

# **Niger Delta Environmental Degradation and Resource Control Conflict: A Post-Amnesty Analysis of the Yar' Adua/Jonathan Administration Conflict Resolution and Peace Policy**

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## **Introduction**

By early 2014, the Niger Delta region of Nigeria was relatively peaceful largely due to the Federal Government's Amnesty Program and its allied policy of socio-economic development. The historically intractable Niger Delta conflict between environmental, resource control, and fiscal federalism agitators versus the Nigerian state had indeed begun to show signs of abatement from 2010, following the proclamation and commencement of implementation of an amnesty program by the Umar Yar'Adua government earlier in 2009. Under this policy, the president declared a general amnesty and unconditional pardon to all the militants who had taken up arms against the Nigerian state during the course of the Niger Delta struggle, and in return they were to surrender their arms and renounce militancy within 60 days. In addition, the Presidential Committee on Amnesty and Disarmament for Militants was established

to execute a post-amnesty program of socio-economic development in the Niger Delta worth about N200 billion (Aghalino, 2010:82). However, the relative peace and security achieved in the region by this policy has come under serious threat since February, 2016, following several bomb attacks on oil and gas infrastructure by new militant groups, foremost among which are the Niger Delta Avengers (NDA), the Joint Niger Delta Liberation Force (JNDLF), and the Adaka Boro Avengers (ABA) (Amaize, *et al*, 2016; Ugwuanyi, 2016; Ogundipe, 2016). This paper is a post-amnesty analysis of the Yar'Adua/Jonathan administration's conflict resolution and peace and security strategy for the Niger Delta to resolve the lingering crisis over environmental degradation and oil exploration. The study raises these questions about the amnesty program: How successful is it? To what extent have ex-militants been re-integrated into society? Has the programme resolved the Niger Delta's core problems of environmental degradation, acute socio-economic backwardness, and resource control/fiscal federalism grievances? If it has been unsuccessful (as currently unfolding developments in the region indicate), then what next?

## **Basis of Resurgent Agitations and Militancy in the Niger Delta**

Resurgent and currently brewing agitations and militancy in the Niger Delta region are products of grievances over complex issues and demands. While some of the contentious issues center upon the general desire for better socio-economic conditions in the region, others concern the structure and nature of the Nigerian Federation.

In May 2016, the Niger Delta Avengers reportedly issued a 10-point demand to the federal government. These demands were:

a) Immediate implementation of the report of the 2014 National

- Conference, failing which Nigeria will be forcefully broken up.
- b) President Buhari, the Director-General of the State Secret Service, and the APC gubernatorial candidate in Bayelsa State, Timipre Sylva, should apologize to the Niger Delta people and family of late Chief DSP Alamieyeseigha for killing him, along with intimidation and harassment, on account of his party affiliation.
  - c) Ownership of oil blocs in Nigeria must reflect 60% for the oil-producing people, and 40% for non-oil producing people.
  - d) The only Nigerian Maritime University, situated in Okerenkoko in Delta State, must start the 2015/2016 academic session immediately.
  - e) The Minister of Transportation, Rotimi Amaechi, should apologize to the Ijaws and the entire Niger Delta people for his careless and reckless statement about the university in Okerenkoko's location.
  - f) Ogoniland and all oil-polluted lands in the Niger Delta must be cleaned up, while compensation should be paid to all oil-producing communities.
  - g) Radio Biafra Director and Independent (sic) Indigenous Peoples of Biafra leader Mazi Nnamdi Kanu should be released unconditionally.
  - h) The Niger Delta Amnesty Program must be well-funded, and allowed to continue running effectively.
  - i) All APC members indicted for corruption should be made to face trial like their counterparts in the PDP.
  - j) All oil multinationals and foreign investors should observe these demands, as their business interests in the country will be first targeted (*The News*, 2016; Ukwu, 2016).

In response to President Buhari's appeal in the name of God to Niger Delta militants to halt the bombing of oil and gas facilities in the region, the NDA made an additional demand, a Sovereign State of Niger Delta, in May 2016. The NDA asked President Buhari to call a referendum via which Nigerians would vote to decide on secession, as David Cameron,

former United Kingdom Prime Minister, did in respect to the UK membership of the European Union. The group subsequently vowed to display its envisioned Niger Delta State's currency, flag, passport, ruling council, and territory to the world by 16 October, 2016 (Amaize, *et al*, 2016). It is to be noted that the demands of other Niger Delta militant groups, such as the JNDLF and ABA, are similar to those of the NDA (Buari, 2016; Njoku, 2016).

The politics arising from the 2015 General Elections sheds further light upon the basis of resurgent militancy in the Niger Delta. At one level, President Buhari's promise to treat each region according to the support he received from it in the 2015 General Elections appears to be a contributory factor to the renewed restiveness. It will be recalled that in an interview with a foreign journalist, Buhari had declared that: "Going by election results, constituencies that gave me 95% cannot in all honesty be treated, on some issues, with constituencies that gave me 5%. I think these are political realities" (Gabriel, 2016).

In view of the dire need for national integration, unity, and rebirth, the above statement is unfortunate, and leaves much to desire. It is important for President Buhari to realize that since 29 May, 2015 he had become President and Commander-in-Chief of the Federal Republic of Nigeria, not of just the areas where he got majority votes. Moreover, just and equitable treatment of all regions will win additional support for the president and his administration.

Buhari's cabinet and other government appointments, plus repeated threats of force against militants in the region, caused additional tension and resentment. Despite local and international concerns over the government's plan to deploy force, Buhari proceeded with the plan. Alongside the subsequent deployment of five warships, 100 gunboats and fighter jets to the Niger Delta creeks on 30 May, 2016, to tackle the continued destruction of oil and gas installations by the militants, soldiers stormed at least four Ijaw communities in Gbaramatu kingdom, Delta

State, in search of the militants. The invasion of the Ijaw communities commenced around 1:52 a.m. with the takeover of Oporoza, the traditional headquarters of Gbaramatu kingdom; Kurutie, the country home of ex-militant commander government, Ekpemupolo (Tompolo); and Okerenkoko, Kokodigbane, and Benikrukru.

The military invasion resulted in a harrowing ordeal for the civilian inhabitants of the affected communities. The traditional ruler of the kingdom, HRM Williams Ogboba, *Oboro Gbaraun II*, was placed under house arrest, while his subjects fled after soldiers broke into and ransacked homes, molested inhabitants, and confiscated household appliances, including pots of soup. The people were also subjected to hunger due to the termination of the kingdom's food supply by the military, which prevented boats from bringing in food to the besieged people from Warri and other places (Amaize, *et al*, 2016; Gabriel, 2016). The military deployment did not achieve its objective, moreover, as bombing of oil and gas pipelines continued until a momentary ceasefire was announced by the NDA. When a government is incapable of swift and total military victory over insurgency, negotiation is the better alternative. A military invasion has the potential of alienating the host communities from their government, which should collaborate with them for vital intelligence. The military deployment has so far turned out to be a misadventure, as its failure seemingly buoyed the confidence of the militants, while the operation itself earned the Federal Government additional resentment among the civilian population.

Uncertainty over the fate of the amnesty program after the elections in which the Niger Delta people voted *en masse* for the eventual loser, former President Goodluck Jonathan, also contributed to renew restiveness in the Niger Delta. The background to this uncertainty is traceable to the controversy over the justification or otherwise of the multi-billion naira oil pipeline security contracts awarded to some ex-militant leaders by the Jonathan administration. Many Nigerians

wondered why the government should assign the protection of oil pipelines to former militants, instead of statutory security agencies, such as the police and military. Tenure of the contracts also became a contentious issue in the Nigerian public space, while some Nigerians viewed the contracts as an admittance of failure of the statutory security mechanism by the federal government. The subsequent cancellation of the contracts by President Buhari on assumption of office on 29 May, 2016, was perceived by many Nigerians, particularly within the Niger Delta, as a precursor to the cancellation of the entire amnesty program (*Business Journal*, 2015). The fear of the impending cancellation of the entire amnesty program appears to have steered some former militants and potential new ones towards renewed militancy. In all, the current militancy in the Niger Delta, characterized by incessant bombing of critical oil and gas infrastructure, is a product of both old and fresh grievances.

### **The Yar'Adua/Jonathan Administration Amnesty Program, and Peace and Security in the Niger Delta**

In 2009, late President Umar Yar'Adua's administration proclaimed and commenced an amnesty program for the Niger Delta resource control agitators and militants, who had taken up arms to press home their demands, as a pathway to the restoration of sustainable peace and security in the region. Under this policy, the president declared a general amnesty and unconditional pardon to all the militants, and in return they were to surrender their arms and renounce militancy within 60 days. In reciprocation, the government promised its commitment to assisting the militants with disarmament, demobilization, rehabilitation, and reintegration.

Although the implementation of the amnesty program quickly ceased

virulent violence and restored considerable peace and security in the region, it has been bogged down by serious shortcomings from inception. First, there is the issue of the legality of the amnesty, because it is neither encapsulated in law nor documented in a gazette. It is a mere presidential proclamation with no legal backing. Furthermore, given Nigeria's weak culture of inter-regime policy continuity, there is uncertainty about the fate of the amnesty program and the former militants in the event of a new administration assuming office (Egwu, 2013:5-6). This otherwise latent problem manifested itself at the beginning of President Buhari's administration, when its termination of an oil pipeline protection contract awarded to some ex-militant leaders by the previous government suggested impending cancellation of the entire amnesty program, as earlier discussed.

The demobilization of ex-militants was marked by inadequate facilities, fund delays, and a dearth of qualified counselors. Also, their disarmament was not thorough. It is important to note available evidence showing that the number of arms and ammunition surrendered by former militants fell short of the estimated amounts. The weapons surrendered comprised 26,760 assorted guns, 287,445 rounds of ammunition, 18 gunboats and 1090 dynamite caps (Aaron, 2010:210; Egwu, 2013:8). Even the so-called surrendered weapons at the disarmament centers were said to be new arms purchased by the Niger Delta states' governors in order to sustain the amnesty program. Indeed, some months after the disarmament exercise, the Movement for Emancipation of the Niger Delta (MEND) detonated two car bombs on 15 March, 2010, in Warri, where a two-day post-amnesty dialog was taking place (Egwu, 2013: 9; Amaize, *et al*, 2010). Finally, the "ease" with which the Niger Delta recently slipped back into armed agitations is a further testimony to the limited success of the disarmament exercise.

Additionally, the reintegration of the ex-militants into civil society is also flawed. Whereas reintegration is a key aspect of the amnesty

program, its implementation has not been comprehensive and properly coordinated. The Federal Government's Amnesty Office, the Post-Amnesty Oil and Gas Foundation, and the Niger Delta Development Commission (NDDC) are saddled with the responsibility of the individual reintegration of former militants. The federal government gave leaders of ex-militant groups reinsertion allowances, and awarded them sumptuous security contracts in the Niger Delta, in order to keep them financially buoyant till the completion of the reintegration process, which was slated to last for about five years. In order to facilitate the reintegration of ex-militants in terms of training and empowerment, the government urged partner organizations to participate actively in a program scheduled to last three years. Under this arrangement, several organisations engaged in the training of former militants in fish production, poultry farming, welding, marine studies, baking, and hairdressing, etc. However, despite government claims to have reintegrated tens of thousands of ex-militants, most of those that underwent training have not been properly reintegrated into society, especially when many of them remain unemployed (Asua, 2013:86-88, Channels Television, 2016). Thus, there is a logical connection between the existence of hordes of trained but unemployed ex-militants and the current militancy in the Niger Delta.

Above all, as attested to by the ongoing bombing of oil and gas facilities by the NDA and some other new militant groups, the amnesty program has not fully resolved the Niger Delta conflict because its underlying causes remain largely unaddressed. This problem is mainly due to faulty assumptions upon which the amnesty program was predicated. One is that demobilizing and disarming the militants would lay the foundation for durable peace and security in the Niger Delta. This erroneous thinking is typical within both official and unofficial circles, particularly outside the Niger Delta, holding that all the agitators in the region were not committed to a genuine struggle, but had only fought

against the Nigerian state and Transnational Corporations (TNCs) for personal monetary gain. This is a misperception, since the Niger Delta insurgency has been aggravated by historical grievances over age-old marginalization, plus socioeconomic and environmental injustices.

There is no gainsaying the fact that the Niger Delta people have had to contend with abysmal poverty amidst the abundant natural resources constituting the mainstay of Nigeria's economy and finances. More significantly, the national revenue allocation formula allocates less to the Niger Delta revenue than what other regions receive, even when they make significant contribution to national revenue. Beyond this, the post-amnesty program has no provisions to immediately and effectively tackle the environmental degradation that continues to endanger the lives and livelihoods of oil-producing communities (Aaron, 2010:213-214; Human Rights Watch, 1999; Adeyeri, 2012:99-100; 2014:31-33). Hence, the failure of government's peace and security strategy (*vis-à-vis* the amnesty program) to properly address the underlying causes of the Niger Delta conflict, namely unjust revenue allocation formula, environmental degradation, and acute socioeconomic deprivation, is at the root of the resurgent insurgency in the region.

### **Conclusion: After Amnesty, What Next?**

As argued, the amnesty program achieved a tentative peace, but has so far failed to fully resolve the lingering Niger Delta conflict. This is mainly because the Yar'Adua/Jonathan government haphazardly thought up the program as a quick response to the heightening insurgency, violence, and insecurity, with the attendant dwindling oil revenue at the time. The program was not designed to be a comprehensive and holistic policy for sustainable peace and security in the region. Lastly, the amnesty policy's inadequate implementation and challenges, some of

which were detailed upon earlier, also do not help matters.

Revocation of the oil pipelines' security contracts (awarded under the previous administration) by the current administration, and the accompanying fear of the amnesty program's cancellation also did not favor sustainable peace. As things stand now, it is the responsibility of the Buhari administration to see the amnesty program to a logical conclusion. More importantly, it is of crucial importance for the government to immediately drop its simplistic and faulty interpretation of Niger Delta militancy as sheer criminality, and instead adopt a more pragmatic approach to the problem that is increasingly undermining national revenue, peace, and security.

Since the era of military dictatorships by Generals Babangida and Abacha, and through the civil administration of Chief Olusegun Obasanjo, history has shown that military force and government propaganda cannot provide viable and enduring solutions to the Niger Delta crisis. Moreover, in view of the current Boko Haram scenario, there are no indications that government has the capability to achieve swift total military victory over the Niger Delta insurgents. Even if it succeeds in doing so, there remains the risk of a resurgence of militancy and violence over the same underlying historic causes. Therefore, genuine negotiation is a better alternative. Apart from disarmament and renunciation of militancy by the agitators, the main focus of government henceforth should be the institutionalization of fiscal federalism, resource control, environmental protection, and rapid socioeconomic development of the Niger Delta. To actualize this, restructuring of the Nigerian federation along regional lines must be a complimentary policy.

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