

Briefing: Conflict Prevention in the Aftermath of the Presidential Amnesty Programme

July 2015

In 2009, after over three years of intensive militancy activities and violence in the Niger Delta which saw the nation's oil production capacity drop to an all-time low, President Yar'Adua declared the Presidential Amnesty Programme. The programme provided amnesty from prosecution for ex-militants in return for the surrender of arms, and ongoing financial incentives to maintain peace. As the Programme is due to draw to an end in 2015, this briefing provides an overview of the Programme's history, and recommendations for conflict prevention in its aftermath.

Background

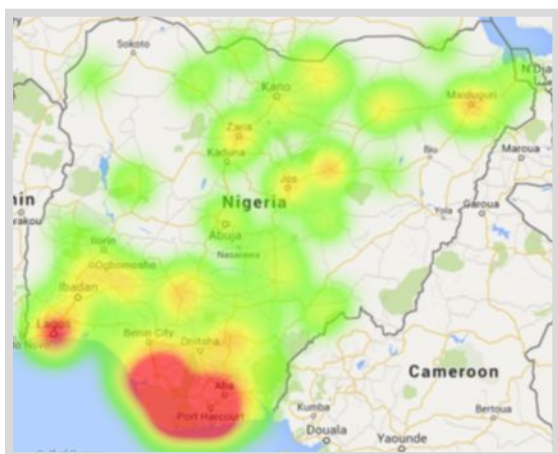
History of the Amnesty Programme

The period 2006-2009 in the Niger Delta region was characterized by widespread insecurity, the kidnapping of oil workers, illegal oil bunkering, car bombings and violent skirmishes with government forces. The militia groups responsible for much of the national and economic destruction included, but were not limited to, the Egbesu Boys, Movement for the Survival of the Ijaw Ethnic Nationality (MOSEIN), Joint Revolutionary Council, MENBUTU, Arogo Freedom fighters, Niger Delta Volunteer Force and the Movement for the Emancipation of the Niger Delta (MEND).

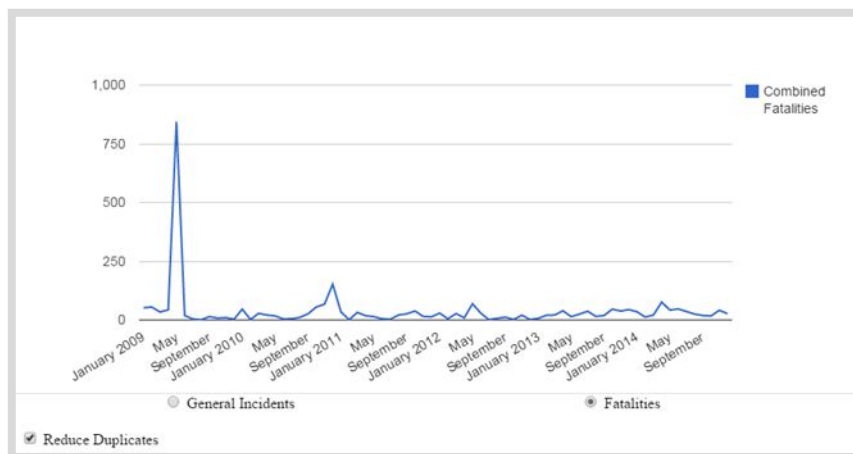
Prior to the militancy, Nigeria was the highest producer of oil and the largest exporter of the product in Africa. Then, as violence hindered the exploration of oil, the nation's oil production capacity dropped from 2 million barrels per day (bpd) to just 800,000 bpd. This drop in oil production resulted in a significant decline in Nigeria's oil revenues, and led to Nigeria's displacement as the largest producer of oil in Africa. In addition, there was a sharp decline in foreign direct investment in the region, exacerbating the economic crisis at both the state and local levels.

Against the backdrop of this insecurity, the late President of Nigeria, Umaru Musa Yar'Adua established the Presidential Amnesty Programme in 2009. The Programme was based on recommendations from the Leedum Mittee-led Niger Delta technical committee, which was inaugurated by then Vice President Goodluck Jonathan in 2008. The committee was tasked with providing recommendations to the national government to achieve sustainable peace, human and environmental security in the Niger Delta region.

The Presidential Amnesty Programme's main objective was to grant pardon to all militants that turned in their arms within a 60 day period between August and October 2009. In addition, the ex-militants were to receive a monthly stipend of N65,000 (USD 327) each and undergo training on various vocational skills both at home and abroad in hopes of securing gainful employment and reintegration into society upon completion. The Programme was set to run from 2010 to 2015.



Heat Map of Group-Based Violence in 2009:
Conflict incidents reported in Nigeria show a predominance of violence in the Niger Delta
- <http://www.p4p-nigerdelta.org/>



Trends in Fatalities due to Group-Based Violence since 2009:
Graph shows improvements in Niger Delta security since the establishment of the Amnesty Program - <http://www.p4p-nigerdelta.org/>

Since the declaration of the Amnesty Programme, an estimated 234 billion naira has been reportedly spent on it according to the Special Adviser to the President on Niger Delta, Hon. Kingsley Kuku. The Programme has remained a divisive policy issue. Those in praise of it credit its success in reducing violence, including the surrender of notable 'generals,' or high ranking militancy leaders, and a reduction in threats to oil exploration and production.

By contrast, some criticise the approach as the purchasing of peace, believing the armed insurgency will resume if the payments cease. These critics point to the provision of multi-billion dollar security contracts with former militant generals to guard the pipelines that they once destroyed. Lower-level militants, it is argued, have been short-changed while a powerful class of high-ranking ex-militants have become entrenched. This has contributed to the overall message that violence pays, both tactically and strategically.

Current Dynamics in Relation to the Amnesty Programme

Analysts have argued that the political influence of these former generals and high-ranking ex-militants has grown given the resources they now control. There have been reports of some wielding enough power to influence political appointments of officials, with political aspirants visiting ex-militants to garner support and ex-militants using their monetary and other resources to the benefit of their favoured candidates. The wealth enjoyed by the ex-militants as a result of the Amnesty Programme likely contributed to the incentives and desire on their part to underwrite a campaign in support of the re-election of President Jonathan.

President Jonathan's concession of defeat and congratulations to President-elect General Buhari went a long way in curbing the expectations of ethnically –induced violent conflict. It also signalled to many an eventual end to the Amnesty Programme and the largesse associated with it. Immediately after the declaration of General Buhari's win by the Independent National Electoral Commission (INEC) on 31 March 2015, Alhaji Mujahid Asari Dokubo, a powerful ex-militant, reportedly made a call for war and a return to the creeks. In a separate incident in early April, the kidnapping of five foreign oil company workers, and the resultant shutdown of an offloading and floating vessel, raised concern for some about the resumption of militancy-related activities.

With the deadline for the end Amnesty fast approaching, there have been calls to cut off all forms of pay-offs to ex-militant generals in order to buy cooperation as one of the main obstacles to sustainable peace. Others see the extension as a necessary "bridge" in order to transition between the two administrations in a manner which does not encourage a return to hostilities. No matter the outcome, the future of the Amnesty Programme remains one of the most formidable challenges for the new president and his administration.

Niger Delta Event Timeline

2009

- ⇒ Amnesty Programme announced for demobilization of militants
- ⇒ Violence between militants and security forces escalates (Bayelsa & Delta)
- ⇒ Communal violence in Rivers escalates

2010

- ⇒ Criminality and abductions in Abia on the rise
- ⇒ Local government administration dissolved in Abia
- ⇒ Political violence in Bayelsa increasing
- ⇒ Cult violence, especially Rivers increasing

2011

- ⇒ National elections
- ⇒ Amnesty Programme "Phase Two" includes thousands more ex-militants

2012

- ⇒ Amnesty Programme "Phase Three" includes additional ex-militants
- ⇒ Most destructive rainy season for decades occurs

2013

- ⇒ Fallout between the Rivers Governor and the PDP results in increased political violence and tension in the region

2014

- ⇒ Heightened tensions in run up to presidential race
- ⇒ Reported stockpiling of weapons by cult groups

2015

- ⇒ National elections deliver mostly peaceful transition of power to APC
- ⇒ Increased Gubernatorial election violence, notably in Rivers

Recommendations

Based on this analysis, the following recommendations are outlined for different stakeholder groups to support regional peace and stability:

Buhari Administration

⇒ Review the amnesty program in its entirety and explore avenues for states to play a role in its implementation

The Amnesty Programme involved payment of monthly stipends to ex-militants, vocational training and scholarships both at home and abroad for ex-militants, as well as pipeline surveillance and security contracts for the ex-militant generals.

Going forward, there is need for the Buhari administration to review the programme in its entirety to understand how it was run over the last 5 years. There is also the need to restructure and revamp the programme in such a way that it removes focus from ex-militants to youth in the Niger Delta. It is important to note that while there is preponderance of opinion on the profligacy of the Amnesty Programme, there are still beneficiaries of the programme in various vocational and tertiary institutions. It will be thus short-sighted to discontinue the support of these beneficiaries halfway into their scholarship.

One limitation of the Amnesty Programme was the fact that states played little or no role in its implementation. Previous beneficiaries of the programme have finished their training only to come back to a situation where there are no job opportunities for them to put their skills into practice and earn a living. If state governments are allowed to play a more central role, they can absorb graduates from the program into the state civil service or include them in a pool where their services can be rendered to the private sector.

⇒ Discontinue all pipeline surveillance and security contracts with ex-militants

The present scheme, with its focus on granting ex-generals pipeline surveillance contracts to keep them from going back to the creeks, has not proven to be sustainable. After over 234bn Naira spent in 5 years, there has not yet been complete disarmament, rehabilitation, re-integration, or widespread development in the region.

⇒ Work with ex-militant generals to create a disincentive for militancy

It is important for the Buhari administration to create a disincentive for militancy and the resorting to violence by youth as a means of addressing grievances in the region. The administration should create a disincentive for militancy by engaging with ex-militant generals to use their wealth to establish capital intensive investments in the region thereby giving them a stake in the peace. More so, it will create employment opportunities for the army of unemployed youth in the region.

⇒ Synergize and implement Regional Development Plans

There have been various regional development plans set out in the past for the benefit of the Niger Delta. For example, the Niger Delta Regional Development Master Plan (NDRDMP) and the Ministry of Niger Delta Action Plan (MNDAP). These plans spell out elaborate strategies for development of the region across various sectors. It is important to look at these plans and create a strategy for operationalizing them. This can be done in conjunction with development actors, private sectors and IOCs.

In addition, implementing these plans will go a long way in quelling scepticism of the region towards the Buhari administration and will signal a new phase of engagement that focuses on all of the people rather than solely on ex-combatants.

⇒ Address illegal oil industry issues and improve security in the region.

Urgent attention should be paid to the thriving illegal oil industry in the region. Apart from the obvious environmental risks and economic shortfalls occasioned by oil theft, there is the more destructive menace of entrenching a culture of violence in the region. Perpetrators of oil theft are usually ex-militants; people with access to arms and political patronage that live large from the proceeds of the theft. As long as they are left to go unfettered and unchallenged, they will constantly send a message to the youth in the region that violence pays and is a viable means of achieving political and economic power.

Closely related to the above is the need to improve the security of lives and property in the region. There should be both a carrot and stick, with due punitive consequences for perpetrators of violence. It is equally, if not more important that security agencies posted to the region do their jobs professionally with respect to human rights, to ensure credibility and legitimacy of these efforts.

Recommendations

Private Sector

⇒ Contribute to regional development to reduce risk of youth militancy

Militancy and violence in the region poses immense risk for private sector investments. At the height of the militancy era, many businesses were shut down either as a result of risk to their staff or as a result of loss caused by the fear that people had of moving around freely. Businesses and private sector establishments operating in the region have much to lose if the relative stability regresses. In the light of this, it is important for private sector operators in the region (especially the major ones) to do all they can to contribute to broad-based economic development to ensure that the risk of youth being recruited for militant activities is significantly reduced. Engaging in partnerships with state governments to promote small and medium enterprises operating in the region can have a multiplier effect; it can grow struggling businesses, which in turn can provide spaces in these enterprises for other youth to be employed.

⇒ Improve conflict sensitive systems for indigene employment

While most private sector establishments in the Niger Delta have developed their own systems of liaising with communities and providing job opportunities for indigenes of the communities wherein they are located, analysis has shown that usually these efforts are not always conflict sensitive. Too often conflicts within and between groups are unwittingly exacerbated by private sector establishments operating in the area. Private sector establishments should therefore carry out their activities with regard to conflict sensitivity; whether it be public private partnerships (PPP) or Corporate Social Responsibilities Programs (CSR) or even indigene quotas.

Civil Society Organizations

⇒ Promote good governance and accountability

Promoting good governance and accountability in the region is critical for reducing the risk of violence. Civil society groups can contribute significantly to this by engaging in advocacy so that public funds are put to good use in providing employment and entrepreneurial opportunities for young persons. This will reduce incentives for youth to be recruited into armed groups for criminality, militancy, communal, or political violence.

⇒ Advocate for use of the Niger Delta Technical Committee Report 2008

The Leedum Mittee-led Niger Delta Technical Committee Report, published in 2008, made far reaching recommendations regarding the sustainable development of the region after consultations with hundreds of stakeholders. The report reviewed and synthesized recommendations from many reports that had been previously published on the development of the Niger Delta. Most of these recommendations were never fully implemented. Although President Yar'Adua's administration did try to implement some of its recommendations, the primary focus has been on granting amnesty to militants. Civil society organizations working in the region should focus on creating advocacy for the more far-reaching recommendations of the report, especially in the areas covering governance and environmental sustainability.

Multilateral and Bilateral Agencies

⇒ Implement Post-conflict Reconciliation and Peacebuilding Programmes and invest in development programs

While the region has witnessed a cessation of armed hostilities following the declaration of amnesty to militants in 2009, it is important to note that very little has been done with regards to addressing the deeper drivers of conflict, and the Amnesty Programme has not addressed the grievances resulting from the armed conflict of the militancy era. There is a fundamental need to implement what the National Stability and Reconciliation Programme (NSRP) calls a 'comprehensive post-conflict reconciliation and peacebuilding programme' for the Niger Delta. This will ensure that proper reconciliation and peacebuilding in communities affected by militancy is carried out in the region. Bilateral and multilateral agencies can commit development funds to this comprehensive program to help negate an inflammation of tensions should the Amnesty Programme come to an end.

Closely tied to this, is the need to Invest in development programs that promote economic development and social welfare in the region. This development will improve the quality of lives in the region, create jobs and keep young people engaged and away from militancy and criminality.