



USIPEACE BRIEFING

CRISIS IN THE NIGER DELTA

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INTRODUCTION¹

The demands of the population in the Niger Delta to enjoy greater benefit from the oil produced in their region continue to go unanswered. The people in the Delta complain that oil-spill pollution has made their water undrinkable, gas flaring has made the air unfit for breathing, while revenue from the oil has paid for mansions to be built in the capital, Abuja. Although well armed militias have suspended their attacks for a few weeks, they threaten to resume operations soon. A Technical Committee appointed by Nigerian President Umaru Yar'Adua to make recommendations for action relating to the Delta made its report nine months ago, but the government has taken no action on the report. The government has offered an amnesty to the militants for a period that expires in early October, but so far few militants have responded. Oil production continues to be seriously reduced by the militants' attacks and by the stealing of oil (termed "bunkering") by militants and others.

TECHNICAL COMMITTEE REPORT

The general consensus of those from the Delta and those familiar with the issues is that the report of the Technical Committee, appointed by President Yar'Adua, provides the most thoughtful and sensible road to a peaceful future in the Delta. One informed observer said that if 70 percent of the report's recommendations were adopted, that would represent enormous progress toward resolving the issues and returning the Delta to peace. The report has become a rallying point for leaders in the Delta, including some of the militants. Another observer noted that the report's implementation could bring peace, increase oil production, and generate increased government revenues, which in turn would benefit all parts of Nigeria. A major virtue of the report is that it builds on all the previous reports on the Delta commissioned by the Nigerian government over the past fifty years.

While most observers believe that the president and the vice president are committed to change, no action has been taken on the report. President Yar'Adua appointed a committee several months ago to review the report and prepare a white paper, but nothing has happened. Members of the Technical Committee have complained publicly about the government's failure to respond to its report, but the government has remained silent.

¹ This report is based on an 11-day trip to Nigeria in late August 2009 by David Smock of USIP, Princeton Lyman of the Council on Foreign Relations, and Desmond Molloy, an expert on disarmament.

USIP Peace Briefing: *Crisis in the Niger Delta*

AMNESTY

The one concrete action the federal government has taken is to introduce an amnesty for militants who turn in their weapons and commit to abandoning violence. The amnesty period will terminate in early October, unless it is extended. As part of the amnesty process, a jailed and prominent militant leader, Henry Okah, has been released from prison and granted amnesty.

Many questions surround the amnesty process. First, for “disarmament, demobilization, and reintegration” (DDR) to be effective, all three components of the process must be integrated and implemented.

The existing process in the Niger Delta makes no carefully planned provision for reintegration, which should include resettlement, training, alternative employment, etc. One potential resource that has remained untapped is the preparedness of some oil companies to assist with technical training to enhance the employability of those given amnesty. Second, as with most DDR programs around the world, probably only a fraction of existing weapons are being surrendered and it is not even clear that the weapons being turned in were those used by the militants. Third, for a DDR process to be fully successful it needs to be part of a comprehensive peace process. Without addressing the grievances of the militants and others in the Delta, it is unlikely that DDR can succeed. Fourth, many militants would have greater confidence in the disarmament process if international monitors were invited as witnesses with assurance that the weapons turned in are put beyond use. But the government has resisted international observers. Fifth, some militants understand the purpose of the amnesty process to be a means of dividing the militants against each other.

MILITARY ACTION

The question arises about what the government’s plan is at the end of the amnesty period. Will there be genuine peace negotiations with the militants who have been demobilized? What if the principal leaders of the insurrection fail to accept the amnesty? Several of those we interviewed believe that the government plans to take military action against the militants who refuse the amnesty. There was a major military confrontation in May 2009 between the Joint Task Force (JTF) and one of the factions from the Movement for the Emancipation of the Niger Delta (MEND), resulting in significant loss of life and damaged property. The provocation for this confrontation remains somewhat unclear, but several observers believe this was a test run for the JTF and led the government to conclude that military action can be effective in suppressing

USIP Peace Briefing: *Crisis in the Niger Delta*

or even eliminating the insurgency. Some government officials overly optimistically assert that militancy in the Delta could be eliminated by the end of 2009. Given the ecology of the Delta creeks creating transportation difficulties, it is hard to imagine that the insurgency could be eliminated in this fashion. Moreover, a major military offensive might harden the resolve of the militants and even enhance their efforts and add to their ranks. The May action undermined an effective dialogue program between the state government in Delta state and militants based there. A major military offensive could turn even the uncommitted in the Delta into strong opponents of the government. Effective containment of the insurgency requires a genuine peace process that addresses the underlying issues. Some advocates of strong military action cite the precedent of Sri Lanka and its defeat of the Tamil Tigers, but the human costs of the Sri Lankan approach have been enormous and the two situations are quite different.

THE INSURGENCY

The militants are a disparate collection of factions with a mixture of agendas. Some are pure opportunists who use the issues of the Delta as cover for their bunkering and other criminal activities. Some of these do not even have family roots in the Delta. Others are genuinely motivated by a justice agenda, but they support their efforts through similar criminal ventures. Much of the bunkering and other criminal activities in the Delta are committed by persons making no pretense of being militants for a cause, including persons in official positions. Some of the militants are supported by the communities where they have their bases, while others are seriously at odds with local residents who resent their presence. If communities saw state and federal governments undertaking major development projects in their region, they would put more pressure on the militants to abandon their armed actions.

CIVIL SOCIETY IN THE DELTA

Nongovernmental organizations (NGOs) can be found in the Delta, but they tend to be focused on grassroots agendas and to be marginalized and intimidated. They are rarely heard at the national level. One voice that is remarkably silent is that of the churches. There seems to be no organized religious movement to advocate for justice in the Delta. No strong civilian leadership has arisen since Ken Siro-Wiwa, the Ogoni leader who was executed in 1995. The situation would seem to be ripe for the emergence of a strong non-violent leader to articulate the justice issues, but with those holding political office focused primarily on getting reelected in 2011, few alternative voices are being heard. The situation is ripe for concerted advocacy by civil society

USIP Peace Briefing: *Crisis in the Niger Delta*

outlining a clearly defined strategy and mobilizing a base that cuts across ethnic and state boundaries.

There are some incipient efforts to organize non-violent direct action in the coming months if no genuine peace process emerges at the end of the amnesty period. But few local leaders have experience in leading such action. Moreover, given the dire poverty in the region, it is hard to imagine a mass movement of sustained civil protest and non-violent resistance. Moreover, some observers doubt that the government would be responsive to mass non-violent protests, even if they could be organized.

NIGERIAN ATTITUDES TOWARD PROBLEMS IN THE DELTA

A key demand of both activists and militants in the Delta is that there should be an increase in the percentage of oil revenues that are fed back by the federal government to the oil producing states. The rest of the country sees this as a zero sum game, which means that more revenue for the Delta states will result in less money going to the rest of the country. This only compounds the sensitive relationships on so many issues between the north and the south. In fact, if some of the key demands from the oil states were accommodated and this brought peace to the region, oil production would increase significantly and the whole country could benefit. In 2006-2007 the federal government's portion of oil revenues dropped by \$10-\$14 billion a year because of disruptions in production, which in turn is an amount that did not go to any of the states.

ECONOMIC DEVELOPMENT

A common assertion is that there is little to show for the 13 percent of oil income already going to the oil producing states. This is a large sum of money but the population of the region sees little benefit from it; much of it seems to disappear. The current set of governors seems to be making progress in terms of transparency and moving benefits down to the grassroots, but much more progress must be made. Similarly, the three percent of oil income that goes to the Niger Delta Development Commission to be used for regional development does not seem to be effectively spent. So, the first step toward enhancing the development of the region is to ensure that the funds already allocated for this purpose are more effectively and honestly used.

USIP Peace Briefing: *Crisis in the Niger Delta*

The most pressing development needs are for better roads, water transport, power, and telecommunications. If significant progress could be made on these fronts, much of the sense of injustice and marginalization on the part of the Delta population would be assuaged. Admittedly, it could take several years or even decades to make significant progress. But what is important is that the population sees that progress is being made. Even incremental change could make a difference. There is increasing popular sentiment that some portion of oil money should go directly to communities in the region in the form of trust funds whose expenditure would be determined by the community members.

Although the principal attention is focused on how government funds are distributed and utilized, there are some interesting developments in terms of private sector development. For instance, discussions are moving forward by a group of private investors to build a railroad line between the two port cities of Lagos and Calabar as a profit-making enterprise. Such a rail line could make an enormous difference in terms of moving goods and people and reducing the sense of isolation felt by those in the Delta.

OIL THEFT AND “BLOOD OIL”

The illegal siphoning of oil off from pipelines, termed “bunkering,” is an enormous criminal enterprise run by multiple layers and units of operators. As a consequence of damage to oil facilities and bunkering, Shell’s oil production is currently only 20 percent of its capacity. Total production for all companies is at about two-thirds of capacity.

The lack of effort to combat bunkering suggests that some members of the security forces and some highly placed persons must be complicit. Some foreign governments have offered to assist Nigeria track and intercept illegal oil tankers. The U.S. is providing radar assistance in the Delta. For the most part, however, offers of foreign assistance have not been taken up by the Nigerian government. There is new leadership in the Nigerian Maritime Administration and Safety Agency that seems committed to making more vigorous efforts to interdict illegal oil shipments out of the Delta.

THE POLITICAL PROCESS

A major reason for discontent in the Delta and for militancy is that there is no genuine political process there. Elections have been notorious for their failure to reflect the will of the people. In turn, there is little incentive for the development of broad based political parties or movements. The long-term prospects for peace and prosperity in the Delta depend upon true electoral

USIP Peace Briefing: *Crisis in the Niger Delta*

reform and the development of popular political parties and institutions through which popular will can be expressed and protected. One role the international community could play would be to help build the capacity in the Delta for an effective political movement – one that is led by well-trained political leadership focused on a clear agenda of justice and equity. The international community helped in this way in South Africa in the 1980s and early 1990s.

INTERNATIONAL DIALOGUE

Nigeria jealously guards its sovereignty and the government bristles at foreign criticism or efforts from outside to intervene. There are, however, two forums where constructive dialogue about the situation in the Delta could take place. The first is the Gulf of Guinea Security group, which is composed of representatives from regional states as well as Europe and the U.S. This forum has not been active in recent years but it is likely to be reinvigorated. The second is the proposed U.S.-Nigeria Binational Commission which Secretary of State Hillary Rodham Clinton proposed during her recent visit to Nigeria and which the Nigerian government embraced. If handled well, the Binational Commission could help build mutual trust and open doors for frank conversation.

ABOUT THE AUTHOR

This *USIPeace Briefing* was written by David Smock, vice president of the Center for Mediation and Conflict Resolution at the United States Institute of Peace and associate vice president of the Religion and Peacemaking program, one of the Centers of Innovation. The views expressed here are not necessarily those of USIP, which does not advocate specific policies.

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The Center for Mediation and Conflict Resolution designs and manages the Institute's efforts in areas where fighting is active. The Center also conducts research, identifies best practices, develops new peacemaking tools, and supports related training and education efforts. David Smock is vice president of the center.

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