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The Opportunity for Peace in the Niger Delta

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EXECUTIVE SUMMARY¹

1. Nigeria, a country of 145 million people, is the world's eighth largest oil producer, furnishing about a sixth of US petroleum imports. The nine oil producing states of the Niger Delta account for over 95 percent of Nigeria's export earnings and up to 70 percent of revenues accruing to the Federal Government. The stability and development of the Niger Delta is critical to the economic well being of Nigeria, the stability of West Africa, and global energy security.
2. For almost a decade, a low-level war has been fought in the oil-rich Niger Delta. In the last three years alone, militant groups have kidnapped over 250 expatriate oil workers and cut oil production by as much as 1 million barrels per day.
3. The rise in militancy among the youth in the Niger Delta has been fuelled by extreme poverty and underdevelopment, discontent with the international oil companies, oil spillage and environmental damage, and corruption by government officials that ensures that little development funding reaches the host communities. Fifty years after the discovery of oil in the Delta, most residents still subsist on just \$1 a day.
4. Sophisticated weapons are widely available throughout the Niger Delta. Militia groups, cult groups and gangs have sufficient firepower to seriously challenge the authority of Nigeria's military and police forces.
5. Political godfathers and aspiring politicians have promoted and used gangs, cult groups, vigilantes and the militia groups to exert power and influence in pursuit of political office as well as providing an environment of conflict to screen illegal activities such as the theft of crude oil, which nets tens of millions of dollars every day.
6. The government response to the Niger Delta conflict lacks consistency and cohesion. Any peace effort requires clear, consistent, firm leadership from the President of Nigeria and there is hope that the new Ministry for the Niger Delta might initiate that process.
7. The Federal Government cannot resolve the crisis in the Niger Delta on its own. The political godfathers do not want a comprehensive peace and will frustrate efforts to increase transparency and security, which would undermine their ability to illegally bunker tens of thousands of barrels of stolen oil every day.
8. A critical opportunity may have arisen to resolve this seemingly intractable conflict. The main militia group in the Niger Delta, the Movement for the Emancipation of the Niger Delta (MEND), has expressed willingness to seek peace and has agreed to disarm and follow the UN weapons destruction process. But distrust of the government runs deep and they have called on the international community to assist in facilitating a solution. The recent military offensive in Delta state could significantly impact this process.
9. Efforts to end the conflict in the Niger Delta are unlikely to see a sustained peace without the involvement of neutral international mediator.
10. There are four broad parts to the peace process: demobilization, disarmament, weapons destruction and reintegration of former non-state combatants.
11. Without a comprehensive peace it is only a matter of time before there is a resumption of militia attacks, indiscriminate military bombardments, angry community responses and a downward spiral towards worsening conflict and instability.

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1. Background

The Niger Delta has been a source of unrest for many years. From 1967 to 1970 it was embroiled in the Biafran secession, the Nigerian Civil War that claimed as many as 2 million lives, many from hunger and disease exacerbated by the embargoes of the Federal Government and western nations.

Protests against the neglect, poverty and environmental degradation of the Delta were initiated in 1990 by writer and activist Ken Saro-Wiwa and the Movement for the Survival of the Ogoni People (MOSOP). In 1995, despite international protests, Saro Wiwa and eight other Ogoni activists were executed by the military regime of General Sani Abacha. By 2002 unrest had grown once again, but unlike the peaceful protests in Ogoniland, the new wave of activism, involving armed conflict, emerged further west in the Niger Delta among the Ijaw people and other minorities.

In 2004 a Presidential peace initiative facilitated the September 2004 Peace Accord which provided for the disarmament and demobilisation of 3,000 heavily armed militiamen in the Niger Delta. Although many of the militiamen were able to make new lives in the communities, the underlying roots of conflict continued. The government reneged on its undertakings and within a year militant forces were being reformed.

New militia forces, some supplied by international arms dealers, expanded in the Niger Delta and in 2006 renewed the armed conflict, targeting the international oil companies, destroying oil infrastructure, and kidnapping expatriate staff. Throughout 2006 and 2007 almost 200 expatriates were kidnapped and released. Nigeria has a production capacity of up to three million barrels per day, yet the country is currently losing about one million barrels in production due to conflict in the Niger Delta.

The stability and development of the Niger Delta is critical to the economic wellbeing of Nigeria, the wider West African sub-region, and global energy security.

2. The Nigerian State

The history of Nigeria reveals a forced marriage of diverse ethnic groups with little in common apart from geographic proximity. This amalgamation was brought about by a foreign power, the British, to satisfy commercial and geopolitical motives. In the 19th and early 20th century British administration was the unifying factor in present-day Nigeria. In 1914 the colonial power merged the north and south into a single colonial entity.

On October 1, 1960, Nigeria gained independence from Britain. Although there were various constitutional conferences and constitutions from 1914 to 1957 culminating in the 1960 constitution, there were no meaningful national fora for all ethnic and cultural groups to negotiate checks and balances for minority rights, or to reach consensus on issues of mutual interest. The Nigerian federation and its constitution did not reflect the interests of the country's numerous ethnic, cultural and religious groups. The terms of federation continue to be renegotiated; Nigeria has not yet created a cohesive national identity. This state of flux fuels instability and an atmosphere of discontent in the Niger Delta.

Nigeria poses particularly daunting challenges, due to its large population (145 million), its 250 linguistic and cultural groups, a long established divide between the predominantly Muslim north and largely Christian south, and gross inequalities between regions and classes.

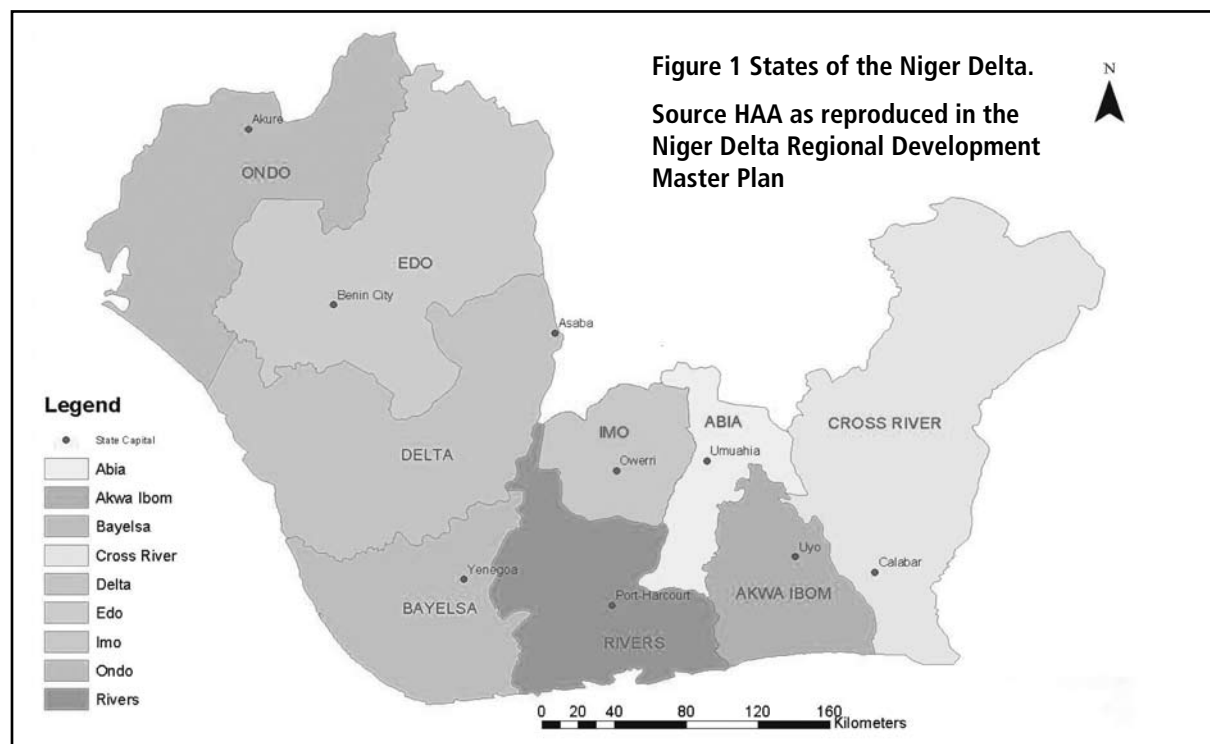
The suspicions between Nigeria's ethnic groups surface in many areas. These tensions are evident, for example, in the debate about the disposition of oil revenues. Two key points of contentions are the issues of *derivation*, or how much producing regions should keep from oil production revenue; and *allocation*, which determines how the balance should be divided between the tiers of federal, state, and local government.

Grievances over poverty, lack of development and wastage have fuelled constant agitation to increase the share accruing to oil producing states. This serves as a rallying point for people who have other issues to press with the federal government. It has featured consistently among the claims by militia groups. Corruption and poor governance have undermined amendments to the allocation and derivation formulae, especially in the Niger Delta where there is little to show for all the billions of dollars transferred to the oil rich states.

Oil development and federalism have failed to deliver their intended goals: Oil, it was hoped, would deliver wealth to invest across Nigeria. The federal system was intended to distribute it fairly around the country, and the constitution was designed to foster a common national identity and administration. Yet, after decades of oil wealth, the oil producing areas remain undeveloped and there is little sign of equitable investment across Nigeria.

3. The Niger Delta

The Niger Delta is the world's third largest wetland. Administratively it is made up of nine states: Abia, Akwa Ibom State, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and Rivers (see Figure 1 States of the Niger Delta). The nine states of the Niger Delta cover approximately 112,110 km² or 12 percent of Nigeria's land mass.² The results of the 2006 census released in January 2007 put Nigeria's population at 140 million people including a total population for the nine Niger Delta states of 31,224,587.³ The 40 ethnic groups of the Niger Delta account for 22 percent of the national population.



The nine oil producing states of the Niger Delta account for over 90 percent of Nigeria's oil and gas export earnings and up to 70 percent of revenues accruing to the Federation Account — the Federal Government's revenue share.. Presently, Nigerian oil reserves stand at about 34 billion barrels, while the country's gas reserves are estimated at about 187 trillion cubic feet. Nigeria's oil production capacity is about 2.8 million barrels per day, though actual production is often less, on account of OPEC quota limitations and shut-ins due to insecurity.⁴

4. Recent History of Conflict in the Niger Delta

The protests and violence of the last decade have been born of ethnic differences, both locally as between the Itsekiri, Ijaw and Urhobo, and regional tensions among different sections of the country. Politicians exploited the ethnic clashes for political advantage in the 1999 and 2003 elections. Militant leaders Alhaji Asari Dokubo and Ateke Tom were recruited to the cause of delivering the 2003 elections for the People's Democratic Party. They were tasked to deliver certain local government areas that were seen as crucial to winning Rivers State. Abandoned by their political patrons soon after the 2003 elections, the armed youths found independent funding by offering protection to illegal oil bunkerers. This made funds available for the purchase of small arms, and widened the reach of the conflict.

At this stage neither Asari Dokubo's nor Ateke Tom's forces could be considered militia. They were at best gangs of hired guns. Ateke moved to consolidate his group (generally known as Ateke's Boys) into a more cohesive unit. To this end he took control of the Icelanders, a street "cult" group spun off from the Supreme Vikings Konfraternity, a university fraternity. Port Harcourt thus became the base of politically backed street cult activities, replacing Warri, in Delta State, as the hub of regional conflict.

2 *The Niger Delta Master Plan*, compiled by the Niger Delta Development Commission, 2005, p.49.

3 National Population Commission (NPC), *1991 Population Census of the Federal Republic of Nigeria*, (Abuja, Nigeria: NPC, 1998).

4 Stephen Davis and Von Kemedi, *The Current Stability and Future Prospects for Peace and Security in the Niger Delta*, The Niger Delta Peace and Security Working Group, 2005.

Political patrons of the youth groups fostered a climate of conflict that they neither anticipated nor were able to control. The armed groups became financially independent of their political patrons and a true militia evolved in the form of the Niger Delta People's Volunteer Force (NDPVF). The emerging ability of militia leaders to access funds for purchase of weapons independent of their political patrons or "godfathers" precipitated the potential to take militia activity to a new level of operation.

By September 2004 Asari had built sufficient numbers of well-armed recruits that he launched a major attack on Port Harcourt, threatening the State House with the Governor Peter Odili in residence. The government deployed troops along the waterfront in Port Harcourt and around Government House to intercept Asari's men. Asari's forces held significant areas of Port Harcourt for eight hours before retiring. This was a significant show of strength.

Asari and Ateke Tom resolved their differences and joined forces. On the night of 26 September 2004 a meeting of the newly established Ijaw Central Command took place with the aim of deciding the direction they should jointly take. They issued a communiqué threatening to blow up oil installations, assassinate the Governor of Rivers State and target expatriates commencing on 1st October 2004, Nigeria's National Day.

Asari considered an overture from President Obasanjo to open discussions. After vigorous debate among the Ijaw Central Command the President's offer was accepted. On 30th September 2004 Asari and several commanders travelled to Abuja where they met with President Obasanjo in the cabinet room.⁵ Through several hours of discussions a position was reached whereby Asari would stand down his forces and disarmament would proceed. The demobilisation would ensure training and employment for all former combatants. A few days later Ateke Tom also entered into a similar agreement in a meeting with President Obasanjo in Abuja and all groups signed a cease-fire agreement.

Soon after the signing of the agreement in October 2004 more than three thousand weapons were returned to the military and destroyed through a gun-for-money arrangement financed by the Rivers State Government. The non-state combatants were promised skills training and employment as part of the Peace Accord. However, the government funds for these purposes did not materialize as the security threat evaporated. While Ateke Tom and Asari tried to maintain a cordial, sometimes even friendly relationship, it was more difficult for their supporters to maintain the peace.

The street cult groups continued to proliferate and complicate attempts to maintain the terms of the Peace Accord. The cult groups, often less focused and bereft of political ideals, were armed and looking for patronage. Asari and Ateke both found it difficult to maintain control over their groups as the government's promises lapsed. By March 2005 the Peace Accord was unravelling. Asari became publicly critical of the government and particularly of President Obasanjo. The arrest and detention of Asari, leader of the Niger Delta People's Volunteer Force (NDPVF) in September 2005 did not curtail militia activity as the Government had hoped. Rather, several NDPVF commanders set up their own groups and therein widened the conflict and significantly increased the number of armed youths involved in the conflict.

By early 2006 oil pipelines were being sabotaged and the kidnapping of expatriate oil workers had broken out. Demobilization and reintegration of the former non-state combatants had been ignored and the consequences were becoming apparent. Military action against militia camps at Okerenkoko in Delta State in February 2006 precipitated a new dimension of militancy. It firmly brought the Movement for the Emancipation of the Niger Delta (MEND) onto the scene as a significant player and drove Ijaw groups to back the struggle against the Nigerian Federal and State Governments. It significantly increased the demand for illegal small arms, which was met by international suppliers.

5. Fuelling the Violence

5.1 Illegal Arms

Non-state forces have accessed illicit international arms markets since 2003, leading to significant escalation in the sophistication and volume of importation of weapons in early 2006. Through multiple channels of supply, sophisticated weapons are widely available throughout the Niger Delta. Militia groups, cult groups and gangs have sufficient firepower to seriously challenge the authority of Nigeria's military and police forces.

Lagos has featured as a major clearing port for illegal small arms with the complicity of customs officers. Similarly, weapons have been landed at Niger Delta ports with the knowledge and complicity of senior state security officers. Local illicit arms dealers use Niger Delta ports to import weapons through import-export businesses, and then distribute the weapons through their state networks, particularly in Akwa Ibom

⁵ A full record of the meeting was made by Stephen Davis with the permission of President Obasanjo.

and Anambra states. Military personnel have been involved in supplying weapons from Nigerian military armouries. Training camps led by ex-military officers were functioning in strategic locations throughout the Niger Delta in 2006.

Arms are also conveyed through illegal oil bunkering, often as part payment for smuggled oil. Oil companies and state governors have also provided payments for “security services” to ensure oil operations are permitted to continue without disturbance. Such payments are often used by disaffected youth to improve their arsenals.

The number of illegal small arms seized by Nigeria’s customs is tiny. Weapons seizures at border points known to be key ports of entry for shipments of illegal arms such as Lagos and Port Harcourt are almost unknown. Similarly recovery of illegal arms by the Nigerian military and police is negligible.

The source countries of weapons illegally imported into Nigeria include all bordering countries (Benin, Cameroon, Chad, and Niger). Weapons are illegally procured through Cameroon, often as part of shipment of machinery parts or smuggled inside petrol tankers. Other reported countries from which illegal weapons and ammunition are sourced include Côte d’Ivoire, Liberia, South Africa, Turkey, and Ukraine, as well as Bulgaria, Kosovo, and Serbia.⁶

Weapons decommissioned by the Ukraine military have been shipped from the Ukraine through Odessa and Dubai. In one documented instance, a Greek vessel under a Liberian flag was used, with on-shipment by former KGB major Viktor Bout’s fleet of Antonovs from Sharjah airfield (near Dubai). With the arrest of Bout, arguably the most prominent international dealer known to have connections with the supply of illicit arms in West Africa, there is an opportunity to seriously disrupt and constrain the flow of weapons into Nigeria. The key driver is political will to enforce interdiction and prosecution as well as to engage with international agencies.

5.2 Unemployment

Nigeria’s oil industry employs only about 30,000 workers, satisfying virtually none of the local demands for jobs. The general poverty and underdevelopment of the region offers little basis for livelihoods, especially for young men. Over the years there has been a steady drift of youth from rural areas to major population centres such as Port Harcourt. Increasing numbers of youth are faced with poverty rather than the expected prosperity of the city. The financial benefits from the illicit activities of street gangs, cult groups and militia, serve to perpetuate criminality and social disintegration, especially in a context of weak law enforcement and corrupt authorities,

5.3 Social disintegration

Social disintegration is seen in the loss of legitimacy by elders and community leaders, the loss of livelihoods in farming and fishing settlements, the displacement of communities, rising ethnic antagonism, and the rise of violence and criminality among youth. The destruction of robust social structures with their inherent control mechanisms means there are few constraints on behaviours, or local mechanisms for reining in conflict. This deterioration feeds the cycle of unemployment, poverty, despair, crime and conflict that corrodes security.

The state has failed to provide any reasonable back-up to rebuild social fabric, or to sustain alternative controls to stabilise society. Rather, the state responds only when the system is evidently out of control: the response is usually in the form of impulsive and brutal military action which serves to exacerbate the situation. Oppressive, violent action further undermines stability and social control.

5.4 Corruption

Pervasive corruption within the government, oil companies, and even some non-governmental organizations (NGOs), prevents the delivery of funds intended for infrastructure and community development. Bribery, embezzlement, fraud and other vices have gained root in most public offices and permeate the private sector. Money laundering and advanced fee fraud often referred to as “419”⁷ (so named after section 419 of the Criminal Code) are offshoots of this malaise.

Corrupt relationships foster the diversion of revenues which aggravate grievances among the communities of the Delta. Rampant corruption has also destroyed respect for social order. At a community and inter-community level, suspicion and tension emerging from oil sector-related corruption drives conflict. At regional level, corruption maintains systemic poverty and inequality, which forms an important catalyst of instability.

6 Stephen Davis and Dimieari Von Kemedi. *The Current Stability and Future Prospects for Peace and Security in the Niger Delta*. Niger Delta Peace and Security Working Papers. August 2005. p.3.

7 *Criminal Code Act* (1990), Sections 419, 419A and 419B, *Obtaining Property by False Pretences: Cheating*

Political interference and bribery reduce public confidence in the courts and legal system. Collusion among criminals and state security forces renders law enforcement largely ineffective in dealing with oil theft. Militia activity could not flourish without corruption.

A sustained attack on corruption, including successful prosecutions, is required to break the nexus of illegal arms, oil theft and money laundering. This would build public confidence and trust in government, enabling any peace agreement reached among the parties to have a greater chance of success.

6. Oil Theft

Between 100,000 and 300,000 barrels of crude oil were stolen in Nigeria daily between 2003 and 2008, not including the incidence of excess lifting or cargo theft by licensed transporters and oil service companies.⁸ The gross value of the stolen oil is shown in Figure 2. This level of diversion conservatively represents an illicit income of \$1.5 billion to \$4 billion in 2003 (working from an estimated average black market price of \$15/b); \$2 billion to \$5 billion in 2004, (estimating \$20/b in 2004); and \$2.5 billion to \$6.25 billion in 2005 (estimating \$25/b in 2005).

A reasonable estimate of the value of losses to Nigeria's export revenues between 2003 and 2008, from both crude oil theft and shut-in production, is approximately US\$92 billion. Obviously, precise figures do not exist. Regardless of fluctuations in the oil price, and the debated estimates of bunkering and deferred production, the losses incurred from insecurity in the Niger Delta are enormous in scale.

Year	Av. Price Bonny Light Crude (USD)	Volume Stolen bpd	Value of Oil Stolen (USD)	Assumed Production Shut-in bpd	Value of Production Shut-in (USD)	Daily Av. Stolen & Shut-in	Total Value (USD)
2000	28.49			250,000	\$2.6 billion		
2001	24.50			200,000	\$1.8 billion		
2002	25.15			370,000	\$3.4 billion		
2003	28.76	300,000	\$3.2 billion	350,000	\$3.7 billion	650,000	\$6.9 billion
2004	38.27	300,000	\$4.2 billion	230,000	\$3.2 billion	530,000	\$6.4 billion
2005	55.67	250,000	\$5.1 billion	180,000	\$3.7 billion	430,000	\$8.8 billion
2006	66.84	100,000	\$2.4 billion	600,000	\$14.6 billion	700,000	\$17.0 billion
2007	75.14	100,000	\$2.7 billion	600,000	\$16.5 billion	700,000	\$19.2 billion
2008	115.81	150,000	\$6.3 billion	650,000	\$27.5 billion	800,000	\$33.8 billion

The relationship between oil theft and conflict in the Niger Delta is demonstrated in Figure 3.⁹ For illustrative purposes, we use base data from the NNPC to trace the connection between conflict episodes and bunkering. Following the elections in May 2003, there was a cessation in conflict as non-state forces achieved their objective in securing the elections for their political patrons. Within a couple of months, however, the non-state forces were cut adrift and had to find substitute sources of funding. Illegal importation of small arms increased and the groups furnished various forms of security "services" to oil companies and illegal bunkerers. As income expanded, more groups were formed, and territory was defined and defended.

A very significant drop in the level of crude oil theft occurred with the cessation of conflict immediately following the October 2004 Peace Accord with the NDPVF and NDVS and the associated disarmament of non-state forces in December 2004. Already by early 2005, former combatants were protesting that the Federal and State Governments were not living up to their end of the deal, and that funding for training and employment was not forthcoming. Oil theft and weapons importations began to rise as former combatants sought means of making money when the government failed to deliver on the Peace Accord.

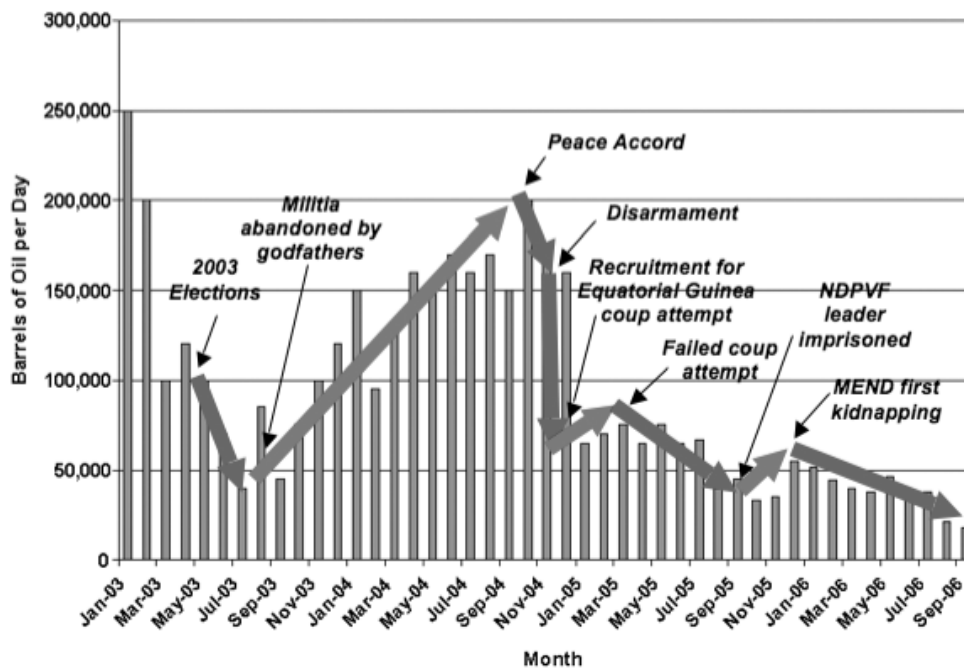
In the wake of Asari Dokubo's arrest in September 2005, oil theft immediately escalated and armaments increased. A restructuring of the NDPVF and affiliated groups took place and early 2006 saw the emergence of MEND. When MEND escalated its activities, after a brief rise in the level of oil theft, bunkering declined visibly. Oil theft has not reached pre-2006 levels, principally because the main income producing activity of non-state forces has shifted to kidnapping.

⁸ Stephen Davis, "Oil Theft in Nigeria-An Overview", *Legaloil.com Information Paper No.1*, October 2003, p.2. www.legaloil.com.

⁹ There are disparities in the estimates of oil bunkering provided by the Nigerian National Petroleum Corporation (NNPC) and those from other sources such as government spokespersons and the major oil companies.

Figure 3: Level of Crude Oil Theft and Conflict Events in the Niger Delta, 2003 to 2006

Source: Base figures from Nigerian National Petroleum Corporation NNPC



As the militia groups have diversified their income base, the strong links between the volume of illegal bunkering and levels of violence are not as evident. The tactics of MEND have been aimed at preventing oil production through both “hard” and “soft” methods. The “hard” methods saw MEND attacking and damaging pipelines and oil installations such as flow stations and loading points, causing considerable disruption to oil production. This had a significant impact on the earnings of the oil companies and the Nigeria Government. The “soft” methods saw MEND and affiliates kidnapping oil company staff, which undermined morale and caused considerable anguish for the companies, who subsequently withdrew expatriate employees.

6.1 Who Backs the Oil Theft?

There is evidence that military officials, businessmen, and high-level government officials are involved in bunkering activities. This suggests direct collusion between armed groups and local officials, who enjoy protection from prosecution. The newly appointed Chief of Defence Staff, Air Marshall Paul Dike, admitted publicly that some of the soldiers attached to the Joint Task Force (the combined military force mandated with security in the Delta) encouraged illegal bunkering.¹⁰ It has also been reported that the military have provided weapons to non-state forces protecting bunkering operations. Admirals have been convicted in relation to oil theft. The former Acting Group Managing Director of the NNPC has accused naval officers in the Niger Delta of aiding the bunkering of crude oil.¹¹

In September 2007 the Director of Navy Information, Captain Henry Babalola, said crude oil theft is perpetrated by powerful and ruthless cartels assisted by notorious ship owners and corrupt government officials who benefit immensely from the illicit trade. Senior Nigerian officials have protected and backed armed non-state forces, enabling them to provide security for large scale bunkering cartels without interference by state security forces.

Greater levels of transparency within the oil industry would help to clarify how much oil is stolen each day, and would bring to light how industry activities lend themselves to illegal bunkering. This would identify more clearly the role international oil companies (IOCs) can play in reducing or ending the theft of crude oil at source.

¹⁰ *Vanguard*, “We have reports of soldiers encouraging militancy, says CDS, Dike” 27 September 2008

¹¹ *The Punch*, “Yar’Adua gives ultimatum to Warri refinery MD,” 06 December 2007.

7. Political Godfathers

Political godfathers and aspiring politicians have employed gangs, cult groups, vigilantes and militias in pursuit of political office, and to extend their power in other ways. The environment of conflict also screens illegal activities such as the theft of crude oil. The political godfathers are influential and have shown the ability to sabotage peace efforts. Their power to intervene must be curtailed before any prospect of a sustained peace can be seriously contemplated.

Gangs and street cult groups are the most common instruments of political violence. In the urban areas of the Niger Delta (most prominently Port Harcourt) street gangs are often sponsored by political godfathers or formed by political aspirants who provide funding, and frequently weaponry. Some urban gangs and cult groups package themselves as offering security services in the run-up to elections. They are deployed not only against rival parties but also rival candidates from the same party during primaries.

8. Stakeholder Positions

8.1 MEND

The key stakeholders in the Niger Delta complex are the militia groups encompassed chiefly in MEND and the NDPVF; the government (both Federal and State); and the major international oil companies (IOCs).

The MEND leadership has agreed in principle to an 11 point peace plan that complies with international standards for disarmament and weapons destruction. MEND leadership has agreed to demobilize and abide by an international disarmament programme if it can reach agreement with the government on an agenda for formal peace discussions. MEND would disarm in three stages. First MEND forces would relinquish light weapons, then heavy weapons, and finally their surface-to-air capability. Disarmament and weapons destruction would be tied to the demobilisation and integration of the militia back into community life.

MEND has undertaken to guarantee a complete cessation of all militia activity including activity by non-MEND militia units. This would not extend to criminal activity such as bank robberies, which MEND says is unrelated to militia and is a local policing matter.

The following statement of position has been authorised for inclusion herein as the MEND position as of 01 October 2008:

1. Henry Okah¹² is to be held in good conditions with access afforded to his legal representatives, family, pastor and independent international observers;
2. In return Henry Okah will assist the new peace process in the Niger Delta;
3. MEND will declare a period of grace in which it will halt all militia action in the Niger Delta;
4. In return military forces will halt all actions and no further troops will be deployed;
5. During the grace period a demobilization plan will be agreed between militia, the Federal Government of Nigeria and international observers with an emphasis on education, rehabilitation, counselling, training, apprenticeships, employment and small/medium scale business opportunities that will constructively engage the militia;
6. The Federal Government of Nigeria will begin a staged military withdrawal from the Niger Delta;
7. In return MEND will agree a staged disarmament to United Nations standards commensurate with military withdrawal from the Niger Delta;
8. In the interest of public safety, the Federal Government of Nigeria will match military withdrawal with the increases in police wages, training, orientation, equipment and improvements in police living conditions. This will assist in moving Nigeria from a military regime to a true democracy with a civilian government;

¹² Henry Okah, the alleged head of MEND, was arrested in Luanda, Angola in September 2007 and extradited to Nigeria in February 2008. He has been held in detention by the Federal Government of Nigeria with legal proceedings conducted *in camera*.

9. The Federal Government in conjunction with the State Governments of the Niger Delta states will announce details of a plan to deliver greater transparency in revenues from Federal Governments, to State Governments and on to Local Government, and application of those funds to relieve the suffering of villages (through improvement to health services, provision of potable water, etc.) and give hope (through stimulating local economies, providing teachers wages, etc);
10. The Federal Government will announce increased funds to specific programmes in communities aimed at relieving the suffering of the poor and disadvantaged citizens;
11. The Federal Government must propose a time table for the practice of true federalism in the equitable, fair and just control of resources by every state in the federation.

There are three further matters which feature significantly in the current debate about solutions to the Niger Delta conflict. First, in the public domain there is discussion about an amnesty for Henry Okah along the lines of the amnesty afforded to Asari Dokubo, Ateke Tom and other non-state combatants as part of the 2004 Peace Accord. In late October 2008 the Government of Rivers State mooted an amnesty for non-state combatants operating in Rivers State. This extended to members of gangs and cult groups. However, it is hard to see how an amnesty limited to one state can be effective in the current situation, where conflict flows across state borders. Further, the possession of crude oil without a licence is a national offence under the law, so a state-based amnesty is unlikely to be a defence against this law.

Second, there is discussion about increasing the derivation share of oil revenues that accrue to oil-producing states, well above the current level of 13 percent. If there is an increase in the derivation, then there must also be significant steps from the Federal Government to guarantee transparency in the management of these revenues. This is the only way to ensure the flow of revenue to communities through programmes that will improve the quality of life for local residents. Any increase in revenues to states without increased transparency, accountability and surveillance will likely see the new revenues siphoned off in the traditional manner, which has contributed to the current state of widespread conflict.

Third, there is discussion about a “sovereign national conference” or another public forum at which issues such as representation, state and federal powers, etc., could be openly debated. Nigeria is in the very early years of an electoral regime, and the form of democracy is likely to undergo significant changes that will better reflect the country’s social, political and cultural make up and its distinctive history. Consensus on reform, could provide the basis for amendments to the constitution, as in other democracies.

8.2 The Federal Government

The Federal Government has expressed the intent to work with the militias towards a constructive solution but has repeatedly ignored opportunities for a ceasefire and political dialogue. In light of past inconsistency, the Federal Government needs to establish trust and credibility as the basis for a viable peace process. The establishment of the new Niger Delta Ministry offers an opportunity to kick-start this process, though much will depend on its ability to offer tangible progress in delivering improved infrastructure and development.

Such an initiative is challenged from the outset by a history of failed attempts through agencies such the Oil Mineral Producing Area Development Commission (OMPADEC) and its successor, the current Niger Delta Development Commission (NDDC). Neither federal agency produced visible change in the region. OMPADEC was instituted in 1992 with a clear expectation that it would embark upon key infrastructure development projects in the oil producing areas. After eight years, its lack of success was obvious, as the agency became notorious for corruption and inaction. President Obasanjo established the NDDC in 2000 as a federal agency with a similar mandate. It was slow to begin operations and has made little palpable impact in the Delta states. Although the NDDC has been left largely intact, another federal body in the form of the new Niger Delta Ministry was established in September 2008 to advance the same goals as OMPADEC and the NDDC.

The government’s episodic responses to the Niger Delta crisis lack consistency or cohesion. Any peace effort requires clear, firm and consistent leadership from the President of Nigeria and key federal agencies. There is some hope that the new Ministry for the Niger Delta might initiate that process, though the mere creation of another government department hardly constitutes a solution in itself.

8.3 State Governments

While the Federal Government of Nigeria sends mixed messages about its position, state governments are similarly fragmented and uneven. Some state governments constructively seek peaceful solutions, while others oscillate between endorsing indiscriminate military actions and paying off the militia.

Successful demobilization will require comprehensive and sustainable development strategies at the state level. State government should have broad, cohesive plans that co-ordinate programmes to provide education, training and small business opportunities, thereby creating long term employment and a realistic opportunity for the demobilization of non-state combatants.

8.4 International Oil Companies

The international oil companies (IOCs), acting collectively, could bring substantial assets and management capability to a demobilization and reconstruction package. Most foreign firms take the position that a solution to the Niger Delta conflict is mainly the responsibility of the Nigerian government, a view that has some merit. Yet the IOCs do themselves and the people of Nigeria a disservice in not pooling their capabilities to work with government toward a strategic solution to the conflict.

9. Potential for Peace and Reconciliation

Any realistic attempts to deal constructively with the conflict in the Niger Delta must address the roots of the conflict including poverty, unemployment, corruption, revenue distribution, electoral malpractice, ethnic tensions, environmental degradation and human rights abuses. A comprehensive and cohesive response is required.

The potential for peace and reconciliation is very much a product of the Federal Government's approach to issues perceived as injustices by the Niger Delta population and its engagement with militia leaders through dialogue. Decisive measures toward corruption control, the containment of illegal weapons and control of the borders and waterways are also integral to a lasting settlement of the crisis in the Delta.

Nigeria has demonstrated almost negligible control over the flow of illegal arms and the dispersal of such weapons within Nigeria. Unless weapons can be limited along with militant groups, then dismembering the militia leadership will provide only temporary relief of the conflict, and may serve to incite even higher levels of violence. Amnesty or pardon would extend not only to militias still in the field but also to prisoners incarcerated in connection with militia activities.. Foreign governments and international bodies can also do more to reduce the level of illegal small arms, the transport and refining of illegal oil and money-laundering.

As development programmes move ahead, independent monitoring and public reporting is essential regardless of whether programmes are sponsored by government, the business sector or international donors. An effective transparency campaign will require unqualified Federal and State Government support.

10. Starting a Credible Dialogue

As soon as a credible agenda for peace discussion has been agreed, conflict with the militia could cease almost immediately.¹³ That said, the biggest obstacle to peace is a general lack of trust among the parties to the conflict. The Federal Government's position is ambiguous and not effectively conveyed. Presidential commitment to a comprehensive peace plan would do much to ease the level of conflict, especially if a senior initiative were rolled out in a series of steps over an agreed period of time, with international facilitation and public reporting. This would restore public confidence and allow Nigeria to move forward in many areas. Moreover, efforts to end the conflict in the Niger Delta are unlikely to see a sustained peace without the involvement of neutral international mediator.

However, any initiatives that might dismantle the lucrative enterprises in oil theft business and weapons importation are likely to be greeted with hostility by some political leaders that have crucial influence over the military and security forces. The political godfathers are powerful and have shown the ability to sabotage peace efforts. The power of political godfathers to intervene must be curtailed before any prospect of a sustained peace can be seriously contemplated.

The police service, a critical element of state security, must win the confidence of the public. To do so it needs to become a stronger, more professional and effective institution. This will require it to be improved resources and restructuring, effective management and professional training. A properly trained and led police force should be deployed into the regions and communities, seen to be serving the people and familiar with local issues. A commission to review policing in the Niger Delta would be a major step in restoring public confidence in the police force.

Demobilization will require a detailed program that specifies education, job training, employment and small business opportunities for ex-combatants and prisoners. The terms of demobilization must be uniform across all states in the Niger Delta and made public. There must also be efficient, fair and equitable delivery of justice.

¹³ MEND has given an undertaking to this effect during discussions for this paper.

11. The Peace Process

11.1 Four Part Process

The creation of a peaceful society is predicated on finding common solutions to the issues at the root of conflict. A solution imposed by one party is unlikely to form the basis of enduring peace. A sustained peace with justice requires an agreed process in which all stakeholders are willing participants. There are four broad parts to the peace process: First, demobilization of the militia; Second, disarmament; Third, weapons destruction; and Fourth, the reintegration of former non-state combatants.

11.2 Demobilisation

In Nigeria the term “demobilisation” has been used most often to simply mean disarming former non-state combatants and providing them with a modest payment and some skills retraining. Predictably, this approach has had little enduring success. Demobilisation of non-state combatants often differs from demobilisation of military forces to civilian life. In the midst of peace, this process can be gradual and responsive to the local situation, but a conflict situation requires a planned and systematic approach. Demobilization is not an ad hoc process that should vary from state to state. The terms must be uniform across all states in the Niger Delta.

The mechanics of demobilization will require former non-state combatants belonging to the militia groups to register in order to participate in programs. The process will also require a detailed program that specifies education, job training, employment and small business opportunities for the former non-state combatants. Without successful demobilisation former non-state combatants are likely to return to combat roles.

11.3 Disarmament

A sustained peace in the Niger Delta will not be attained without serious attention to the weapons through which violence is perpetrated. The local communities, the Nigerian public and the international community will not believe that there is any integrity to a peace process that does not address disarmament. Any disarmament program and subsequent weapons destruction must have the full backing and integral involvement of the Federal Government. Disarmament requires a detailed step-by-step process that both the militia and Government sign off.

Disarmament requires substantial confidence building between parties. The disarmament process requires a secure environment for former non-state combatants, adequate funding and guaranteed amnesty in order to deliver the level of trust necessary between parties for the process to proceed.

It is not surprising that the militia leaders in the Niger Delta have proposed that demobilization and disarmament should be rolled out in phases. The militias depend on their arms for survival, and this is the source of their bargaining power. They are unwilling to relinquish their weapons until they have clear and credible evidence that all matters agreed with the government will be implemented. They seek a high profile international third party who will oversee and publicly report on the process at frequent intervals.

Nigeria has not yet implemented a true disarmament program. Rather, the intent seems to have been a form of arms control, without producing any significant reduction of the number of weapons in circulation. Even where weapons destruction has taken place, the payment for weapons often facilitated the immediate purchase of replacement weapons of better condition, and often of higher caliber.

MEND has agreed in principal to follow the procedure set down as the UN weapons destruction process defined by the United Nations in *A Destruction Handbook: Small Arms, Light Weapons, Ammunition and Explosives*.¹⁴ This would include a weapons destruction process undertaken in three tranches. Light weapons (e.g. AK-47s) will be destroyed in the first tranche of weapons destruction. Heavy weapons (e.g. RPGs) in the second tranche. Surface-to-air capability is destroyed in the third tranche.

A 12-point disarmament process has been outlined by MEND representatives:

1. Set up a secure weapons and ammunition storage facility;
2. Plan weapons and ammunition collection process including registration of all weapons collected;
3. Coordinate transport of weapons to storage facility and transport to site for destruction of collected weapons and ammunition;
4. Coordinate activities with the state and national security agents;
5. Training in identification and registration process; basic safety precautions; handling of weapons and ammunition;
6. Institute weapons handed in;
7. Description of weapon, serial number, manufacture recorded. Weapons registered;

¹⁴ United Nations Department for Disarmament Affairs. January 2002, accessed at <http://reliefweb.int/rw/lib.nsf/db900SID/LGEL-5ECCP5?OpenDocument>

8. Register cross checked against current listing to ensure it is a new weapon;
9. Payment made at market/agreed rate;
10. Weapons and ammunition destroyed;
11. Destruction documented and independently verified;
12. Report written and made available to state and national security agencies.

The weapons destruction process should occur under independent third party expert scrutiny and be conducted according to international standards. The Federal Government of Nigeria will need to guarantee the security of former combatants from reprisal by any government forces.

In addition, the Federal and state governments must focus on the broader connections between combatants and weapons suppliers. Disarmament is simply another means of making money if the replacement of surrendered weapons is not choked off, which requires targeting local and international routes for the supply of illegal arms. To that end the government of Nigeria will need to address the problems of porous international borders and lax customs procedures in order to reduce the flow of illegal arms supplies.

A further proposal from the militia leaders would link disarmament and development initiatives. This calls for a “grace period” during which community programmes (such as those implemented under the Bayelsa State Sustainable Development Strategy) are deployed in areas of stability. If conflict breaks out during this grace period, the onus is on the key militia leaders to cooperate with government to quickly restore peace. Programmes will be suspended wherever conflict breaks out and should not be restarted until peace is restored.

11.4 Reintegration

Reintegration of former non-state combatants must first take stock of the structure of communities into which the former non-state combatants are likely to be settled. It cannot be assumed that the post conflict circumstances are the same as pre-conflict community conditions. For example the traditional leadership in some communities has become dysfunctional and, in some cases, ceased to exist. In other cases villages have been depopulated by fighting and military action. Where a significant number of young males have been drawn into combat roles, other members of the community (notably women) may have assumed new roles, and their displacement may cause friction and opposition to reintegration.

Women members of gangs and cult groups must also be brought within the reintegration programmes. These include groups such as the Black Braziers (Bra Bra), the Amazons, Daughters of Jezebel, the Viqueens, and the Damsels. Particular attention should be given to ensure their needs are addressed.

In the Niger Delta, the churches offer an important established network that could foster the reintegration of non-state combatants. Religious organizations could be co-ordinated to provide counselling for former fighters, and to work with families and communities to accept the former non-state combatants back into mainstream life. In addition, it is important to allow for effective routes of legitimate political activism in the process of reintegration.

12. Peace Agreement

The initial draft of a peace agreement need not be detailed and comprehensive in order to end conflict. Agreement on the principal points to be addressed in a subsequent, mediated dialogue may be sufficient to begin a constructive dialogue, with a view to a more comprehensive peace and reconciliation plan. The draft peace agreement will need to be wide-ranging and go well beyond the previous peace attempts in the Niger Delta.

The Niger Delta conflict is not a conflict over territory. It is an intra-state conflict where militant groups are challenging the government’s right to govern.¹⁵ The success of a peace agreement will depend in part on the political provisions in the agreement. Any provisions with respect to territorial disputes among communities should be separated from the more fundamental disputes over the control of the state and its resources. Agreements in respect to state control may address natural resource control and revenue sharing,

¹⁵ Other situations that the Human Security Centre considers could be intra-state wars include Colombia: government vs. FARC-EP and ELN; Afghanistan: government and allied countries vs. Taliban; India (Kashmir): government vs. Kashmir insurgents; Nepal: government vs. Maoists; Iraq: government and allied countries vs. insurgents.

13. Amnesty Guarantees

The duration of post-conflict peace depends to a significant degree on how the conflict is terminated.¹⁶ Amnesty guarantees should be extended to all non-state combatants. It is difficult to distinguish between genuine militia and membership of cult groups and criminal gangs which often operate in tandem. Amnesty guarantees will allow many potential offenders to avoid prosecution, therefore reducing the risk that they will resume conflict in order to escape legal penalties. If the peace package is comprehensive, well resourced, and subject to continuous public scrutiny then the risk of former combatants reigniting conflict is significantly mitigated.

There needs to be a link between the amnesty guarantee and participation in the reconciliation process. Post-conflict trials appear to have a negligible effect in post-conflict democratic societies.¹⁷ Non-retributive forms of post conflict justice, such as reparation to victims and truth commissions, have a prolonging effect on the duration of peace in post-conflict democratic societies. Some models suggest that amnesty increases the risk of peace failure.¹⁸ However, negotiation of a peace settlement can easily fail if by excluding amnesty guarantees are not available, and continued fighting will be costly in circumstances where the government cannot deliver a decisive victory in the near term.

The calculus between continued conflict and an uncertain settlement is difficult in the Niger Delta, where a lasting blow to the militias may well entail significant civilian deaths and damage to national infrastructure. The militias have the ability to destroy large parts of the oil production facilities and the military has found it difficult to achieve a decisive advantage due to guerrilla tactics, the terrain of the swamps where the militia camps are established, and the dispersed infrastructure of oil pipelines and production facilities. The security forces have caused a significant number of innocent civilian deaths in their assaults on villages suspected of harboring or assisting militia, most recently in the Warri region of Delta State.

14. Sustaining the Peace

Governance and political legitimacy is an essential element in any lasting solution to conflict in the Niger Delta. This includes a credible election process, accountable officials that deliver public goods, and general security provided by state and Federal authorities.

Achieving and sustaining peace in the Niger Delta will ultimately require effective Presidential control of the military forces, and a restraining influence on government officials and politicians in the Niger Delta, who have often acted to destabilize the situation in that region.

Further, a sustained solution to conflict in the Niger Delta requires not just the cessation of violent conflict but also significant efforts to integrate the states and communities of the Delta into a common sense of nationhood. Building mutual trust and respect is fundamental to any sustained peaceful solution to the conflict in the Niger Delta.

Nigeria is attempting to build a democracy with challenging ethnic and cultural roots. Like most other African states, Nigeria is unlikely to develop a democratic system in the same form as it appears among the mature democracies of the West. Nigeria's national identity is continually being renegotiated in the face of divisive ethnic and cultural differences. The integration of the Niger Delta communities and peoples is among the more urgent challenges of nation-building in Nigeria today. The country's political transition, even after a decade, will be a long-term process and not an event to be achieved by a particular political decision.

This does not detract from the role that western nations can play in seeking to advance governance in Nigeria. Emphasis upon a credible election process, and assistance with a variety of governance functions, could have important constructive effects on conditions in the Niger Delta. International efforts to stem money laundering and to limit the commerce in illicit oil could also reduce incentives for corruption and illegal actions by local militias and prominent Nigerians alike. Thus far, the initiatives by Britain have been forceful though uneven, while the US remains an outlet for Nigerians to park illicit funds.

¹⁶ Grete Lie Tove, Helga Malmin Binningsbø, and Scott Gates, *Post-Conflict Justice and Sustainable Peace*, Centre for the Study of Civil War, PRIO and Norwegian University of Science & Technology (NTNU), p.15.

¹⁷ Ibid, p.15.

¹⁸ Ibid, p.17.

A broader approach to the consolidation of peace should include a framework of restorative justice; a reconciliation process; a Truth Commission; security system reform; and an economic plan. These are detailed in the following sections.

15. Justice

Many senior Nigerian officials would like to treat non-state combatants strictly within the criminal justice system. This is understandable, and would seem reasonable to those who have no first hand knowledge of the Nigerian criminal justice system or the extent of summary executions, particularly in the Niger Delta. Under former Nigerian military governments, the rules of justice usually found in democratic societies were suspended, and as a matter of practice they have not been re-established under civilian rule. Thus the MEND statement that, “There can be no peace without justice”¹⁹ poses a basic challenge in defining and applying justice.

While the Nigerian criminal justice system treats criminal acts in a very narrow sense, other countries transitioning to democracy have advanced a restorative justice model that “emphasizes repairing the harm caused or revealed by criminal behaviour... through cooperative processes that include all stakeholders.” A key aspect of restorative justice is transforming the traditional relationship between communities and their governments in responding to crime.²⁰ A restorative social justice plan, as distinct from criminal justice, will increase the opportunity for a sustained peace and should be designed to strengthen democracy and peace in the Niger Delta.

16. Reconciliation Plan

A detailed reconciliation plan is required as part of the peace process. Reconciliation needs to happen at three levels: (a) within and among communities; (b) between companies and communities; and (c) between government and communities. The form of reconciliation efforts will be context-specific and should be supported by local reconciliation centres established in conjunction with churches and universities.

17. Truth Commission

A Truth Commission would have the primary purposes of investigating and reporting on human rights abuses. There have been a range of truth commissions in recent years, many of which were modeled on South Africa’s Truth and Reconciliation Commission (TRC).

The Truth Commission should be an official Federal Government body that will make recommendations to remedy abuse and to prevent its recurrence. The Truth Commission should not seek to construct cases for prosecution, but would be used to identify and document past events as a basis for remedial action. The Truth Commission would also provide an essential complement to the reconciliation process.

Solutions to the conflict in the Niger Delta require both practical and symbolic measures. In this sense a Truth Commission and reconciliation program, which many would see as symbolic, need to be balanced by “substantive” measures such as political representation, development efforts, and decreased military presence.

18. Security system reform

Security system reform should transform the military, police, judiciary and related state institutions from instruments of repression and corruption into instruments of public safety, service and integrity.

The Nigerian police in the Niger Delta are generally poorly paid and equipped and lacking in professional training. In addition, police stations and personnel are based in urban centers with little or no permanent presence in the rural and riverine areas where the oil producing assets are located. Police who do occasionally venture into rural areas are seen as outsiders with little local empathy with the communities. Moreover, there are numerous reports of extrajudicial killings documented by credible international human rights groups.²¹

¹⁹ Jomo Gbomo, personal communication with author, June 2008

²⁰ <http://www.restorativejustice.org/intro> 10 Decemb

²¹ This problem is not confined solely to the Niger Delta. In a recent example in the city of Jos, police and troops are alleged to have carried out more than 90 summary executions in the course of suppressing violent religious and political rioting. *AFP*, “Nigeria forces executed over 90 in riot-hit city: HRW”, 20 December 2008.

Nigeria's military has equally been involved in human rights abuses and excessive violence in the Niger Delta. There have also been extensive credible allegations that the military is implicated in oil theft operations. In a recent incident, the vessel Mt Akwad was used by members of the Joint Task Force in collaboration with non-state forces to illegally bunker oil.²²

19. Economic plan

A credible economic plan for the Niger Delta is required for peace to be sustained. This may call for the Niger Delta states to be assigned a special development status for a set period of time. An economic program could provide for the revenue derivation allocation to oil producing states to be increased above the current 13 percent. In addition regional development might include the creation of international free trade zones (such as the current zone in Calabar), upgraded port facilities, the development of infrastructure linking ports to the hinterland, and the establishment of satellite or regional development centres to decentralise population and reduce strain on the infrastructure of major cities such as Port Harcourt.

20. Recommendations

1. The Federal Government of Nigeria should:
 - a. Immediately halt all offensive military activity in the Niger Delta and put military currently deployed in the Niger Delta on a defensive footing limited to ensuring public safety;
 - b. Begin a staged withdrawal of military forces from the Niger Delta and immediately commence replacing military with well-trained and well-equipped state police. As this transition proceeds, the international community would be called upon to provide personnel and equipment to assist training and equipping state police. In addition, policing should become more community focused being located and operational in rural and oil producing areas;
 - c. With the help of the international community and international programs such as Revenue Watch, Oxfam, and Publish What you Pay, assure that all monies allocated to Niger Delta projects would pass directly to local projects and be publicly accounted within the fiscal year in which it was allocated;
 - d. Engage with the international oil companies, state governments and the international community to repair the damage done to the environment through oil spills and establish rules to prevent recurrence, including penalties for offences, and mechanisms to monitor clean-up operations to world's best practice;
 - e. Announce a far-reaching amnesty process that will extend to non-state combatants, those identified as supporting non-state combatants and those in detention suspected or convicted of participating in or assisting non-state combatants; release Henry Okah so he can join the peace process;
 - f. Identify and prosecute political god-fathers who support and sustain the violence in the Niger Delta region;
 - g. Agree that the question of the percentage allocation of oil revenues to the Niger Delta oil producing states will be part of the constitutional review process;
 - h. Set up a panel of eminent Nigerian persons to review the university fraternities and recommend ways and means of overhauling the system to bring integrity to the campus fraternal system;
 - i. Make a public recognition of past injustices and announce an intervention based on reconciliation between all parties.

²² *Leadership Nigeria*. "JTF, Filipinos in War of Words over Bunkering", 11 December, 2008.

2. The militias, in concert with action from the Federal Government of Nigeria, should:
 - a. Immediately enter into a ceasefire and cease all conflict activity;
 - b. Agree to enter into a dialogue towards a peace agreement;
 - c. Commence demobilisation and a staged disarmament the terms of which will form part of a peace agreement;
 - d. Participate in education, training and employment in local development projects;
 - e. Support and participate in the constitutional review;
 - f. Use their influence to stop illegal oil bunkering, hostage taking, illegal arms traffic and other criminal activities;
 - g. Acknowledge the Federal Government's recognition of past injustices and participate in a program of reconciliation between all parties.

3. The Government of each oil producing state in the Niger Delta should:
 - a. Immediately construct a development plan that coordinates all government and private sector projects under a comprehensive state wide plan that will deliver sustainable development;
 - b. Identify education, training, employment and small business opportunities that can be used to absorb ex-combatants in the demobilisation process;
 - c. Identify and institute processes to embed revenue transparency for all state and local government development projects;
 - d. Identify and employ a project management tool that will track the expenditure and progress of all government, private sector and donor agency funded development projects in each respective state, and permit public transparency in project reporting.

4. The international community should:
 - a. Facilitate the negotiations among the parties along the foregoing lines through the appointment of an international mediator/facilitator as a credible third party;
 - b. Monitor the implementation of the peace agreement with personnel from outside Nigeria and consultative mechanisms;
 - c. Provide:
 - i. Training for the state police and riverine patrols,
 - ii. Project implementation support for development projects through NGOs;
 - iii. Project monitoring support through transparent international monitoring tools and capacity building for state and local government officers;
 - iv. Capacity building for state governments to implement sustainable development and revenue transparency.
 - d. Interdict illegal oil bunkering, arms trafficking and piracy offshore through an enhanced maritime security strategy, working with both the Federal Government and the militias engaged in the peace process.
 - e. Apply sanctions to individuals identified by an enhanced EFCC type operation as having failed to cooperate with the peace process.

5. The international oil companies should:

- a. Make all contributions to local development through and in concert with the approved state sustainable development model;
- b. Agree to a specific plan for repairing the environment and to rules for preventing further damage;
- c. Consider making local communities real partners in the oil and gas business. Such an approach would require the Federal Government of Nigeria to cede some of its equity (in lieu of revenue allocation) and the oil companies to accommodate to new management modes. As a result, Niger Delta communities would have a direct interest in the exploration and enhancing the quality of life in local communities, production of oil and gas and have a stake in maintaining peace as a means of fostering economic growth and delivering a sustainable improvement in the quality of life in local communities.

6. The Timeframe

The proposed actions should, in general, be sequenced along the following lines:

- a. The Federal Government of Nigeria (FGN) will immediately halt all offensive military activity in the Niger Delta and put military currently deployed in the Niger Delta on a defensive footing limited to ensuring public safety;
- b. The militias will respond by immediately entering into a ceasefire and cease all conflict activity;
- c. The FGN and militia will agree to the appointment of a third party international mediator/facilitator, and the FGN will then appoint the agreed person as international mediator/facilitator and undertake to provide sufficient resources to support the mediation;
- d. The international mediator will, upon accepting the appointment, immediately consult with Federal Government, relevant State Governments and militia to agree a draft agenda for a dialogue that will include, but may not be limited to, a peace agreement, amnesty guarantees, demobilisation of non-state forces, security system reform, oil revenue derivation, and sustainable development in the Niger Delta and reconciliation;
- e. The peace discussions will commence within 10 days of an agreed agenda being reached and published;
- f. Immediately an agenda is agreed and published the FGN will begin a staged military withdrawal from the Niger Delta and immediately commence replacing military with well trained and equipped state police;
- g. In return MEND will agree a staged disarmament commensurate with military withdrawal from the Niger Delta. The disarmament must be conducted to UN standards and under credible international scrutiny. The details of the disarmament process and timing will be agreed as part of the peace discussions;
- h. The Federal Government in conjunction with the State Governments of the Niger Delta states will announce details of a plan to deliver greater transparency in revenues from Federal Governments to State Governments and on to Local Government, and application of those funds to improve the quality of life in Niger Delta communities;
- i. The Federal Government must agree that the question of the percentage allocation of oil revenues to the Niger Delta oil producing states will be part of the constitutional review process and must propose a time table for the review process.
- j. The suggested sequence as outlined above is not inclusive of all steps and should be regarded as a guide only.



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