

# POLICY BRIEF

The Niger Delta amnesty:  
lessons four years on

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**This brief examines the Niger Delta amnesty declared in June 2009, from the perspective of its achievements, limitations and risks.**

The amnesty officially resulted in the demobilisation of 30,000 militants, paying them allowances and providing training for a smaller number. It has markedly reduced conflict in the region. However, the amnesty was not part of a coherent and co-ordinated peace-building and reconciliation plan, and is unlikely to be able to facilitate sufficient employment for demobilised militants. In its partial nature, it has also neglected non-combatants who had been impacted by violence. On these and other grounds, the sustainability of its achievements remains in question.

The brief advocates a number of measures; among them a broader strategy for reconciliation and peace building, including action at the community level, and a coherent, co-ordinated and rigorously implemented development vision for the region, with a concerted focus on employment generation.

## BACKGROUND

**On 26 June 2009, the Federal Government of Nigeria announced that it would grant an amnesty and unconditional pardon to militants in the Niger Delta. A 60-day period was allowed for armed youths to surrender their weapons in return for training and rehabilitation by the government.**

The strategy of buying off militant leaders, and clamping down militarily and with the force of the law on those who continued to operate, has been largely successful. The resulting ceasefire has held for four years, despite the shortcomings of the amnesty when viewed as a demobilisation, disarmament and reintegration (DDR) programme.

The amnesty followed a rise in attacks from late 2005 as MEND (the Movement for the Emancipation of the Niger Delta) emerged as an alliance between militant groups across the Delta. MEND's demands included a call for a return to the fiscal federalism of the 1960 constitution that allowed regions to retain 50 per cent of oil and other revenues, the withdrawal of oil companies from Nigeria and the release of key prisoners from the Ijaw ethnic group. Forty-four attacks followed on

oil facilities in 2006, and 19 in the first three months of 2007, including car bombings and attacks on government and military buildings using military equipment. By mid-2008, the conflict had spread in scale and sophistication, with the use of surface-to-air missiles by militants, and an increasing number of confrontations between militants and the Joint Task Force (JTF) on land and sea, including punitive air raids on villages in attempts to target key commanders. Up to 1,000 people were killed in the first nine months of 2008. By March 2009, crude oil exports had fallen to 1.6 million barrels per day (bpd), down from 2.6 million in 2006. The initial offer of amnesty was greeted with hostility and a bombing in Lagos. This was the first such incident outside the Niger Delta. However, the attack was shortly followed by MEND's announcement of a 60-day ceasefire.



## THE AMNESTY PROGRAMME: HOME-GROWN DDR

A budget of ₦50 billion (US\$145 million) was announced for the Post-Amnesty Programme (PAP) in July 2009. This was later raised to ₦68 billion. The budget was intended for 20,192 registered militants (rising to 26,000 in 2010 and 30,000 in 2012). Between 2009 and 2012, US\$1 billion was spent on the Amnesty Programme, according to Lamido Sanusi, Governor of the Central Bank of Nigeria. It was unclear how the budget was to be allocated between allowances and training at home and overseas.

It was a year before training began in June 2010, with the opening of a rehabilitation training centre in Obubra, Cross River State. This staged one-to-two-week 'reintegration and rehabilitation' courses for batches of amnesty participants. The skills and training careers advice initially offered at the centre was considered by many Ijaw political actors as inappropriate and, in August 2012, it was announced that 1,140 ex-militants from the first batch of participants would be assigned to 150 courses, with a business development focus, at vocational training centres and formal education institutions in Nigeria and abroad. By 2012, it was claimed that, of the 30,000 registered ex-militants, 11,525 had been placed in skills acquisition centres or were registered for formal education, including 4,929 abroad (in Ghana, South Africa, the Philippines, Russia, Ukraine, India, the United Arab Emirates, Dubai and the UK). Most of this training is linked to the oil and gas industries. By April 2013, it was reported that 5,067 had already graduated in fields such as welding and fabrication, entrepreneurship, carpentry and plumbing, electrical installation, oil drilling and ICT.

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Registered ex-militants received allowances of ₦65,000 per month, significantly higher than the average salary for a young public-sector worker. No independent inventory was made of the number of militants eligible to participate in the amnesty, allowing for an inflation of figures by leaders who could pocket the overpayments themselves. It is also alleged that many who had never been militants registered, and that other militants registered without giving up their arms. The lack of transparency over the eligibility criteria made such accusations both rife and credible. Yet others, who signed the amnesty after its formal expiration, protested at their exclusion. Some of these were admitted to second and third phases of the amnesty in 2010 and 2012. Women were generally ignored by the Amnesty Programme, despite their role in the conflict and the ways in which it had impacted on them.

While demobilisation and disarmament were publicly orchestrated with displays of weapons for the benefit of the media, initially there was no independent attempt to verify what arms were being handed over, or their provenance. Neither was there an effort to identify the existence of residual arms caches. Estimates of the number of arms surrendered vary according to source, from 2,700 upwards. Past amnesty experiences have shown that the quantity of weapons handed in does not reflect the quantity at the disposal of the armed groups who continue to operate throughout the Delta.

The amnesty office anticipated that the private and public sectors would provide jobs for the thousands of graduates of the programme returning to the Niger Delta. However, progress seems to have been limited. Fifty jobs are said to have been identified in road safety, the Navy, Air Force and Customs as 'senior officers' (Round Table Report, 2011). In the private sector 113 ex-militants have been found jobs in maritime, welding and fabrication companies. However, this represents only a fraction of the employment needed for participants. The low representation of Niger Deltans in oil companies has been one of the driving forces of the conflict. However, there appears to be considerable mistrust between international oil companies (IOCs) and the Amnesty Programme, and, while IOCs say they are willing to comply with the Nigerian Local Content requirements, they are reluctant to guarantee employment to graduates of the Amnesty Programme. Despite their initial scepticism, the IOCs, through the Oil Producers Trade Section of the Lagos Chamber of Commerce and Industry, did grant US\$30 million to fund training programmes in support of the amnesty. The grant targeted the majority of the amnesty beneficiaries (90 per cent) who are illiterate.

Under the amnesty, former militant leaders have been rewarded with large pipeline security contracts. In many ways this institutionalised practices that were prevalent throughout the conflict years as a result of the struggle for turf and access to revenues from oil theft among militants, and between militants and some security operatives



allegedly involved in the illicit trade.<sup>1</sup> The amnesty has therefore not deterred criminal activity, but favoured it, giving control over oil pipeline vandalism, oil theft from pipelines, small-scale oil refining and kidnapping of Nigerian (and increasingly foreign) nationals, and sea piracy to particular ex-militant commanders. Rising levels of oil theft are fast eroding the gains of the amnesty, with losses to oil company production levels pinching the government purse. Oil companies, particularly those exposed to oil theft onshore, are increasingly selling off once profitable onshore concerns to invest offshore (Shell closed down its operations in Warri in March 2013).

In parallel with the Amnesty Programme, the budgets of key Niger Delta development institutions, including the Ministry of Niger Delta Affairs (MNDA) and the Niger Delta Development Commission (NDDC), were increased from 2009, along with the State budget allocations to development. However, poor co-ordination and political rivalry between these agencies have led to inertia in implementation. As an example, the release of the budget envisaged by the MNDA has persistently been blocked by sections of the federal legislature. Apart from this overarching challenge of coherence, a lack of transparency, geographical concentration and poor monitoring have characterised those development initiatives that have been implemented. The NNDC launched a masterplan for the Niger Delta in 2007, yet there is no clear sense that it guides the priorities of the Commission. The reconstruction of the critical East-West road is still to be completed.

The Presidential Amnesty Committee (PAC) has wide membership, and includes representatives of governments of Niger Delta states, the Ministry of Petroleum Resources, the Office of the National Security Adviser, the NNDC, the Ministry of Transport, etc. However, the Special Adviser to the President who chairs the implementation committee and reports back to the PAC does not have the power to direct the other agencies, but simply reports back to them.

However unpopular it is among ordinary Niger Deltans, there is currently no plan for the withdrawal of the Joint Task Force. On the contrary, its mandate has been broadened to include targeting kidnapping and organised crime in concert with the police. In the first two years after the amnesty was signed, the JTF was in the habit of carrying out punitive attacks on whole villages in search of wanted militants who had not signed up to the amnesty deal. This continued right up to May and June 2011, when the Ayokoromo community at Obobu Creek in Delta State was ransacked in the search of suspected militants. These attacks continued even after wanted militants were said to have been killed.

## ASSESSMENT

While expectations of the amnesty were high, it should be recalled that the only goal articulated by the Yar'Adua administration that implemented the amnesty was restoring production capacity and increasing output. Since its introduction, attacks on oil installations and the kidnapping of oil company personnel have been reduced and, by 2011, production had returned to 2006 levels. Hon. Kingsley Kuku, the Chair of the Amnesty Programme Implementation Committee, estimates that Nigeria and its IOC partners earned an extra ₦6.3 trillion (US\$39.3 billion) in 2012 alone, through the stability brought by the amnesty.<sup>2</sup>

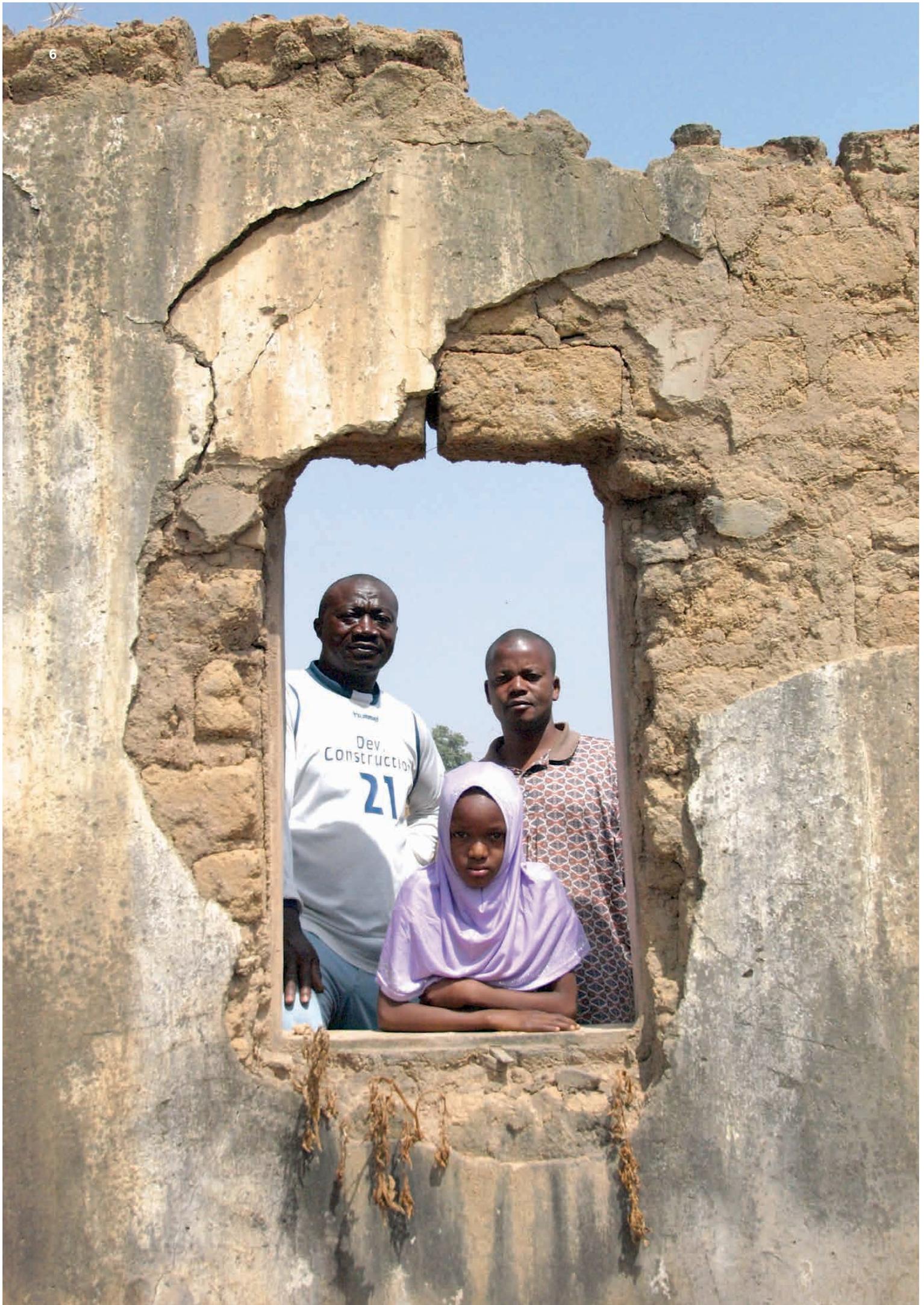
### The amnesty clearly represents a victory for short-term crisis management over resolution or transformation.

The amnesty clearly represents a victory for short-term crisis management over resolution or transformation. Although the UNDP hurriedly drafted an implementation plan (in the event never fully implemented) in December 2009, the Amnesty Programme neglected basic tenets of international good practice in conflict resolution. It was marketed as a 'comprehensive' DDR exercise, yet reintegration was scarcely addressed. There was no provision for mediation, dialogue, reconciliation or institutional reform. Local-level disputes within and between communities over natural resources were not addressed by the amnesty, and thus remained as open sores and a breeding ground for re-radicalisation.

The highly selective approach to DDR with its limited emphasis on reintegration does not have the capacity to deliver employment at anything like the levels necessary to ensure stability in the region. The programme has excluded those who have not borne arms but have played important roles in the conflict and been impacted by it, including women and girls, and there is no vehicle for facilitating access to health services by the most vulnerable, or for addressing the psychological traumas of the conflict on victims and perpetrators of violence, apart from a small victims' compensation fund. The criteria for selection were unclear, leaving scope for abuse and resentment. Disarmament was not conducted transparently, so that a considerable number of arms remain in circulation. Some practices, including contract awards for security, appear to have rewarded criminality, with precarious long-term consequences.

1. Asuni, JB (2009) *Understanding the Armed Groups of the Niger Delta*, Council on Foreign Relations.

2. Sayne, A (2013) *What Next for Security in the Niger Delta?*, United States Institute of Peace Special Report, May.



# LESSONS AND POLICY RECOMMENDATIONS

**1. While the Amnesty Programme successfully paid off ex-militants with training and stipends, it was not able to provide them with jobs. The programme raised expectations that it was not able to meet, and these are fuelling criminal activity among those unable to find work. The end of the amnesty stipend period and the higher educational training courses is imminent, and may result in another crisis.**

Linking amnesty beneficiaries to job opportunities is vital. Government (including the Ministry of Youth and Employment, the Local Content Monitoring Board), IOCs and international development partners need to work together with the Amnesty Programme Implementation Committee to design effective employment generation strategies for youth.

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**2. The amnesty package was not part of a broader peace-building strategy for the region.**

For stability to be sustainable beyond the amnesty, a comprehensive post-conflict reconciliation and peace-building programme for the Niger Delta will be required as a priority. This should be inclusive, and should recognise the damage done by the violence of various actors.

**3. A considerable volume of arms remain in circulation as the disarmament elements of the programme were weak.**

Comprehensive security-sector reform, along with the reconciliation-building programme recommended above, is needed in order to build trust as the basis of effective and rigorous disarmament.

**4. Security provision is short-sighted and incoherent, focused mainly on providing security for the oil industry rather than on broader human security. Under the amnesty, security has come to be provided by a combination of, on the one hand, an unreformed Joint Task Force with an enlarged mandate, and, on the other, government-sponsored former militant leaders awarded large contracts for**

**pipeline security. While this arrangement may have deterred armed militia action, the price has been to institutionalise criminality.**

There is an urgent need for control over the oil theft economy, as it is responsible for massive and ever-rising losses. Suppression needs to go beyond targeting the artisanal refineries that provide livelihoods for small-scale producers and petroleum products for localities where both are scarce.

**5. The Amnesty Programme is not part of a coherent, well-designed and effectively implemented vision of development for the region.**

Agencies charged with responsibility for the provision of infrastructure need a clear sense of direction, and to be seen to deliver timely results. The Office of the President should provide leadership in this area and sanction those federal institutions that persistently underperform, so as to improve implementation and deliver development benefits to the Delta.

**6. There is a risk that the 2015 elections could see a revival of the electoral violence that plagued the Niger Delta in 1999, 2003 and 2007, if they go against the locally favoured candidate. Stakes in the 2015 elections are very high, with ex-militant interests aligned firmly behind a further term for Jonathan.**

The 2009 amnesty succeeded in defusing violence in the 2011 election two years later; an equivalent initiative is necessary to neutralise the threat of militant recruitment in the run-up to the 2015 elections. The political balance is all the finer this time because of the JAS insurgency in the northeast, and the opposition of Niger Delta militants to the idea of an extension of an amnesty package to Jama'atu Ahli Sunnah Lidda'awati Wal-Jihad (JAS) militants. Acting to pre-empt potential violence now, through a combination of developmental and political measures, is vital to ensure continuing peace in the Delta.

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