

AFTERMATH OF THE PRESIDENTIAL AMNESTY PROGRAMME: IMPLICATIONS FOR PEACE AND SECURITY IN THE NIGER DELTA

Introduction

In 2009, after over three years of intensive militancy activities that saw the nation's oil production capacity drop to an all-time low¹, President Umaru Musa Yar'dua declared the Presidential Amnesty Program.

The period between 2006 to 2009 heralded one of the most obnoxious periods in the existence of the Niger Delta period and Nigeria as a whole. Armed militant groups aggrieved by decades of alleged oppression and deprivation by the Nigerian state held the region to ransom through kidnapping and hostage taking of expatriate and national oil workers, (with over 200 oil nationals as victims)²; blowing/shutting down of oil installations and facilities, setting off of car bombs, and illegal oil bunkering with frequent violent skirmishes with soldiers from the Nigerian Army and Navy etc.

The diverse militia groups comprises but not limited to the Egbesu Boys, Movement for the Survival of the Ijaw Ethnic Nationality (MOSEIN), Joint Revolutionary Council, MENBUTU, Arogbo Freedom fighters, Niger Delta Volunteer Force and the Movement for the Emancipation of the Niger Delta (MEND). Regardless of the diversity, the grievances and consequence of the attacks was nonetheless identical.

Prior to this, Nigeria was regarded as the highest producer of oil and the largest exporter of the product³ in Africa. As a result of the intense militancy activities which hindered the exploration of oil, the Nation's oil production capacity dropped from 2 million barrels per day (bpd) to a miserly 800, 000 bpd⁴. This drop in oil production resulted in an inevitable decline in Nigeria's oil revenues⁵, and led to the Nation's displacement as the largest producer of oil in Africa.

In addition, there was a sharp decline in economic activities in the region; foreign direct investment dropped in the region, companies packed up, leading to

¹ 1 Olasupo (2013), The Consequences of Militancy in Nigeria's Niger Delta; JORIND 11(2) December, 2013. ISSN 1596-8303. www.transcampus.org/journals; www.ajol.info/journals/jorind pg. 153

² Nwaogwugwu, Alao and Egwuonu (2012), Militancy and insecurity in the Niger Delta: impact on the inflow of foreign direct investment to Nigeria; Kuwait Chapter of Arabian Journal of Business and Management Review Vol. 2, No.1; Sep 2012 pg. 23

³ http://en.wikipedia.org/wiki/Petroleum_industry_in_Nigeria

⁴ Ogege (2011), Amnesty Initiative and the Dilemma of Sustainable Development in the Niger Delta Region of Nigeria; Journal of Sustainable Development Vol. 4, No. 4; August 2011 www.ccsenet.org/jsd pg. 254

⁵ Down by \$702m daily in 2006 (Supra note 1)

downsizing of staff⁶ and the general insecurity situation spilled on to even the urban areas with a sharp increase in gangsterism, armed robbery and proliferation of small arms and light weapons.

Against the back drop of the insecurity and the decline of Nigeria's economic mainstay caused by the activities of militants, the then President of Nigeria, Late Umaru Musa Yar'dua established the Presidential Amnesty Programme with the main objective to grant pardon to all militants that turned in their arms.

Current Trends and Dynamics

Context and Contents of Amnesty Program: The Presidential Amnesty Program was declared in 2009 by late President Umaru Musa Yar'dua as a means to curtail the rising security risks and decline in Nigeria's oil revenues occasioned by militancy activities in the oil region of the Niger Delta. The amnesty program was occasioned by the recommendations from the Leedum Mittee led Niger Delta technical committee, which was inaugurated by then Vice President Goodluck Jonathan in 2008. The committee was charged with the task of proffering recommendations to the National government to achieve sustainable peace, human and environmental security in the Niger Delta region. One of the key recommendations of the Leedum Mittee technical committee report was the declaration of Amnesty for all Niger Delta Militants⁷. This recommendation was made alongside various other recommendations in the Niger Delta technical committee report of November 2008.⁸

The program primarily consisted of a declaration of Amnesty for all Niger Delta Militants that surrendered their arms within a 60-day period (from August 6th – October 4th 2009). The declaration promised that all militants that complied with this policy would not be prosecuted for the crimes committed during the agitation that was capable of crippling Nigeria's oil industry.

To this end, the amnesty programme was set to run from 2010 to 2015. In addition, the ex-militants were to receive a monthly stipend of N65, 000 each and undergo trainings on various vocational skills both at home and abroad. This was aimed to secure gainful employments for them on completion of the trainings and become re-integrated into the society⁹.

⁶ 6 Supra No 2

⁷http://waado.org/NigerDelta/niger_delta_technical_com/NigerDeltaTechnicalReport.pdf

⁸ ibid

⁹ National Mirror (2011, June 17). Niger Delta Amnesty: matters arising, Editorial comment. Retrieved on 27/08/2012 from <http://nationalmirroronline.net/editorial/14395.html>

Perceptions of Mismanagement and Corruption:

On one hand, while the amnesty programme recorded enormous success including notable 'generals' surrendering themselves to the amnesty programme; Increased reduction of threats to oil exploration coupled with heightened insecurity was witnessed in the region. On the other hand, some people have opined that the other recommendations of the Niger Delta technical committee was sacrificed on the altar of the amnesty program; a situation they consider as purchasing peace with the added threat that armed insurgency would resume if the payments dried up¹⁰.

Since the declaration of the Amnesty program, an estimated N234 billion naira has been reportedly spent on the program as stated by the Special Adviser to the President on Niger Delta, Hon Kingsley Kuku¹¹. Allegations of lack of transparency and corruption¹² in the process have been made by analysts who argue that militants of lower cadres were short changed;¹³ and pay offs were made to former militant generals in the form of multi-billion dollar security contracts¹⁴ to guard the oil pipelines that they once destroyed (although the government had justified this as expedient.)¹⁵. This has instigated perceptions that the Amnesty program may have succeeded in enriching a powerful class of ex-militant generals that are primary beneficiaries of a war economy; and that violence is the only way to echo you disapproval and marginalization.

2015 Political Maneuverings:

In the build up to the 2015 Presidential elections, a number of ex-militant generals reportedly canvassed for support for President Goodluck Jonathan and had even gone to the extent of threatening to unleash mayhem if their preferred candidate loss the presidential elections¹⁶.

¹⁰ Leedum Mittee; <http://leadership.ng/features/388144/amnesty-programme-impact-far>

¹¹ <http://www.thisdaylive.com/articles/kuku-amnesty-got-n234bn-budgetary-allocation-not-n400bn/171790/>; <http://www.vanguardngr.com/2014/02/fg-spent-n243bn-amnesty-5yrs-kuku/>

¹² <http://saharareporters.com/2013/11/15/press-release-mr-president-your-amnesty-programme-has-become-fraud-packed-enterprise>

¹³ file:///C:/Users/PIND/Downloads/Partners_for_Peace_P4P_Qualitative_Research_Report_1.pdf

¹⁴ ¹⁴ <http://www.wsj.com/articles/SB10001424052702304019404577420160886588518>

¹⁵ ibid

¹⁶ <http://dailypost.ng/2014/11/18/2015-ex-militant-leader-ateke-declares-support-wike/>

As the 2015 presidential elections drew close, there was a strong propaganda being spread in the Niger Delta states that the northern and south-western political class was against the re-election of President Goodluck Jonathan by virtue of the fact that he was from the Niger Delta. This sentiment, which was the basis for mobilization of voters in the south- south region, was rooted within the hearts of those of Ijaw extraction considered as President Jonathan's kinsmen. This was the prevailing sentiment that led to the resolution by ex-militants during their meeting in Bayelsa State on the 23rd of January 2015 to make war if the President's re-election bid failed¹⁷.

In the light of this, analysts have argued that the influence of these generals has grown given the resources they now control. There have been reports of some of the ex-generals wielding enough political power to influence political appointments of officials¹⁸; political aspirants visiting ex-militants to garner support¹⁹, ex – militants drumming up support for political aspirants and endorsing their own candidates²⁰ etc.

Taking into cognizance the vast amount of wealth enjoyed by the ex-militants as a result of the Amnesty program, it was no surprise that there was a huge push on their part to ensure the re-election of President Jonathan. Proponents of this view hold that the re-election of President Jonathan could herald another phase of the amnesty program and continuation of the huge pipeline surveillance and security contracts by the ex-militant generals. Against this backdrop, President Jonathan's re-election became imperative with the use of threats of insurgency and coercive force as a means to achieve this end.

Implications of the 2015 Presidential Election on the Amnesty Program and for Peace in the Niger Delta

Although President Goodluck Jonathan's concession of defeat and congratulations to his opponent and President-elect General Buhari have gone a long way in dispelling the widely expected fears of an ethnically induced violent conflict; the fact remains that the President's defeat at the polls spells an inevitable end to the Amnesty program and the largesse associated with it.

Immediately after the declaration of General Buhari as the winner of the polls by the Independent National Electoral Commission (INEC) on March 31, 2015, Alhaji

¹⁷<http://saharareporters.com/2015/01/24/ex-militants-regroup-bayelsa-threaten-war-if-jonathan-loses-election>

¹⁸ <http://saharareporters.com/2012/08/16/tompolo-billionaire-militant-thenews-africa>

¹⁹ <http://www.punchng.com/politics/rivers-knocks-kudos-greet-wikes-romance-with-ex-militants/>

²⁰ ibid



Mujahid Asari Dokubo – one of the ex-militant General was reported in the papers to have made a call for war and a return to the creeks²¹. Similarly, in an unrelated development, another incident was reported on April 2nd 2015 (two days after General Buhari's declaration) where unknown gunmen kidnapped 5 ExxonMobil workers in Akwa Ibom

State resulting in the shutdown of the Floating storage and offloading vessel (FSO) in Ibeno Local government area of that state.

With the amnesty program scheduled to end in 2015, there are calls for an extension. To this end, analysts have criticized the federal government for purportedly abandoning large portions of the recommendations from the Niger Delta Technical committee report, and focusing on the amnesty program; electing instead to spend large sums of money in the form of huge pay-offs to ex-militant generals prompting repeated calls by the ex-militants on the need to extend the Amnesty program²².

With the election of General Buhari as president and his reputation as one with an uncompromising and unimpeachable character, there's the likelihood that he may elect to discontinue the huge pay offs especially in the face of crunching economic hardships facing the nation. With the ostentatious lifestyles enjoyed by these ex-militant generals over the last years coupled with the end of President Jonathan's tenure in May 2015, the questions begging to be answered are:

- What is next for the Niger Delta especially against the backdrop of the fragile peace that has been secured in the Niger Delta since the establishment of the Presidential Amnesty program in 2009?
- Will they be able to let go of the source of this opulence so easily?
- Will the ex-militants take it lying down?
- Is there a high possibility that the militants will carry out their threats to make war as President Jonathan has now lost the election?

For over 2 years, the Nigerian Military have been locked in fierce battle with insurgents in the Northeastern part of Nigeria. These battles have stretched the military both in the way of personnel and resources. Taking this into context, can the Nigerian military afford to contain with both insurgents and militants at opposite ends of the country?

Scenarios:

Best-case Scenario

- The militants follow the example of President Goodluck Jonathan and refrain

²¹<http://www.vanguardngr.com/2015/04/north-s-west-ganged-up-against-n-delta-dokubo/>

²²<http://www.vanguardngr.com/2014/06/jonathan-urged-extend-amnesty-programme/>;
<http://www.punchng.com/news/ateke-tom-to-buhari-dont-scrap-amnesty-programme/>

from making good their threats to go back to the creeks to resume militancy activities **(Likely)**;

- President-elect, General Buhari extends the amnesty program and continues to trust the security of the oil pipelines in hands of the ex-militants **(Less likely)**

Worst-case Scenarios

- The militants mobilize their compatriots back to the creeks and resume illegal activities of hostage taking, pipeline vandalization, shutting down of oil platforms and flow stations resulting in reduction of oil production; President Muhammadu Buhari stages a counter offensive resulting in violent face off with the militants, razing of militant strongholds with civilian casualties including violence against women, girls and children **(Very Likely)**
- Young men are forcefully conscripted into armed groups to sustain the fight with properties of perceived saboteurs are burnt down; The relationship between the Niger- delta region and other regions in the country worsens resulting in calls for cessation; Withdrawal of development funds and assistance by multi and bi-lateral organizations who recently returned to the region as a result of the relative/fragile peace experienced in the last 5 years. **(Less Likely)**

Realistic case scenario

- The ex-militants continue their threats to destroy the nation's infrastructures such as oil and gas, telecommunication, banking, agriculture, transport etc. President Muhammadu Buhari extends a hand of fellowship, calls for a meeting and promises not to discontinue their surveillance contracts while insisting that there will be no continuation of the amnesty program beyond 2015 **(Very Likely)**.
- The ex-militants peacefully mobilize and meet the President. The President presents his plans for the Niger Delta region that is mutually beneficial for the Presidency and the ex-militants; President Buhari extends the amnesty program as contained in the request by the Ijaw Youth Congress (IYC) via a communiqué issued on April 9 2015.²³ They also openly renounced any call for taking up arms against the Federal Government. **(Less Likely)**.²³
- Following President Jonathan's loss at the polls and the eventual discontinuation of the amnesty program and surveillance contracts, the ex-militants in order to secure alternative means of livelihood return to their home, mobilize and increase illegal activities like oil bunkering, extortion, kidnapping and hostage taking and sea piracy **(Likely)**

²³<http://thenationonlineng.net/new/ijaw-youths-to-buhari-sustain-amnesty-programme/>



Recommendations

The above dynamics gives impetus to the following recommendations;

- For the incoming administration; there shouldn't be any haste to dismiss the Amnesty Program or the militants. The program should be allowed to run its full term till December 2015 but in between the May 29th 2015 and the end of the term of the Amnesty programme, the new administration should unfold a master plan to address the socio-economic issues in the Niger Delta.
- The administration should stop the huge pay offs to ex-militants under any guise. The pipeline surveillance contracts should be suspended and a new and broader negotiation should commence for developing the region involving more people on the table rather than just ex-militants and politicians.
- The administration should do all it can to address the issue of oil bunkering and sea piracy that has pervaded the region.
- On the issue of ex-militants; the new administration should call them to the table and extend to them a hand of fellowship as partners to cooperatively develop the region. He should also get a firm promise from them that they will not take up arms against the state.
- In the face of rising costs and low revenues, the new administration should necessarily de-militarize the region and only keep enough military force in the region to handle the issues of oil bunkering and militancy mentioned above.
- With a new administration inevitably coming in, this is an opportunity for strategic efforts aimed at bringing the plight of the Niger Delta people to its attention. Credible civil society organizations in the region should provide leadership by making concerted demands of the new administration in addressing the socio-economic issues in the region.

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