State. There have been very limited attacks in Rivers and Bayelsa State. Based on this, it is evident that the disagreements between Government Ekpomopolo and the Nigerian government is a key factor that has led to renewed hostilities in Delta State.

It is commonly argued that the amnesty programme favoured armed groups that were predominantly members of the Ijaw ethnic nationality. Hence, the initial phase of the DDR programme involved extensive benefits being offered to youths from the Ijaw ethnic extraction. The reason for this is because militancy was mainly concentrated in Ijaw communities in the Niger Delta. Youths from other ethnic groups, such as the Itsekiris and Urhobos in Delta State, Ogoni and Ikwerres

in Rivers State and Ibibios in Akwa Ibom State protested their non-involvement in the amnesty programme. For many of these youths, the amnesty and DDR programme were seen as an opportunity to benefit from the oil rents in the Niger Delta. They argued that youth of the Ijaw ethnic nationality were not the only affected group and demanded inclusion in any scheme that sought to address the concerns of youths in the region. In extreme cases, ethnic groups such as the Itsekiri that had been involved in inter-ethnic conflict with the Ijaws claimed that they had been politically marginalized by the Ijaws under the Jonathan-led Federal Government. To pacify the Itsekiris, the PAP then offered Itsekiri youths at least 52 scholarship positions in the United Kingdom. However, dissatisfaction over the beneficiaries of the amnesty programme remains, and is partly behind the emergence of new groups, such as the Niger Delta Greenland Justice Movement (NDGJM), that continue to carry out attacks against oil industry infrastructure in Delta State.

The state patronage channelled to militia leaders also created a paradoxical situation for the Nigerian Government, by entrenching ex-militant leaders within the political economy of the oil industry. This entrenchment became an incentive for ex-militants to retain their power. However, the key source of power of ex-militant leaders is their ability to mobilize networks of ex-fighters that are able to carry out violent attacks on oil industry infrastructure. This means that efforts to displace these leaders from their positions of power are likely to threaten the Niger Delta's fragile peace. This state patronage is unlikely to continue forever, however, and it is the underlying driver behind the emergence of new militant groups such as the NDA.

The failure to engage other community actors in the peace process has limited the success of DDR in addressing the various dimensions of conflict in the region. As ex-militants exit the amnesty programme they face the problem of economic reintegration and are also likely to face other dimensions of conflict that remain latent in local communities. This will bring them into contact with community members who have not been engaged in the peace process. In cases where this contact is not harmonious, renewed communal violence will follow. As in the past, communal violence could again create the foundation for new forms of militancy in the Niger Delta.

### The Response of Nigeria's Government to Renewed Instability

The Nigerian Government first launched a military operation in response to renewed instability in the Niger Delta between November and December 2016. Code named "Operation Crocodile Smile", the military was mandated to secure oil industry infrastructure in the creeks of the Niger Delta. The launch of the "Operation Crocodile Smile" was designed to address security challenges such as militancy, kidnapping and oil theft. Military operations led to arrests of suspected militants and destruction of emerging militant camps in Delta and Edo States (Daily Post, 2017). However, tensions remained in the region.

The Nigerian Government, through the Post Amnesty Programme (PAP), engaged with local community leaders and stakeholders to negotiate with restive youths. General Paul Boroh, the Chairman of PAP and Special Adviser to the President on Niger Delta, embarked on extensive tour of communities where renewed hostilities had occurred.

General Boroh made commitments to these youths that the PAP will continue until the Nigerian government develops a strategy to replace the current programme. Indeed, the Nigerian government continues to implement the PAP, and ex-militants still receive monthly stipends from PAP. The PAP has also continued the training of ex-militants, and also launched a plan to maintain training institutions that will empower youths with different vocational skills in the Niger Delta. These plans were announced by PAP as a demonstration of the government's commitment to the reintegration of ex-militants.

The reassurance received by ex-militants enrolled in PAP was not extended to youth that are agitating to be included in the reintegration programme. Hence, claims by new militant groups such as the Niger Delta Greenland Justice Movement (NDGJM) remain unaddressed. The PAP has announced that it has officially closed registration of new militants into the federal government reintegration programme. The lack of a new policy instrument to address youths that have taken up arms to press home their demands to be included in the programme creates a policy lacuna in the peace process in the Niger Delta. State governments in the Niger Delta have attempted to fill this lacuna. For example, The Rivers state government conducted a disarmament exercise for armed youths in the State in November 2016. Similar programmes were implemented in Imo and Bayelsa State. However, these programmes were limited to disarmament and there have not been any comprehensive reintegration efforts by the state governments.

Beyond the Post Amnesty Programme (PAP), the Federal Government of Nigeria (FGN) has also engaged in political consultations with regional elites and traditional rulers in the Niger Delta.

This consultation was carried out by Professor Yemi Osinbanjo, Nigeria's incumbent Vice President. The Federal Government of Nigeria organised a summit with the Pan Niger Delta Forum (PANDEF) on November 1, 2016. After this summit, the FGN announced a 20-point agenda that would guide new intervention in the Niger Delta. This agenda covered a broad range of short term and long-term strategies to achieve stability, peace and development in the Niger Delta (Ministry of Petroleum Resources, 2017). This renewed engagement indicates that the FGN seeks to move beyond the Post Amnesty Programme (PAP) in its efforts to end instability and build peace in the Niger Delta. However, the implementation of a new strategy is yet to begin, and the threat of instability in the Niger Delta remains.

### Continuous Threat of Instability in the Niger Delta

The initiatives undertaken by the Nigerian government led to cessation of hostilities by the Niger Delta Avengers (NDA). On August 22, 2016, the NDA announced that it is implementing a "ceasefire" and will cease attacks on oil industry infrastructures in the Niger Delta (Energy Aspects, 2016). The ceasefire was announced to allow for the ongoing talks between the government and regional stakeholders in the Niger Delta (i.e. traditional rulers, regional politicians and militant leaders). The ceasefire has remained in place since August 2016. However, there have been renewed threats by the NDA to call off its "ceasefire". On November 4, 2017, the NDA released a new statement threatening to call off its ceasefire (Premium Times, 2017). Similarly, a lesser known group, the Niger Delta Revolutionary Crusaders (NDRC), called for renewed hostilities in the Niger Delta. The

NDRC is not known to have carried out any major attacks in the Niger Delta. The actions of the NDRC shows that renewed hostilities by the NDA may attract lesser known groups to carry out attacks in the Niger Delta. This points to the fact that the Niger Delta region remains fragile and susceptible to renewed violence and instability in spite of the implementation of the Post Amnesty Programme (PAP).

## CONCLUSIONS AND RECOMMENDATIONS

The analysis in this paper shows that conflict and political violence in Nigeria's Niger Delta are driven by two sets of complex factors. The first are the political, economic and structural factors within the Nigerian federation that make the region vulnerable to violence. These factors include the uneven distribution of crude oil revenues, the widespread poverty in the region and the environmental pollution associated with oil production. The second set of factors, which lead to violence, relate to the internal struggle for power among different groups in the Niger Delta. The analysis so far suggests that the dynamics of conflict and political violence are two sides of the same coin – the actors involved in these conflicts are present in both the conflicts between the local people and the Nigerian government, and they are equally involved in localized power struggles that lead to violence. The exclusion of local communities from oil revenue management provides a justification for the escalation of local violence against the state and oil industry. The grievances held by local communities against the Federal Government of Nigeria intersects with localized power struggles to produce the prevailing political order in the Niger Delta. However, peacebuilding initiatives taken by the Federal Government have mainly focused on militant violence against oil industry infrastructure – in other words, the State has responded to only one set of actors within one of the two overarching frameworks of conflict. The analysis shows that this has inadvertently exacerbated the internal struggle for power, which has not been tackled, thereby creating a complex problem that requires both short- and long-term strategies to resolve.

In the light of the analysis so far, we therefore make the following recommendations:

In the short term, the Nigerian Government should reform the Post Amnesty Programme (PAP) to facilitate the sustainable reintegration of ex-militants. A key finding in this study is that ex-militants that have been trained in different vocational and educational fields under the Post Amnesty Programme (PAP) remain unemployed. A key reason that has been identified is that the ex-militants have received training in areas that do not reflect the dominant economic activities in the Niger Delta. There was extensive emphasis on vocational training in the oil sector. Although the oil sector is the key industry in the Niger Delta, it is not a high employer of labor. Even though the oil industry accounts for 90 per cent of Nigeria's foreign revenue, it only generates about 65,000 direct jobs and 250,000 non-direct jobs in the employment sector during periods of optimal production. This accounts for 0.01 per cent of the Nigerian workforce. Conversely, Agriculture employs about 60 per cent of Nigeria's labor force. Hence, there is a need for PAP to reorient ex-militants towards economic sectors such as Agriculture and Small-Scale Manufacturing that are in need of labor, especially vocational skills, and investments.

A new PAP would need to reform the financial incentives paid to ex-militants. As the analysis shows, monthly stipends paid to ex-militants tends to attract non-militant youths to seek inclusion in the Post Amnesty Programme (PAP). An initiative by PAP that seeks to invest its funding in job-creating activities will prove a more sustainable means of facilitating the reintegration of ex-combatants. Hence, the PAP needs to develop a strategy that enables it to terminate the payments to ex-militants, while investing in job creation enterprises that

will provide jobs to the youth population in the Niger Delta. This strategy will enable PAP accommodate members of new militant groups such as the Niger Delta Greenland Justice Movement (NDGJM). There is an opportunity for PAP to direct youths into large scale agricultural projects in the Niger Delta. However, these projects would also require investments from PAP. The monthly stipends paid to ex-militants should be invested in these projects. In turn, ex-militants and other youths in the Niger Delta would have job opportunities in industries that receive financial investments from PAP.

In the medium term, the Nigerian Government needs to address the internal conflicts in the Niger Delta. The analysis shows that internal conflicts such as communal and ethnic violence are the foundation for armed militancy in the region. Presently, the government has not resolved most of the internal conflicts in the Niger Delta region. While these conflicts may not have escalated recently, they remain frozen and unaddressed. Renewed escalation of these conflicts could fuel instability in the Niger Delta. To address these conflicts, the Nigerian Government will need to conduct an extensive review of all internal conflicts in the Niger Delta. Next to this, the government should establish a framework for resolving these conflicts, such as a Truth and Reconciliation Commission (TRC) in communities that have experienced internal conflicts. The evidence gathered by the TRC would be used to engage local stakeholders in dialogue that is focused on developing a resilient local governance mechanism in conflict-impacted communities of the Niger Delta.

The Federal government needs to develop an inclusive security strategy to secure oil industry infrastructure. The military approach used by the FGN has proven to be counterproductive. This approach has also led to gross human

rights violations as detailed in this paper. Therefore, it is recommended that the FGN develops a security strategy that includes all community actors as stakeholders in the Niger Delta. This strategy should deviate from exclusive focus on ex-militants and armed groups, and be more community-focused. By doing this, local actors will take responsibility for the security of oil industry facilities in their communities. This strategy would be designed as a "social enterprise". This community-based security structure could be funded by industry actors. Currently, the oil industry invests heavily in the security of its infrastructure in the Niger Delta. Investment in a community-based security model would create jobs, and a sense of responsibility and ownership among local communities.

The Federal Government of Nigeria needs to expedite action on the environmental remediation of the Niger Delta. This is another opportunity to develop a community-based strategy. The current framework of environmental management in the Niger Delta vests responsibility in state institutions. A new environmental strategy that includes community stakeholders in both clean-up and monitoring of environmental pollution in the region needs to be developed. Involving community stakeholders in environmental remediation would lead to job creation. Furthermore, transfer of monitoring responsibilities to communities would give local stakeholders the incentive to end pipeline vandalism and other activities that contribute to environmental pollution in the Niger Delta. The Federal Government of Nigeria also needs to compel oil companies operating in the Niger Delta to adhere to global standards, and give more priority to environmental management. For instance, as part of CSR, IOCs could develop new mangrove vegetation that has been depleted due to oil and gas production.

This will contribute to the restoration of the environment of the Niger Delta region.

There is also an urgent need for all IOCs to improve their CSR and corporate practices in the Niger Delta. Current innovations such as Chevron's Foundation for Partnership Initiative for Niger Delta (PIND) should be mainstreamed and expanded. PIND adopts CSR practices that include all stakeholders in communities. However, its reach in the Niger Delta remains limited. Learning from the successes of PIND, IOCs in the Niger Delta should improve on CSR and other corporate practices that determine their relationship with local communities.

There is an urgent need for the Federal Government to engage with State Governments on improving revenue management and transparency at the state level. This is important as state level corruption contributes to the poor development conditions in the Niger Delta. For example, there is ample evidence to show that state officials and regional politicians have been engaged in misappropriation of public funds that ought to have been used for development projects in local communities. Addressing state level corruption will drastically improve the developmental impact of current revenues allocated to States in the Niger Delta region.

The Federal Government of Nigeria should reform its development interventionist agencies in the Niger Delta. Agencies such as the Niger Delta Development Commission (NDDC) and the Federal Ministry of Niger Delta Affairs (FMNDA) are in need of reforms to make them more effective in delivering their developmental roles to the people of the Niger Delta. One area in dire need of reform is improving programming and budget practices. The multiple development agencies should also align their programs and interventions,

to minimize resource duplication. There is also an urgent need to improve transparency and accountability within these agencies. As noted in the analysis, resources allocated to the NDDC and FMNDA are often diverted through cronyism and corruption. Hence, the agencies have very limited visibility and impact in local communities. To be effective, the FGN must tackle corruption in these agencies, to ensure that development programmes benefit the impoverished communities in the Niger Delta.

Above all, in the long term, the Nigerian Government must address the structural issues that provide the ideological foundation for anti-state militancy and community agitations in the Niger Delta. The Federal Government of Nigeria will need to restructure the revenue-allocation formula so that a higher proportion of oil revenue is transferred to oil-producing communities. This is important because there is greater public awareness that oil production can fund local development if revenues are fairly distributed. In short, restructuring the revenue-allocation formula is fundamental to bringing wealth and prosperity to the Niger Delta and ensuring that oil wealth benefits local people. Current proposals for reforming the revenue allocation in the Niger Delta have called for an increase of the oil derivation ratio to 25 percent. If adopted, this will lead to an increase in the oil rents transferred to states with oil producing communities. However, this proposal has been politically opposed by other regions of Nigeria. Given the structural implication of this proposal on the Nigerian federation, it is necessary for the federal government to engage in a national dialogue to address this challenge. One way to accommodate this demand is to include the reform of revenue distribution in the ongoing debates on restructuring of the Nigerian federation, with the expectation that, the fed-

eral government will transfer control of key revenue generating activities to state governments, which are currently within the control of the federal government. Giving more control to states for key revenue generating activities would create an opportunity to comprehensively address the developmental needs of the Niger Delta.

These recommendations are meant to reorient the Nigerian government towards an inclusive peacebuilding framework which reflects the interests of all stakeholders in the Niger Delta. The successful implementation of these recommendations depends largely on political governance that is inclusive, transparent, and accountable to the ordinary people in the local communities of the Niger Delta.

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### About this study

Using a political economy approach, the study evaluates the role of different stakeholders involved in conflicts and political violence in the Niger Delta. The study notes that the implementation of the Post Amnesty Programme (PAP) focused on armed militancy, which is only one dimension of the Niger Delta conflict. The Federal Government of Nigeria failed to address the root causes of conflict and political violence in the Niger Delta after the implementation of the PAP. Through this study, it becomes clear that the objectives of the PAP, particularly the demobilisation and reintegration of

ex-militants have not been fully realised. Based on the key findings of this analysis, long-term peace in the Niger Delta can only be achieved, if the Nigerian government addresses the root causes of the different dimensions of conflict and political violence within a comprehensive framework for peacebuilding and security in the Niger Delta. As a condition precedent, it is mandatory to secure an environment of an improved political governance, inclusive, transparent and accountable to the ordinary people in the local communities of the Niger Delta.

