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Exclusion and the Challenges of Peace Building In The Niger Delta: An Assessment of The Amnesty Programme

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initiated and managed by the *International Development and Research Centre (IDRC)*

EXCLUSION AND THE CHALLENGES OF PEACE BUILDING IN THE NIGER DELTA: AN ASSESSMENT OF THE AMNESTY PROGRAMME



By

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PREFACE

The Niger Delta region has been a cynosure of attention for several decades. First, this was focused on a rising agitation and protests by communities between the 1970s and 1980s, against alleged mistreatment and neglect by transnational oil companies (TNOCs), which are in joint venture businesses with the federal government. Then the world watched as the Ogonis protested against environmental degradation by the nature of oil exploitation that disregarded their environments in the 1990s. By the late 1990s and up-till 2009, the international community was shocked at the armed resistance led by youth militias against the federal government and the oil companies, characterized by attacks against the oil infrastructure and kidnapping of staff of TNOCs, as they sought more resource control and benefits from the oil economy.

Following the strategic rethink of the federal government of its securitization of the conflict and militarization of the region, an Amnesty programme was established based on a disarmament, demobilization and reintegration programme for ex-militants. The programme achieved immediate results as 20,192 militants surrendered their arms, accepted amnesty and became part of the demobilization and reintegration programmes by October 2009. The number rose to 30,000 by October 2012.

The Amnesty programme has been the major plank of the government's strategy for security, peace and development since 2009. The programme was hailed as a major achievement of the then president Yar'Adua's Administration. It has attracted considerable budgetary attention and about N248 billion has been expended on the programme as at February 2014. The programme has been implemented for about five years and it is expected to be terminated in 2015.

The Amnesty programme has attracted considerable attention because of the volume of activities and monies expended and the impact it is expected to have. The assessments of the programme in public discourse has tended to focus on the narrow issues of the demobilization and reintegration efforts and achievements, rather than on the larger issues of maintaining peace, security and development of the region. The issues of the design, content, methods and implementation of the programme, and how their peculiar forms and character have impacted on the region and the ramifications that they have for sustainable peace, security and development have tended to be ignored.

The study adopts the perspective of exclusion as a platform for a critical interrogation of the programme. The focus is the determination of the levels of inclusion as measured against best practices and standards, and in relation to the goals of sustainable peace, security and development. The work seeks to unravel the consequences of exclusion for the ex-militant formation, community youth, those impacted by the armed resistance and violence, and the citizens of the region, and what these portend for sustainable peace, security and development of the region.

The study is part of a major investigation of the *Amnesty for Peace in the Niger Delta*, which is being conducted by the Centre for Population and Environmental Development, with support from the International Development Research Centre. The project is undertaken under the *Conflict and Development in Nigeria's Niger Delta region* theme in the current strategic plan of CPED. The general objective of the project, which is being undertaken by a team of senior and junior researchers drawn from several universities, is the determination of the content, methods, implementation and management of the Amnesty, and the experiences, outcomes and challenges as they relate to the critical issues of inclusiveness, equity, justice, gender sensitivity, violence mitigation, conflict resolution, peace building and development in the Niger Delta region.

We wish to thank the Executive Director of CPED for his leadership and inspiration and the entire research team for their contributions to this effort.

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TABLE OF CONTENTS

Chapter 1	Introduction.....	1
Chapter 2	Conceptual and Theoretical Issues.....	3
2.1	Introduction.....	3
2.2	The Post Conflict Transition to Peace.....	3
2.3	Peace Building	5
2.4	Disarmament, Demobilization and Reintegration (DDR)	10
2.5	Amnesty	19
2.6	Exclusion.....	20
2.7	Elements of Inclusionary DDR and PCTP	23
Chapter 3	The Amnesty Programme in the Niger Delta	29
3.1	Introduction	29
3.2	Disarmament, Demobilization, Rehabilitation and Reintegration of Ex-Militants.	32
3.3	Assessment of the Amnesty Programme	39
Chapter 4	Dimensions of Exclusion in the Amnesty Programme	41
4.1	Introduction	41
4.2	Conceptual Exclusion	41
4.3	Exclusion in the Selection, Eligibility and Participation in PAP.....	48
4.4	Exclusion in the Content and Breadth of PAP.	51
4.5	Exclusion in the Implementation and Management of PAP....	57
Chapter 5	Fragile Peace and Security: The Consequences of Exclusion in The Niger Delta Peace Building Process in the Niger Delta..	
5.1	Introduction.....	59
5.2	Exclusion and the Threats to Peace and Security.....	60
5.3	Exclusion and the Fragility and Non Sustainability of the Current Peace and Security	72
Chapter 6	Conclusion and Policy Recommendations.....	75
6.1	Conclusion.....	75
6.2	Policy Recommendations.....	85

LIST OF TABLES

Table 2.1: Stages in the Management of Post Conflict Transition to Peace.....	5
Table 2.2: Programmes of DDR Management of Ex-Combatants.....	14
Table 3.1 Presidential Amnesty Programme Budgetary Allocation, 2014.....	33
Table 3.2: Ex Militants trained in vocational skills.....	37
Table 3.3: The DDR in the Niger Delta.....	40
Table 5.1: Militia Resurgence and Violent Attacks 2009-2014.....	64
Table 5.2: Piracy, Oil Theft and Kidnapping of Sailors 2011-2014: The new face of Militancy.....	65

ACRONYMS

PCTP	Post Conflict Transition to Peace
UN	United Nations
DDR	Disarmament, Demobilization and Reintegration
DDDR	Disarmament, Demilitarization, Demobilization and Reintegration
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
DFID	Department for International Development
NGOs	Non-Governmental Organization
AU	African Union
ECOWAS	Economic Community of West African State
AGEF	German Aid Agency
RSPE	Reintegration Support for Ex-combatants
WFP	World Food Programme
PAP	Presidential Amnesty Programme
ICT	Information and Communications Technology
CAR	Central African Republic
JTF	Joint Task Force
NNP	Net National Product
LGA	Local Government Area
MDAs	Ministries, Departments and Agencies of Government
EU	European Union
FAO	Food and Agriculture Organization <i>of the United Nations</i>
MEND	Movement for the Emancipation of the Niger Delta

ND	Niger Delta
NDBDA	Niger Delta Basin Development Authority
NDDB	Niger Delta Development Board
OMPADEC	Oil Mineral Producing Area Development Commission

CHAPTER ONE

INTRODUCTION

After almost two decades of protests, violence and armed resistance in which civil society, communities and militants played the vanguard roles, accompanied by massive militarization and military actions, the Niger Delta entered into a new period in its history in October 2009. Based on the promise of the federal government to address the problems of the Niger Delta as part of a seven point agenda, the militants in the region accepted a federal amnesty, disarmament and cessation of hostilities. This new period, popularly regarded as a post conflict transition in the literature, is a very sensitive, delicate and complex process which determines the progress towards sustainable peace and security that ought to be hinged on peace agreements, inclusion, reconciliation, sustainable development and justice.

Inclusion is a central element of good governance, and crucial platform of building participation, mobilization, synergy, commitment and goodwill for projects of sustainable development as well as the growing of a crop of contented, satisfied and committed citizenry. Inclusion tends to develop win-win outcomes for stakeholders and satisfactory power and benefit outcomes, (Adekanye 2007:197), which is particularly crucial for managing the dynamics of post conflict situations that is usually characterized by volatility, diverse power struggles, plural but conflicting interests and instability. Exclusion undermines good governance as it is associated with discrimination, marginality, neglect, deprivation, disintegration and disempowerment which could generate poverty, frustration, alienation, powerlessness, and anger that

trigger social tensions, violent conflicts and threats to sustainable peace, security and development.

The Presidential Amnesty Programme (PAP) which is the main instrument of the management of the post conflict transition has engaged in a disarmament, demobilization and reintegration programme for ex-militants in the Niger Delta region. While the immediate goals of cessation of hostilities, restoration of the oil and gas infrastructure, oil and gas production and increasing revenues has been achieved and is driving economic growth in Nigeria, it is necessary to critically interrogate the programme in the context of the nature of conception, content, management and outcomes and how these are impacting on the long term goals of a post conflict transition which includes conflict resolution and transformation, sustainable development, security and peace and strong prospects of non violent conflict re-occurrence.

The study adopts the concept of exclusion as a perspective for critically examining the PAP and its outcomes, achievements and impact on sustainable peace, security and development in the Niger Delta. At issue are the levels of inclusion or exclusion in the goals, conception, content, strategies, implementation, benefit structure and target beneficiaries and how these are generating conditions that are functional and facilitative or otherwise in relation sustainable peace, security and development in the Niger Delta.

Beyond this introduction, the study is divided into five other chapters. In chapter two, there is a clarification of central concepts in the study such as post conflict transition, amnesty, exclusion and inclusionary disarmament,

demobilization and reintegration programmes. Chapter three focuses on the PAP and its component programmes, implementation and outcomes. The dimensions of exclusion as have been manifesting in the design and implementation of PAP engages our attention in chapter four. In chapter five, the study relates exclusion and its outcomes and consequences to the current state of peace and security. The final chapter makes concluding comments and policy recommendations.

CHAPTER TWO

CONCEPTUAL AND THEORETICAL ISSUES

2.1 INTRODUCTION

The restoration of positive peace after violent conflict is a daunting task that is complex, sensitive and prone to fragility. This usually involves a multi-staged transition process that ranges from political settlement, peace agreements, disarming and rehabilitating ex-combatants, processes of reconstruction and economic recovery, the restoration of institutions of democratic governments and justice and processes of reconciliation and peace building. There are often challenges of plurality, inclusion, accommodation, stability and continuity. The task of packaging diverse actors with often conflicting interests, some of which may have been antagonists and battle field opponents, to agree to and sustain peace agreements requires very delicate management that could be threatened at any moment with emergent incidents, information and fears. These are at the centre of the proneness of post conflict transitions to short life cycles.

2.2 THE POST CONFLICT TRANSITION TO PEACE (PCTP)

There are critical sets of activities or stages in the transition from violent conflicts to peace; the peace agreements or arrangements that is the platform for subsequent activities; the disarmament, demobilization and reintegration programme for ex-combatants; and the institutions of processes for reconciliation, justice, recovery and peace (Table 2.1).

Table 2.1 Stages in the Management of Post Conflict Transition to Peace

Stages	Disarmament, Demobilization and Reintegration	Post-conflict reconstruction	Post conflict recovery	Conflict Transformation	Peace Building
Goals	Safe and Secure Environment	Physical Reconstruction, Renovation and Reconstruction of decadent/destroyed infrastructure	Economic recovery Regeneration of local economies, employment and employment opportunities	Institution of better resource distribution to communities and groups	Promotion of Peaceful relations and co-existence
Activities	Preventing violent conflict reversals. Controlling & reducing propensity and incentives for further violence	Renovate social services and amenities, & build infrastructures, amenities	Controlling underground & illegal economies. Re-orient attitudes towards production	Identify & address group & communal grievances & marginalization	Redress of past abuses through reconciliation
		Reopen/reinvigorate education systems, health care systems. Provide assistance /support to internally displaced and those that suffered losses etc	Revitalize rural livelihood sources, occupations and improve social wellbeing, and reduce poverty	Address issues of equity and justice between MNOCS & OPCS, between communities & groups.	

Ikelegbe (2010:9)

Post-conflict reconstruction and rehabilitation is a crucial set of activities that are undertaken after the cessation of violent conflicts to prepare the ground for recovery and peace building. It involves physical reconstruction of basic infrastructures and basic social services that were destroyed during the war or armed resistance. Furthermore, it involves societal rehabilitation which includes the resettlement of displaced persons, assistance and support to victims

of violence and destruction, humanitarian support for the wounded and disabled as a result of the war and trauma counseling to the victims of violence, rape and human rights abuse.

Post conflict recovery seeks to rebuild institutions, governance systems and development strategies as a basis for recovery and rebuilding of state and non state platforms for sustainable development and good governance. There may be efforts at state building such as political reforms and new structures for democratic governance and new development plans and efforts as part of attempts to rebuild livelihoods, improve incomes and human development in the post conflict era.

2.3 PEACE BUILDING

Peace building is a process that ensures or creates an environment that prevents the emergence and escalation of tensions and violent conflicts. Peace building is essentially about the process of achieving peace and it embraces activities that build and consolidate peaceful relations and co-existence among peoples, groups and communities. It can be defined as “all actions undertaken in a conflict continuum to consolidate peace and prevent recurrence of armed confrontations (Annan, 1988). Its goal is to “build on, add to and re-orient peacemaking activities in ways designed to reduce the risk of the resumption of conflict, and create conditions conducive to reconciliation and recovery (Juma 2002).

The understanding of peace and subsequent conception of peace building differs considerably in terms of approaches, scope of activities and time frame.

While all societies from early history have established mechanisms and institutions of building peace such as councils of elders, religious leaders or other organized platforms, contemporary institutionalization of peace building in international law only emerged in the late 19th century. This process which started with the Hague Peace Conference in 1898, the League of Nations and later the United Nations at the end of World War II have had the objectives of monitoring and supporting world peace through mediation, facilitation of good offices and arbitration between states. The main protagonists involved in this process were nation states and the United Nations (UN) (Cortright 2008:40-43; Chetail 2009).

The term “peace building” was first used by Johan Galtung (1975:282-304) as one of three approaches to peace: peacemaking, peacekeeping and peace building. Galtung made a conceptual distinction between negative peace (end of violence) and positive peace (peaceful society at all levels), which he developed from an analysis of violence. While negative peace achieves the absence of physical violence through peacekeeping, positive peace can achieve the absence of structural violence through peacemaking and peace building.

From a conflict resolution perspective, peacemaking aims at removing the tensions between parties in conflict by addressing the causes of violence. Peace building achieves positive peace by creating structures and institutions of peace based on justice, equity and cooperation, thereby permanently addressing underlying causes of conflict and preventing the return to violence (Galtung 1975: 297-304; Gawerc 2006: 439). Most current definitions and

understandings of peace building reflect these two antipodes of positive and negative peace as introduced by Johan Galtung.

The concept of peace building became popular after the 1992 UN Secretary General's Report titled "An Agenda for Peace" which proposed a new framework to manage international armed conflicts. Many scholars and policy practitioners tend to trace the usage of peace building to this document, and therefore tend to regard it as a new concept (Heathershaw 2008:600). The Agenda was introduced in the light of stronger roles of the UN in the post Cold War era that witnessed increased UN-led peacekeeping operations aimed at stabilizing countries after war. The original understanding in the "An Agenda for Peace" tended to see peacebuilding as "post-conflict peacebuilding" with the essential focus on stabilizing negative peace. This represented a narrow definition of peace building (Paffenholz&Spurk 2006: 15), that is primarily concerned with preventing the recurrence of violence immediately after armed conflicts and helping a country to set the parameters for starting the journey towards positive peace.

The activities to achieve this goal are listed in the Agenda as: disarming ex-combatants, destroying weapons, repatriating refugees, training security forces, monitoring elections and advancing the protection of human rights. These measures, which are for the most part associated with short to medium term international interventions, do not entail the notion of sustained efforts directed towards the underlying causes of conflict with the aim of achieving "peace on a durable foundation".

There are two major models of peace building; the liberal and transformative. **The liberal peace model** which emerged at the end of the 1980s is premised on the belief that the promotion of a liberal democracy and market-oriented economy in post-conflict countries will create the conditions for lasting peace. Democratization, under this model, is considered essential for creating the space for non-violent conflict management and resolution, and market economics is seen as the best method of promoting economic growth. While still perceived as the dominant model, the liberal peace model has been the subject of much criticism. Some theorists and practitioners portray it as top-down, formulaic and ethnocentric. They argue that the imposition of an external model that is disconnected from societies will undermine the legitimacy of institutions and participation in such institutions. The liberal peace project however is not equally foreign to all countries because post-conflict societies in which some form of democratic institutions already exist for example, may fare better under this model.

The liberal peace model has also been criticized as failing to address societal tensions, fear and distrust that persist from the conflict, thereby tending to produce an unstable peace. In some cases, political and economic liberalization processes may even exacerbate tensions. High levels of societal competition sparked by liberalization and the absence of a state that can peacefully manage disputes may increase the risk of renewed violence. Economic stabilization processes can also intensify social exclusion, inequality and marginalization. A more gradual approach has been proposed which delays democratic and market reforms until a basic network of domestic institutions are in place. These institutions include social safety nets, moderate

media channels and cross-cutting associations that can build social capital. A range of actors are involved in these interventions, and they pursue multiple objectives using a variety of approaches. The model is often mediated by complex negotiations with local actors, leading to outcomes that often diverge sharply from intervening parties' stated objectives (Paris, 2014).

Transformative peace-building provides a broader understanding that incorporates the need to address structural causes of violence and to engage in deeper social transformation. Recent research advocates for evolution from technical peace-building approach that has dominated peace building activities thus far to a 'transformative peace-building' approach. The later seeks to mainstream transformative elements into project designs that deliberately focus on building relationships as an adjunct to addressing other contents and tasks. Other researchers call for a move away from a debate focused on whether international actors or local actors are best placed to engage in peace-building, as what is more useful is developing a nuanced understanding of how international and domestic forces interact in post-conflict situations, and what relationship between the two is most likely to be conducive to the goals of sustainable peace (Fisher and Zimina, 2009).

State-building is not synonymous with peace-building but is strongly linked. State-building interventions seek to build functioning and self-sustaining state structures that re-establish the social contract between the state and citizens and promote state legitimacy. State-building has gained prominence in the past decade in the context of state fragility and has developed as an independent discipline outside of peace-building. There are attempts now to explore how

support for state-building and peace-building can be integrated. While coming from different angles, peace-building and state-building converge in their aim to strengthen the relationship between the state and society and to promote representative and inclusive political systems. There is some evidence that a rhetorical commitment to integrated strategies from donors has not been matched in practice. A common problem in post-conflict countries is the existence of different frameworks aimed at achieving similar goals. In Sierra Leone, for example, there was a government-led development framework under a National Poverty Reduction Strategy and at the same time a peace-building strategy led by the UN peace support office. This has constrained the development of a coherent strategic approach to state and peace building.

2.4 DISARMAMENT, DEMOBILIZATION AND REINTEGRATION (DDR)

Disarmament, Demobilization and Reintegration (DDR) programmes have become a key component of national and international efforts in the facilitation of transition from war to peace. DDR assists fighters among others to gain a foothold in civil society so as to prevent them from returning to combat and hence avoid a resumption of hostilities (Banholzer, 2014). The Peace-Building and Recovery Frameworks (2006:3) summarizes why returning soldiers are a problem that needs to be addressed:

Ex-combatants, especially when they are young, may have become a 'lost generation', having been deprived of education, employment and training during the conflict period, suffering war trauma, becoming addicted to alcohol and drugs, and dependent on weapons and violence as the only means to make their way in the world. When they lose their military livelihood, they are likely to experience difficulties in adapting to civilian life. Male ex-combatants may engage in anti-social

behaviour within their families and communities, contributing to an increase in economic and social – especially sexual – violence

It is in response to the imminent threat that returning combatants pose to the peace process, that the international community has turned increasingly to DDR. These are designed to facilitate combatants' transition from professional fighters to civilians and to reduce their incentives to take up arms again.

Disarmament, Demobilization and Reintegration (DDR) are three terms which mostly stand for one joint process. The programmes tend to be used in the literature and practice in various combinations such as DDR (Disarmament, Demobilization and Reintegration); DDDR (Disarmament, Demilitarization, Demobilization and Reintegration); DRP (Demobilization and Reintegration Programmes); DDRR (Disarmament, Demobilization, Rehabilitation and Reintegration) and DDRRR (Disarmament, Demobilization, Resettlement, Repatriation and Reinsertion). However the most common usage is that of DDR.

DDR “contributes to achieving a lasting peace process where those involved directly in the conflict can break with the past (Casas-Casas & Guzmán-Gómez (2010:58). The Final Report of the Stockholm Initiative on DDR, or SIDDR for short (2006: 25), regards DDR as creating a “transitional safety net” to ensure that combatants do not need to return to war in order to survive. In this regard, DDR can be located within the paradigm of peace-keeping and peace-building and is often actually embedded in broader peace operations. DDR also contributes to state-building because it involves a shift from the

formal and informal rules of militant groups to the laws defined by the state (Casas-Casas & Guzmán-Gómez 2010:58).

DDR programmes differ in location, duration, size and scope. Though several initiatives have been undertaken or are in progress in Asia, Europe and the Americas, most current DDR programmes are operating in Africa. The majority of programmes have a lifespan of one or two years, but some are of longer duration. The Bosnia-Herzegovina's DDR programme which remained in operational for 12 years is an exceptional example. Some DDR programmes are launched while hostilities are still going on – and as such aim to have a pacifying effect. However, most programmes are implemented after the end of a war and are therefore thought to exert a stabilizing effect. Conflicts that end with a peace agreement rather than victory by one side are more likely to be followed by a DDR programme. But there are also instances in which DDR programmes have been launched after the termination of war without a peace agreement, for example in the Central African Republic, where the victory of one side brought an end to hostilities (Banholzer, 2014).

Basically, successful DDR programmes help to ensure that a state has “monopoly of violence” a concept coined by Max Weber in his *Politics as a Vocation* (1918). According to Weber, the main defining feature of the state is that it can successfully claim the legitimate use of force within its territory. Further, as Ball and van de Goor (2006:2) have pointed out, DDR is a process of demilitarizing both officials and unofficial armed groups by controlling and reducing the possession and use of arms, disbanding non-state armed groups, reducing the size of state security services, and assisting former combatants to

reintegrate into civilian life. It provides the basis for rethinking post-conflict peace process, political and social reconciliation, social and economic rehabilitation and longer term development in the aftermath of war. However, as important as DDR programmes has been, it is somewhat flawed as the nature of planning and implementation may re-ignite conflict, stall long term successful individual and community reintegration and hinder development.

Table 2.2 Programmes of DDR Management of Ex-Combatants

Demilitarization	Disarmament	Demobilization	Rehabilitation	Reinsertion	Reintegration	Resettlement
*Withdrawal or restrictions in deployment and location. *Reduction of operations	Surrender of arms *Arms collection at centres *Arms destruction *Arms monitoring and control	*Surrender *Registration *Transportation *Cantonment & encampment. *Pre-discharge orientation *Discharge	*Post discharge orientation *Cash allowance *Food and health assistance	*Diverse support and assistance *Housing support *support for children education	*Skills and education verification/identification * Vocational training, skills development * Educational support *Employment and employment support * Business development	* Access to and acquisition of land and water resources *Provision of seeds, tools and credit for agriculture 0 *Social benefits *Pension support schemes *Disability support schemes

Source: Ikelegbe 2010:14

The United Nations (2006: 8) provides a more nuanced and detailed clarification of the DDR process.

Disarmament is the collection, verification of usability, documentation, control (storage) and disposal (disabling and destruction) of small arms, ammunitions, explosives and light and heavy weapons of combatants and sometimes of the civilian population. Disarmament must also include the development of responsible arms management programmes (United Nations, 2006). The separation of combatants from their weapons signals the end of their involvement in active combat. It also enables a secure environment where demobilization and reintegration can take place.

Disarmament is the first phase of DDR, and logically precedes demobilization and reintegration. However, it is often a long-term process. It entails the physical removal of the means of combat from ex-belligerents (weapons, ammunition). Disarmament is important not only for the material improvement of security conditions, but it symbolically underscores the transition from military to civilian life. The very process of ex-combatants physically disabling their own weapons, led by their commanders upon entering the disarmament site, has added psychological value, demonstrating the cessation of violence. Additionally, public destruction of weapons is an important tool in sensitizing the population and promoting the DDR program (Massimo, 2003).

Demobilization is the formal and controlled discharge of active combatants from armed forces or other armed groups and disbanding of armed groups.

Demobilization involves the assembly of ex-combatants, processing of individual combatants in temporary centres, the massing of troops in camps designated for the purpose (cantonment sites, encampments, assembly areas or barracks), orientation programmes and transportation to the communities of destination. There are two types of demobilization: static (cantonment where combatants are brought to demobilization sites) or mobile (demobilization services are brought to the combatants). DDR programs are increasingly using mobile demobilization as it tends to be cheaper, faster and more flexible.

Reintegration is the process by which ex-combatants acquire full civilian status and gain sustainable employment and income. It is essentially a social and economic process with an open time frame that primarily takes place in communities at local level. The extent of reintegration has tended to differ from country to country just as the length. Reintegration programmes have tended to be prolonged to between three to six years usually because of delays in commencement, and problems of funding and implementation. In Indonesia, while DD ended in 2006, reintegration continued until December 2009 (Sanz 2009). Reintegration programmes are not only geared to ex-combatants and their civilian associates but also to the development of civil communities to which combatants will return as well as the needs of victims of war and IDPs. The sustainability of the disarmament and demobilization processes depends on the successful social and economic reintegration of ex-combatants.

It is important to note that there may be other programmes in the transition from demobilization to reintegration. Reinsertion is the assistance offered to ex-combatants during demobilization but prior to the longer term process of

reintegration. It is a form of transitional assistance to help cover the basic needs of ex-combatants and their families and can include transitional safety allowances, food, clothes, shelter, medical services, short-term education, training, employment and tools. During demobilization process, reinsertion packages are given to disarmed combatants. Resettlement is the support provided to demobilized combatants to facilitate access and acquisition of land, tools and credit required for engagement in agriculture such as farming and fishing. It may also involve social and disability support schemes and pension support schemes (Ikelegbe 2010:16). Repatriation takes place where combatants involved in a conflict are from another country and need relocation and transfer to their home country after having been demobilized (Rufer, 2005).

Disarmament, demobilization and reintegration (DDR) is usually part of other efforts to demilitarize (e.g. landmine removal, Security Sector Reform, etc.) and consolidate peace (such as through justice, reconciliation, community-based reconstruction). One of the impediments to the restoration of sustainable peace is that conflicting parties are plagued by separation, fear, suspicion, mistrust, hatred and misperception. Thus relationships that may have been friendly, open and trusting, are no longer are so, as negative stereotypes, hostility and changes in communication patterns set in and people move farther and farther apart (Burgess, 2003). DDR facilitates the management of conflicting parties by seeking disintegration of armed groups, disconnection of ex-combatants from armed groups, demobilization of ex-combatants and the creation of conducive environment for building trust and reducing hostility. When resources are shifted to the social and economic sectors, DDR programs can also reduce poverty.

The DDR of ex-combatants is a complex process with political, military, security, humanitarian and socioeconomic dimensions (Conoir, 2007). Several important policy and operational implications of DDR has been identified by Conoir (2007:13-14) as follows:

- i) DDR is only one of many post-conflict stabilization interventions. It should therefore be planned and closely coordinated as part of the other broader political and reconstruction efforts that are taking place at the same time;
- ii) DDR processes should deal very thoroughly with all aspects of disarmament and weapons control and management. While a DDR program focuses on the immediate stabilization of the situation in a country through a disarmament process, longer-term stability can only be achieved through responsible and carefully thought out arms management program;
- iii) DDR programs should support the process of turning combatants into productive citizens. This process starts in the demobilization phase during which the structures of armed forces and groups are broken down and combatants formally acquire civilian status;
- iv) DDR programs are designed to achieve sustainable reintegration. On their own, DDR programs cannot do this. Therefore, DDR should be linked with the broader processes of national reconstruction and development;
- v) The ultimate aim of DDR programs is to prevent a return to violent conflict, and to make peace irreversible. To achieve this, DDR programs should encourage trust and confidence and deal with the root causes of conflict;

- vi) DDR is a flexible process that should be adapted to the unique needs of a particular country (and region). Depending on circumstances, not all of its aspects may be employed in a particular situation, and they may not be carried out in the same order during each operation.

The analyses of multiple experiments at disarming and rehabilitating ex-combatants reveal frequent failures or mixed results at best (Dobbins et al. 2007; Paris, 2004; Duffield, 2007; Ismail, 2008). That is why Krause and Jutersonke (2005:448) conclude that “not only do about half of all peace support operations (including both peacekeeping and more expansive peace building operations) fail after around five years, but there also seems to be no clear idea of what ‘success’ or ‘failure’ actually means, nor of what an appropriate timeframe for measuring success might be”.

2.5 AMNESTY

Etymologically, amnesty is derived from the Greek word “amnestia” which is an act of grace by which the supreme power in a state restores those who may have been guilty of any offence against it to the position of innocent persons or a new man (*Novus homo*) and it includes more than pardon, in as much as it obliterates all legal remembrance of the offence. It is also the act of an authority such as a government by which pardon is granted to persons especially for political offences (Gadzama& Partners, 2009), and release granted from guilt or penalty of an offence. Amnesty has also been defined as:

a sovereign act of forgiveness for past acts, granted by a government to all persons (or to certain classes of persons) who have been guilty of crime or delict, generally political offences, treason, sedition, rebellion, draft evasion and often conditioned upon their return to obedience and duty within a prescribed time (Black's Law Dictionary, 6th Edition).

According to Ikelegbe (2010:11-12):

An amnesty is a guarantee of exemption from prosecution and pardon from punishment for certain criminal, rebel and insurgent actions hitherto committed usually against the state. It indemnifies affected persons in terms of safety and protection from punitive actions, retributions and associated losses. An amnesty is usually within a specific time within which offenders admit crime and take advantage of the general pardon.

The granting of Amnesty serves as an incentive for ex-combatants to embrace ceasefire and PCTP.

2.6 EXCLUSION

Exclusion and inclusion are 'contested concepts', defined from the perspective or framework of different social science paradigms and disciplinary and theoretical perspectives, political ideologies and even national discourses (Silver 1994:6; de Haan 1998). Exclusion is generally used to describe a wide range of phenomena and processes related especially to poverty and deprivation, but also to social, cultural and political disadvantages, and in relation to a wide range of categories of marginalized and neglected groups and people. In spite of differences in perspectives, the definitions of exclusion have certain characteristics in common which separate it from other concepts (such as poverty). As summarized by De Haan (1998: 12-13), the characteristics of exclusion are:

- i) Exclusion is defined as *the opposite to social integration*, which reflects the perceived importance of being part of society or being integrated.
- ii) It is a *multi -dimensional* concept, having economic, social and political dimensions, that goes beyond the analysis of resource allocation mechanisms, and includes *power relations, agency, culture and social identity*.

- iii) State or situation, *processes and* the mechanisms by which people are excluded. The focus is on the *institutions* that enable and constrain human interaction.

In a policy paper on social exclusion and conflict, Frances Stewart quoting Beall & Piron (2004:6), states that exclusion is structurally the:

social, political and economic institutions resulting from a complex and dynamic set of processes and relationships that prevent individuals or groups from accessing resources, participating in society and asserting their rights

Stewart then lists several key aspects of social exclusion including the following:

- i) It is multidimensional process involving agency (*the behaviour of particular agents and institutions leads to the exclusion of certain groups*);
- ii) It is a feature of groups rather than individuals (groups are distinguished by their culture, religion, colour, gender, nationality, migration status, caste etc);
- iii) It is relational in that its definition depends on what is normal in a particular society.
- iv) "lack of power or unequal power relations, is at the root of every type of exclusion" (Stewart 2006:4).

Exclusion thus refers to issues of entitlements or disentanglement associated with the structured basis of privileges, the membership and access to institutions that distribute material and symbolic resources, and the benefits that are enjoyed by those who belong and those who cannot.

Exclusion paradigms

Some paradigms of exclusion have been identified by scholars. Silver (1994-6) discusses three paradigms namely solidarity, specialization and monopoly, within which the concept of exclusion is embedded. Each paradigm has a different notion of social integration, explains exclusion to a different cause, and is based on different political philosophy. They provide explanations for multiple forms of disadvantage – economic, social, political and cultural – and encompass theories of citizenship, racial-ethnic inequalities, poverty and long-term unemployment. These paradigms are only schematic representations of different traditions and in practice they overlap.

In the **Solidarity paradigm**, exclusion is defined as the rupture of social bond between the individual (or group) and society that is cultural and moral, rather than economically vested. This interpretation draws on Rousseau and Durkheim, especially the Durkheimian notion of social solidarity and order. The dualistic categories of ordering the world define the poor, unemployed and ethnic minorities as outsiders. The inverse of exclusion is integration, achieved by insertion which implies in a Durkheimian sense, assimilation into the dominant culture.

Within the **specialization paradigm**, exclusion reflects discrimination, or the drawing of group distinctions that denies individuals full access to or participation in exchange or interaction. This paradigm draws on Anglo-American liberal tradition, especially those of Locke and the Utilitarians, according to which individuals are or should be able to move across boundaries of social differentiation and division of labour. Liberal models of citizenships

emphasize the contractual exchange of rights and obligations. Exclusion is often a consequence of unenforced rights and market failure. The focus here is on exclusion of individuals and not groups (methodological individualism).

The **monopoly paradigm** defines exclusion as a consequence of the formation of group monopolies. Powerful groups restrict the access of outsiders to valued resources through social closure. Unlike in the specialization paradigm, group distinctions and inequality overlap in the monopoly paradigm. Inequality is mitigated by social democratic citizenship which entails full participation in the community (Pradhan, 2006).

2.7 ELEMENTS OF INCLUSIONARY DDR AND PCTP

Inclusion of all ex-belligerents

DDR cannot succeed without cooperation between all armed groups. Unless all combatants and factions are disarmed and participate in DDR, the potential for a resurgence of conflict is too great. The focus on ex-combatants as a special group is because they present additional challenges such as:

- i) they constitute a potential security threat;
- ii) they may be viewed with fear, suspicion and resentment by the rest of the population;
- iii) they are often uprooted from their communities of origin and their social networks;
- iv) they may not know or may no longer accept basic social rules (Burgess and Burgess, 2003).

Fair Determination of Eligibility

The criteria for determining and identifying combatants and inclusion into DDR are crucial because combat groups tend to inflate their numbers to heighten their importance and profit there-from. The idea is to provide a criteria that transparently identifies ex combatants such that the trust among groups and the legitimacy of the programme are ensured (Carames&Sanz 2009). To ensure these, there is the common use of proof of the use of arms, and membership of armed group, either determined by the group itself through its listing (internal or subjective) or by an external evaluation (objective). Given its importance, many countries use both internal and external verifications. The CAR, Colombia, Liberia, Rwanda, Burundi, Cote d' Ivoire, and Eritrea used both internal and external, Sudan used only the subjective while Angola, Burundi, Colombia, Cote d' Ivoire, and Indonesia used external verification. As the subjective verification and gun ownership are somewhat weak eligibility criteria, they could create challenges of legitimacy.

Inclusive DDR Programming

Generally, DDR programmes are usually beneficial to combatants most of whom are adult males who have participated in combat and/or support roles such as cooks, porters or messengers. However, there may also be women and children, including those abducted and sexually exploited. There are also direct benefits to *dependents of ex-combatants* such as spouses, children and other dependents of ex-combatants (Tatjana Stankovic & StinaTorjesen, 2012).

The coverage of packages and benefits of DDR programmes differs in breadth. An emerging best practice in DDR is the inclusion of disabled combatants, dependent children of ex-combatants and female ex-combatants. In the CAR, about 42,000 members of ex-combatant females partook in demobilization programme and received assistance towards employments while 1,675,000 members of communities were assisted to improve their surroundings (Carames 2009a). In Indonesia, the DDR programme in Acer provided for ex-combatants, female combatants, amnestied political prisoners, war affected civilians, separatist activists and ex-combatant communities (Sanz 2009a). Some of the DDR programmes such as those of Liberia, provided for special needs including women, child soldiers, disabled ex-combatants, dependents of ex-combatants, women partners of ex-combatants and vulnerable persons. In Sudan, special needs groups included youth, women ex-combatants, disabled persons and elderly persons connected to armed groups (Sanz 2009b). In Uganda, internally displaced persons were provided for in the Reintegration programme (Sanz 2009c).

Community Reintegration

The role of communities in facilitating resettlement and reintegration of ex combatants into civilian and community life has been identified as crucial to sustainable and effective DDR (Carames & Sanz 2009). The host communities are now regarded as part of reintegration programme and thus should be empowered to participate in the design, planning and execution of reintegration programmes. It is now being realized that poor community reintegration makes for reluctance of ex-militants to return to home communities. In Angola, most ex combatants rather relocated to urban areas with less likely potential for

social stigmatization rather than return to home communities (Carames 2009b). In CAR, the ex-militant Reintegration and Community Support Project that administered DDR, included the following community initiatives, through which the “ex-combatant versus society dichotomy” was broken (Carames 2009a)

- i) *demobilize and reintegrate ex combatants in home communities or communities of their choosing*
- ii) train communities to receive ex-combatants and improve community receptivity to ex-combatants
- iii) strengthen community capacity for ex-combatants including infrastructures destroyed in the war
- iv) reconcile ex-combatants to home or host communities
- v) assistance to inhabitants of identified surroundings through participation in social, economic and cultural activities
- vi) adoption of special measures for returning ex combatants by communities
- vii) the institution of process and activities of dialogue and reconciliation in the communities (Carames 2009c).

Empowerment of Grass-roots

Conflict transformation and peace-building processes have been criticized for their inability to empower the grassroots and take advantage of the role they can play in the building(s) of peace. Such neglect tend to make peace-building in a number of instances seem to contradict its own discourses and work by operating outside and beyond the ‘everyday’ and ‘local’ (Richmond 2012; MacGinty 2011).

Inclusionary Management and Stake holder Engagements

External involvement, interventions and support in PCTP is crucial for several reasons. First, external independent agencies help to build broad involvement, generate trust and confidence and guarantee impartiality and integrity. The United Nations have provided the technical assistance for the disarmament, demobilization, security sector reform and armed restructuring in the DDR of many countries. In several countries, a United Nations Mission was established with a mandate of the United Nations such as in Liberia. The UNDP was responsible for implementation or have provided technical assistance for the reintegration component of the DDR programmes in several countries such as Liberia. Other agencies of the United Nations such as UNICEF has been responsible for youth and child soldiers rehabilitation. International organizations such as the World Food Programme was partly responsible for reinsertion programme in Sudan.

The World Bank usually provided financial assistance and managed multi-donor Trust Funds. Development agencies including Britain's DFID, the German Technical Cooperation, the United States Agency for International Development and others have provided funding and diverse support to the programmes. Local and international NGOs including churches were usually involved in rehabilitation and reintegration programmes. Regional and continental organizations such as the Organization of American States, the African Union, European Union, ECOWAS and individual countries such as the United States, Germany, France, Japan, Norway, Denmark and France have financed and supported DDR programmes.

In the Afghanistan DDR programme (2003-2008), the German Aid Agency (AGEF) provided support in training and resources for the creation of small businesses. The World Food Programme (WFP) assisted in reintegrating 4,455 women and medical assistance to 153,915 children dependents of ex-combatants, while the UNDP implemented the Reintegration Support for Ex-combatants (RSPE) (Sanz 2009d). In Angola, some international agencies and NGOs provided food aid to combatants and their families (Carames 2009c).

The Private Sector and Civil Society could also play crucial roles in peace building and in reintegration programmes. The private sector can complement and collaborate with the state and international organizations in employment generation, empowerment programmes, social assistance and human capital development. In Afghanistan, national and international NGOs and agencies and private businesses were involved in the DDR (Sanz 2009d).

CHAPTER THREE

THE AMNESTY PROGRAMME IN THE NIGER DELTA

3.1 INTRODUCTION

The amnesty for the militants in the Niger Delta was announced by Nigeria's former President Umaru Musa Yar' Adua on June 25, 2009. The amnesty was granted in accordance with section 175 of the 1999 Constitution which provides that 'the President may grant any person concerned with or convicted of any offence created by an Act of the National Assembly a pardon, either free or subject to lawful conditions'.

The Amnesty programme is traceable to four major developments. First is the South-South Legislative Retreat convened by Vanguard and sponsored by the governors of South-South States in Port Harcourt, August 2008, whose communiqué anchored on abrogation of some petroleum laws as they affect the region and Amnesty for Militants, was presented to the president. Chaired by Justice Karibi-White (Rtd) and attended by eminent persons like Chief E.K. Clark, the conference was declared open by Vice President Jonathan, who facilitated the presentation of the communiqué to president Yar'Adua (Mavua,2014).

Second were the efforts of the Security and Peace Committee and the series of consultations between government officials, regional leaders and militant leaders between 2007 and 2008, and the efforts of the then Vice President Goodluck Jonathan who through 2007 and 2009 embarked on peace missions

to the militant camps in the region to convince them on the need for cessation of hostilities and peace. Third was the Niger Delta Technical Committee which was chaired by Mr. Ledum Mitee. Among others, the committee recommended an Amnesty Programme for militants. Fourth was the failure of the attempt at military solution by the decisive attack on Gbaramantu Kingdom and the militant camps therein in May 2009. The subsequent militant attacks on the oil infrastructure brought down crude oil production drastically to its lowest level of below 900,000 by mid 2009. This necessitated a strategic rethink of government approach to the region's agitation and militancy.

The strategic rethink following the massive threat of the activities of militant groups to the nation's economy and security, moved government to urgently differentiate between the criminal elements and those who had genuine issues in the region. Though militancy and armed resistance which began between 1998 and 1999, was ostensibly a part of the struggle for fairer distribution of the nation's oil wealth in favour of the impoverished people of the Niger Delta, the government believed as stated by former president Yar'Adua that "the criminals have hijacked genuine agitations in the region and constituted themselves into very real threats to Nigeria's national security and economic survival." Finally, the Niger Delta agitation was a component part of the Seven Point Agenda of the Yar'Adua Administration and the new government tended to portray a genuine desire to resolve the crisis and commence real transformation of the region.

The Amnesty programme is based on the need to achieve sustainable development, peace, human and environmental security in the Niger Delta region. According to the then Chairman of the Amnesty Implementation Committee, General Godwin Abbe (Rtd), the goal of the amnesty programme is to achieve peace, reconciliation, reintegration, healing and sustainable development (The News, 2009).

The Presidential Amnesty Programme (PAP) was a somewhat legal approach to security, politics and conflicts (Amoda 2009), by granting a general pardon to release the criminally-culpable from the just punishment of the law; and deliberately overlooking offenses against the government. Thus the relationship assumed by government between it and the Niger Delta militants is juridical; the militants are pardoned instead of being punished for engaging in criminal activities in order to foster peace and progress. In other words, PAP is an explicit or implicit acceptance by the government that militant activities in the Niger Delta is the product of neglect and underdevelopment which can be attributed to corruption and lack of political will of governments. PAP is thus based on the acceptance of the fact that violent conflict can easily develop if large numbers of people become convinced that taking up arms is not only legitimate but may perhaps be the only way to secure the necessities of life. In other words, militancy may occur if people feel that they are in an unjust situation and must therefore decide to rectify it (Smith, 2002).

This contention is buttressed by President Yar'Adua's statement in his 2009 Independence Day broadcast that 'with a view to engendering lasting peace in the area, we proclaimed a general amnesty and granted unconditional pardon

to all those *who had taken up arms as a way of drawing attention to the plight of the people of the Niger Delta*. He pledged that:

on this day and in the spirit of rededication, we renew our commitment to confronting the challenges of critical infrastructure in the Niger Delta, food security, security of lives and property, human capital development, land tenure and wealth creation' (The Guardian, 2009).

3.2 DISARMAMENT, DEMOBILIZATION, REHABILITATION AND REINTEGRATION OF EX-MILITANTS

A Presidential Panel on Amnesty and Disarmament of Militants in the Niger Delta was set up to manage the process. Militants were expected to embrace the Amnesty within a 60 day moratorium between 6th August and 4th October 2009. The militants were expected to surrender their arms at designated centers to pave way for rehabilitation and reintegration.

At the expiration of the 60-day grace period on October 4, 2009, a total of 20,192 militants surrendered their arms and ammunition to the Federal Government and accepted the offer of amnesty. In pursuance of the promise in the Amnesty Proclamation, the Federal Government instituted a Disarmament, Demobilization and Reintegration (DDR) package for those who accepted the offer of amnesty on or before the expiration date. Another 6,166 were demobilized and added in November 2010 to constitute a second phase of the programme which brought the number of persons enlisted to 26,358. The Federal Government in October, 2012 approved the inclusion of another 3,642 former militants, following the agitation by some groups who were not considered in the initial phases, thus bringing the total number to 30,000

(<http://thenationonlineng.net/new/fg-enlists-30000-ex-militants-in-amnesty-programme>).

The expenditure on PAP has been enormous. As at February 2014, about N248 billion has been expended on PAP. Training had gulped N160 billion. About N74b was spent on PAP in 2012, while N88b was budgeted in 2013 and N63b proposed in the 2014 Appropriation bill ([http://thecitizenng.com/headline-2/Feb 16 2014](http://thecitizenng.com/headline-2/Feb%2016%202014) Accessed 27/8/14). The budgets for Amnesty indicate that in 2013 over 35% was spent on stipends and allowances of 30,000 ex-militants, while over 55% was allocated for reintegration of ex-militants. Thus there is no provision for several items that go along with inclusive DDR.

Table 3.1 Presidential Amnesty Programme Budgetary Allocation, 2014

Item	Cost (Naira)
Stipends and allowances of 30,000 Niger Delta ex-militants	23,625,000,000
Operational cost	3,699,933,814
Reintegration of transformed ex-militants	35,409,859,972
Reinsertion/transition safety allowances for 3,642 ex-militants (3rd phase)	546,300,000
Total	63,281,093,786

Source: Budget Office, Federal Government of Nigeria, 2014

Disarmament

The disarmament component of the Amnesty programme was carried out by the Amnesty Implementation Committee, and was essentially a military exercise conducted by the Nigerian Armed forces. During the disarmament

stage, huge caches of arms and ammunitions were submitted by militants prior to their being enlisted into the post-amnesty Programme. Disarmament was concluded in December 2009 but the arms and ammunitions collected were stored at the 82 Division of the Nigerian Army in Enugu and in compliance with extant DDR codes as spelt out by the United Nations, these arms and Ammunitions were on May 25 2011 completely destroyed by the Nigerian Army in Lokpanta, a boundary town in Enugu State, under the watch of the Amnesty Office (Nigeriamasterweb.com, 2012).

The Records indicate that arms surrendered included 287,445 different types of ammunitions, with about 2,760 assorted arms, 18 gunboats, 763 dynamites, 1,090 dynamite caps, 3,155 magazines and other accessories like RPG charger, 1 bullet proof jacket, walkie-talkies, dynamite cables, cartridges, knives and AK 47 bayonets. A breakdown of the submission showed that 82,406 ammunitions were received from Rivers State, 52,958 from Delta, 139,877 from Bayelsa, 9,748 from Cross River, 9,725 from Ondo, 959 from Akwa Ibom as well as 722 from Edo State (Ifeatu, 2010).

Demobilization and Rehabilitation

Following the disarming of the militants, there was demobilization exercise which involved the identification, registration and documentation of militias, who gave up militancy for the amnesty program in designated camps. It also included reorientation programme to facilitate demilitarization or transformation of attitudes and perceptions away from violence. The militants were expected to be paid N1,500 per day for feeding allowance and N20,000 per month for the period of demobilization. In December 2011, the Amnesty

Office completed and exited the Demobilization component of the Presidential Amnesty Programme (Ugbolue, 2012).

The rehabilitation of ex-militants began in June 2010 at the Obubra camp in Cross River State. The programme entailed biometric documentation, wellness check, nonviolence transformational training, and series of counseling and career classification for the ex-agitators. The transformational and reorientation activities in the Camp were tailored to extinguish the belief of the ex-agitators in violence and provide them a more powerful alternative – nonviolence. The Federal Government engaged experts on non violence from Nigeria, South Africa and the United States of America.

However, Oluwaniyi (2014) believes that a two-week rehabilitation period is inadequate to demilitarize the mindset of ex-militants and make them fully embrace the values of nonviolence. Several ex-militants were not mobilized or had delayed mobilization at the rehabilitation and transformation stages. Subsequent phases of PAP have enjoyed less recognition, facilities and benefits in terms of demobilization and rehabilitation.

Reintegration

The reintegration programme was expected to train and build capacity in technical and vocational skills and entrepreneurial development, and facilitate employment placements and identification of employment opportunities. Advisers and counselors determined individual militant's profile, skills, vocations and education, and ascertained reintegration requirements, in terms of further education, skills, vocational development and employment.

PAP through the reintegration programme has been training middle and high level manpower in petroleum, agro allied industries and marine and other sectors. PAP has successfully placed some of the former Niger Delta agitators in skills acquisition/training centres as well as in formal education within and outside the country (Ugbolue, 2012). Reintegration trainings have taken place in Ghana, Russia, Ukraine, USA, South Africa, Israel, Philippines, Sri Lanka, Poland and India in such vocational skills such as ICT, pipeline welding, Ocean diving, air piloting, boat building and sea faring.

About 834 were placed in about 100 universities at home and abroad in 2013 and 459 in private universities in Nigeria for 2012/2013. In 2013, 2,400 were deployed to vocational training centres at home and abroad (<http://www.informationng.com>, march, 2014, accessed 17/8/14). As at September 2013, 16,683 ex militants had been sent for training while it is planned that 6,000 would be trained in 2014 and another 6,000 in 2015 ([http://thecitizen.com/headlive-21fg-spend-n260b-on 3000 ex militants](http://thecitizen.com/headlive-21fg-spend-n260b-on-3000-ex-militants), 16. Feb 2014. Accessed 27/9/2014).

A considerable number of the ex-militants have already graduated from their training programmes. Over 9,192 have graduated from the skills programme in various fields majorly welding and fabrication. About 2,204 have graduated from entrepreneurship training, 2,798 from oil drilling and 916 from marine courses. The graduates from crane and heavy duty were 1030; boat building 299; and agriculture 239. PAP as at June 2014 has produced 66 airplane and helicopter pilots and 61 aviation maintenance engineers trained in United Kingdom, South Africa, UAE, Jordan and Greece

(<http://eworldmagazine.com/index.php/eworld-news/national-news>, 23 June 2014, accessed 14/8/14). The reintegration component is still ongoing.

Table 3.2 Ex Militants trained in vocational skills

S/N	Skills	Number
1	Agriculture	239
2	Automobile	207
3	Welding \$ Fabrication	2,204
4	Entrepreneurship	2,2798
5	Carpentry and Plumbing	298
6	Oil Drilling & Marine	916
7	Electrical Installation	89
8	ICT	273
9	Crave & heavy duty machine	1,030
10	Boat building	299
11	Pipe fitting	250
12	Entertainment	60
13	Others	618
14	Total	9,192

Business Day 18: August 2014 <http://businessdayonline.com/2013/04/youth-empowerment> \Accessed 18/8/14

In 2014, PAP began a pilot scheme for post- training employment and start up business packs and funds in which about 300 were provide support for specialized businesses as welding, fish farming and retail business (Soriwei,2014)

Though PAP has been making appeals to companies, stakeholders and partners in the petroleum sector and elsewhere, efforts have not been substantively adequate and have not resulted in the generation of much employment opportunities. Of the over 11,700 graduates of trainee programmes, the Nigerian Custom Service is reported to have employed six, the Nigerian Army enlisted 10 out of 40 that indicated interests and applied, while in response to recruitment advertisement in the Petroleum and Energy Sector, 40 were employed by Century Energy Group and five by SAP Drilling Oil and Gas Limited (Soriwei, 2014). A few former trainees have been offered appointment abroad such as five (5) welders & fabricators in South Africa, and 30 in United Arab Emirates. Altogether PAP has facilitated employment of 113 former militants as at early 2014 (<http://www.premiumtimesng.com/news> Friday August 2014 accessed 17/8/2014)

There are allegations that some ex-militants sent abroad were forced into trainings/skills other than expressed interests (Oluwalana, 2012). There are issues with some centres of training and trainers particularly those abroad that are not competent and capable in terms of capacity, equipment and demonstration. Several ex-militants have been deported from South Africa and other countries for daring to complain or protest poor facilities and treatment. There are allegations that connections and influence are crucial in the selection for training abroad and several of those selected are not genuine ex-militants.

There have been difficulties with the useful engagement or absorption of the ex-militants after the completion of their post-rehabilitation and reintegration programmes, particularly in vocational or educational training. Whether they are trained abroad or locally, the major dilemma of PAP fulfilling its promise

to empower ex-militants in a way that allows them to live full and productive lives in peacetime has been daunting. As noted earlier, only a few have been lucky enough to be employed by a few corporate organizations. Unfortunately, most ex-militants remain jobless, relying solely on monthly government stipends and aid from family members and friends (<http://forums.ssrc.org/kujenga-amani/2014/04/07/>).

3.3 ASSESMENT OF THE AMNESTY PROGRAMME

The PAP is ongoing but after over five years, the programme could be assessed and tentative statements made. The programme has achieved limited success in terms of the conclusion of disarmament, demobilization and rehabilitation. The reintegration programme is ongoing but considerable progress has been made. The conception and content of the programme is very narrow and limited. The disarmament programme was incomplete and excluded the disarming of the civil population and the control of arms proliferation (Table 2.3). The demobilization process was accompanied by inadequacies of facilities and provisions. The subsequent phases of the PAP have only had partial demobilization and rehabilitation. The reintegration programme has lacked the monitoring of the return and reintegration of ex-militants into communities. There are still protests about disarmed ex-militants who are excluded from the PAP and the rehabilitation and reintegration programmes.

Table 3.3 The DDR in the Niger Delta

S/N	Benchmarks for Success in DDR	Niger Delta
1	Quantity of arms surrendered in relation to estimated stockpiles and availability	Very poor. Number not commensurate with militia firepower, number of participants in amnesty programme.
2	Control of access to further arms, arms inflow, arms trading and opportunities for rearmament.	Very poor.
3	Number of person disarmed.	High and perhaps exaggerated
4	Equipping of demobilisation and orientation camps in terms of infrastructures, services and logistics.	The second and third phases do not seemed to have been adequately demobilised and reoriented.
5	Payments to support ex-militants usually 6-12 months.	High, more than national minimum wage. Prolonged payments since 2009.
6	Inclusiveness, reintegration benefits to affected families, communities, disabled combatants.	Not applicable.
7	Resettlement into agriculture.	Not existent
8	Resettlement of disabled, displaced, wounded ex-combatants and community members.	Not existent
9	Standards and qualifications for inclusion into DDR.	Not clear, strict and standard definition thereby allowing all kinds of entrants and later day agitators.

Source: Ikelegbe 2014

CHAPTER FOUR

DIMENSIONS OF EXCLUSION IN THE AMNESTY PROGRAMME

4.1 INTRODUCTION

By way of recapitulation, exclusion pertains to discrimination, marginality and lack of integration of groups and individuals that restrict access, participation, entitlements, advantages and benefits. Further it pertains to distinctions and boundaries that are seen to lack fairness and equity as well as the placement of issues, persons and groups outside the centre of attention or core concerns.

An examination of the formulation and implementation of PAP reveals several dimensions of exclusion. Core concerns of a post conflict transition to peace were left out. Groups and individuals were ignored in the distribution of advantages and benefits. There was lack of fairness and equity in the access and participation of individuals and groups in the programme in terms of ethnicity, communities and gender.

A critical interrogation reveals exclusion in conception; selection, eligibility and participation; the content or breadth; implementation and the management of the programme.

4.2 CONCEPTUAL EXCLUSION

By conceptual exclusion, we refer to several crucial dimensions of the transition from war to peace and peace-building that was left out of the conception and design of the PAP. These include the issues of political settlement and peace

agreement, post conflict reconstruction, post conflict recovery, transitional justice, post amnesty programme and security sector reform.

Lack of Political Settlement and Peace Agreement.

DDR has political dimensions that precede the PCPT and persists through the entire process. There has to be political dialogue, negotiations, and resulting settlement and agreements that become the tentative format or framework for PCPT. This is what builds the common ground for the entire process and the goodwill, trust and commitment of political leaders and stakeholders that sustains the process.

The amnesty programme was not rooted in any agreement or resolution of grievances underlying the agitation and armed resistance. Rather than engage in open negotiations or a formal peace agreement with the militants, there were consultations between top federal government officials particularly those of Niger Delta origin, Niger Delta elites/elders and top militant commanders. There were also meetings to persuade the region's leaders and top militant leaders to embrace amnesty, and further meetings between the late president and individual top militant leaders who embraced the amnesty. Ikelegbe (2010: 59) expressed doubts whether the entire gamut of the region's problems and grievances and the policy and political frameworks for their short and long term resolutions featured in these meetings.

Thus the PAP was based on the promises, seeming sincerity and commitment of the late president rather than any concrete or substantive and documented agreements and understanding based on broad based dialogue and negotiations.

Exclusion of Reconstruction

Post conflict environments usually seek reconstructions that promote conflict resolution, peace building, economic recovery and political stability. The goals of socio-economic reconstruction are the rebuilding of damaged rural infrastructures and restoration of livelihoods sources. There is the dilemma between narrow and broad based reconstruction (Addison 2001:1). While the former benefits the elite, ex-combatant commanders and leaders, the later targets reduction in poverty, increased incomes and broad benefits to the citizenry.

The people of the Niger Delta have suffered various forms of hardships and mistreatments particularly from armed confrontations and violence that lasted for over a decade. These generated extensive damages to lives and properties, social services, commerce and livelihoods. The oil-producing communities continue to be plagued by pollution, and a state of dilapidated school buildings, health centers and social amenities. While lacking modern amenities, the little that they had was devastated or decadent. Most inhabitants are still tied to subsistence sources of livelihoods—mainly farming and fishing—which remain susceptible to oil pollution and land expropriation.

The communities that were destroyed by the police, military, and in the confrontations between the military and militias, as well as communities that were devastated by intra militia fighting remain as they were, as the social facilities and social services that were destroyed have not been reconstructed. PAP failed to situate itself in a post conflict transition to peace programme and has failed to address the issues of rehabilitation and reconstruction of

properties, social amenities and communities devastated by the violent conflicts between 1997 and 2009.

Absence of Post Conflict Recovery

Recovery in conflict afflicted regions requires policy frameworks, political and economic reforms, infrastructure, economic and development programmes that could lay the foundation for recovery of incomes and livelihoods; regeneration of local economies and business, regeneration of the culture of work and earned livelihoods and the building of human capacities and development. PAP and government policy in the post amnesty era have not been directed at the recovery of the region from the extensive damages to her economy, human capital and human development.

Exclusion of Reconciliation and Transitional Justice

Transitional justice is the full range of processes and mechanisms associated with a society's attempt to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. It consists of both judicial and non-judicial processes and mechanisms, including prosecution initiatives, facilitative initiatives in respect of forgiveness, the right to truth, reparations, institutional reform and national consultations. Whatever combination is chosen must be in conformity with international legal standards and obligations (United Nations, 2006).

Reconciliation within the Niger Delta is a key requirement for positive peace. Reconciliation processes have not been put in place in most Niger Delta oil-producing communities. In some cases, ex-militants have been perceived as

threats. However, in those areas where such threats are strong, the communities prefer to “let sleeping dogs lie” and quietly grumble about the elevation of militia generals from “warlords” to “richlords,” as well as the subsidization of most of their foot soldiers with monthly government stipends, while publicly ignoring the human rights abuses these ex-militants had previously perpetrated. Because PAP did not envisage reconciliation and justice, the amnesty offered was exclusionary. Usually, beneficiaries of Amnesty are not limited to ex-combatants but also collaborators with perpetrators of armed rebellion, dependents and kidnapped persons.

The politics and governance within the region since the amnesty have failed to facilitate the reconciliation necessary to addressing these problems because it is driven by struggles over power and resources by factions of the elite and warlords (<http://forums.ssrc.org/kujenga-amani/2014/04/07/>). Since PAP in the Niger Delta, there have been no substantive efforts through the establishment of platforms, forum and even organized consultative meetings as instruments for the reconciliation of diverse groups, sectors and interests, neither have there been structures for dialogue, negotiations and reconstruction of diverse broken relationships within and between communities and ethnic groups, between communities and the oil companies and oil servicing companies.

Exclusion of Peace Building

There is the lack of a structural framework for peace building at community, local government, state and regional levels, and lack of mobilization and harnessing of community based organizations, grassroots organizations and

civil society for participation in peace building. There has not been substantive harnessing of efforts and capacity building efforts of NGOs, CBOs and other groups in relation to conflict prevention, conflict monitoring and early conflict warning.

The efforts at building stakeholders for peace, rebuilding relations between groups, the establishing of frameworks for dialogue and negotiations, the rebuilding of social capital and goodwill among communities and elites are still weak if they exist at all. Similarly, the critical duties of peace advocacy, peace enlightenment and the mobilization of volunteers for peace works are yet to be substantively performed. Thus the region is expected to transit to peace and security without deliberate efforts directed at peace building.

Absence of a Post Amnesty Programme

Since the ex-militants laid down arms and embraced amnesty, the concerns and efforts for a post amnesty programme for the region seems to have withered away. In 2010, there was a threat by the governors of the region to pull out of the implementation of the programme on the ground of what the six Governors described as “lack of post Amnesty programme”. Apart from the establishment of the Ministry of Niger Delta, there have not been concerted programmes of development, policy frameworks and political reforms to develop the region and address the region’s grievances. The critical question of what was to be done after the amnesty was embraced remains hazy and lacking in action and commitment.

Absence of Security Sector Reform

The restructuring, reorganization and reforms of the military, para-military and police forces are sometimes a component part of PCTP. This may involve behavior modification, and reorientations toward human rights management, management of conflict situations and operations, security strategies and responses to post PCTP security challenges. New perceptions on DDR regard “DDR and security sector reform as inextricably linked” (Carames 2009, 29-44a). In the Central African Republic (CAR), the DDR programme included elements targeted at improving national and human security management, which included:

- i) Support vulnerable individuals and thus reduce insecurity and prevent conflict”
- ii) Ensuring security and development, through technical, logistic and operational support”
- iii) Identifying ways to better community security” (Carames 2009a).

In the case of PAP and the PCPT in the Niger Delta, demilitarization was one sided. While the militias were expected to come out of creeks and camps, dislodge or dismantle their deployments and facilities, the government military and security agents particularly the Joint Military Task Force(JTF) retained full deployments and operations under the codename *Operation Pulo Shield*, and has rather been strengthened (Ikelegbe 2010). The JTF has been accused of excessive force, impunity, brutality and human rights violations in its operations in the region. Its operations against the militias resulted in extensive physical, material and psychological damages in the region.

Unfortunately, the JTF has remained the same in terms of the excessive force and damages, threats, brutality and abuse of rights. There do not seem to be changes in behavior, orientations and respect for human rights in their treatment of individuals, communities, militants and protesters. This is demonstrated by the experience of the Ajakurama Community in Ovia South West L.G.A of Edo State which was invaded on July 29,2013 at 1.00am in search of an ex-militant, Ojuemi Perediseghabota. The wife was reportedly taken away, household properties destroyed and a threat to burn down the community made if they do not produce the ex-militant (Soriwei, 2013).

4.3 EXCLUSION IN THE SELECTION, ELIGIBILITY AND PARTICIPATION IN PAP

Exclusion of Some Ex-Militants from PAP

The criteria for determining and identifying combatants and inclusion into DDR are crucial, because only the transparent identification of ex combatants could build trust among groups and legitimacy for the programme (Carames & Sanz 2009).

The Amnesty package has tended to use the subjective criteria of internal lists submitted by the armed groups, supported by some form of verification by military committees set up by the Defence Headquarters. The weakness of the criteria is demonstrated in the over-bloated size of ex-militants, which seemed to have crowded out the real militants who tended to have come out in later phases.

The subsequent inclusion of more ex-militants into the programme between October 2009 and 2012 was a result of agitation for inclusion. There could be several reasons for this. First is that the genuineness or sincerity of programme intentions became clearer as progress was made. It has been argued that some militants were wary of PAP and stayed out of it. Some may have stayed back as part of organized back up force in the event of failure of PAP. Second, is that hitherto disarmed groups from previous state government driven peace projects such as the Itsekiri National Youth Command sought inclusion. Third is that those who were excluded initially such as some followers of late John Togo and the Latu group from the Bakassi Peninsula had to be incorporated. The eligibility methods have tended to shift with subsequent phases being more tedious in terms of allocation of one or two slots to several guns submitted.

There have been numerous protests by former ex-militant groups over non inclusion in the second and third phases of the project, even though they surrendered arms to the JTF. Some of these groups include Italibabon Revolution Movement (led by General Nomukeme(Keity Sese) (Utebor,2014). In March 2013, ex militants protesting non documentation of 315 militant camps in Delta State and non inclusion in the third phase by the Presidential Inter- Agency Task Force, set ablaze a gas pipeline in OML 30, in Ughelli North LGA of Delta State. Up-till October 2013, some excluded ex-militants were still allegedly planning to stage protests in Abuja, over agitation for inclusion in another phase of the PAP (Ameh, 2013)

The Amnesty package was initially associated with a rush by criminal armed gangs, thugs, cultists and others who suddenly acquired militancy status, in order to become beneficiaries. Moreover, evidence suggests that some militants

who made it to the rehabilitation camp never actually participated in the struggle, but are instead “gatecrashers” seeking to benefit from the ample resources and opportunities offered by the amnesty programme. Cronies, associates and relations of ex-militant leaders, and ethnic and political leaders thus took the place of genuine ex-militants. There are allegations that some political appointees and big wigs enlisted their political thugs and youth associates as ex-militants (Daily Times, 2014).

Exclusion of some ex-militants from the reintegration process:

There have been complaints that many ex-militants are still excluded even after submitting arms particularly in the phases two (2) and three (3). There are also claims that the distribution of reintegration slots among ex-militant groups and camps was inequitable. Some ex-militant leaders and ex-militants camps are alleged to be given preferential treatment in the selection of ex-militants for demobilization and reintegration as well as payments of reinsertion benefits. There were protests among ex-militant leaders that their camps were allocated very few slots for monthly stipend relative to the number of persons who surrendered and the arms they surrendered in the third phase of the Amnesty in Edo and Delta States.

Exclusion of Some Ex-Militant Leaders from Largess and Benefits

There have been complaints about the privileged access to demobilization and reintegration enlistments by some ex militant leaders and their camps, and the privileged and inequitable treatment of some ex-militant leaders to the detriment of others. For example, surveillance contracts were awarded in 2011 by NNPC to ex-militants leaders, worth N6.36. The specific contracts ranged from Mr. Tompolo Ekpomupolo(N3.6 b), Asari Dokubo (N1.4 b),Ebikabowei

Boyo of (N608 m) and Ateke Tom (960.8 m) <http://citizenng.com/headlive-2> Feb 16, 2014, Accessed 27/8/14. These contracts and other possible largest and benefits have been protested as being discriminatory. Part of the grievances of late General Togo who went back to the creeks in 2011 until he was subdued by JTF was unfair and discriminatory treatment. Ex-militants in Aqua Ibom State protested in Uyo in September 2012 over non inclusion in surveillance contracts awarded by the NNPC and lopsided and deliberate neglect of Aqua Ibom people in the Amnesty Programme (Ekpimah, 2012).

4.4 EXCLUSION IN THE CONTENT AND BREADTH OF PAP

Exclusion of Victims of the Niger Delta Crisis

Inclusive DDR programmes provide benefits and assistance packages for disabled combatants, dependent children of ex-combatants, female ex-combatants, child soldiers, women partners of ex-combatants, vulnerable persons, internally displaced persons, war affected civilians, ex-combatant communities, amnestied political prisoners, and elderly persons connected to armed groups.

PAP is however too exclusive as it targets only militants without consideration for the victims of militancy and hostage taking in the region' (Akinwale, 2010). Mothers who have lost children, children who had lost fathers, families that have lost homes and persons who have been displaced by the conflict were not included in the amnesty package, (Nwajiaku-Dahou, 2010) presumably as a result of their lack of means of violence.

Exclusion of the Youth

Numerous youth in the Niger Delta, particularly the uneducated and unemployed see the PAP as their hope for empowerment and human capital development and have organized themselves and protested in order to compel inclusion in the PAP.

But PAP excludes community youths and the youths of the region.

To be sure, there have been attempts to incorporate some community youth into PAP particularly at the reintegration stage. In the second phase, youths from several oil impacted and polluted communities were included. This also further proves that non armed youth has been part of PAP either surreptitiously or by deliberate policy actions ([Http://www.punchng.com/news/jonathan approves 3642 ex militants for-inclusion-in-amnesty programme/](http://www.punchng.com/news/jonathan_approves_3642_ex_militants_for-inclusion-in-amnesty_programme/) Accessed 13/8/2014

Several programmes of the PAP such as the vocational training, economic empowerment and employment creation should not have been limited to the militants. Otherwise, it could send a wrong signal to others who have been excluded from the exercise that crime pays and may serve as a driving force for others to want to take arms for recognition (Oduro and Oduro, 2012).

Gender Exclusion

This amnesty programme was meant for both women and men who in one way or the other, were involved in militant activities. However, the implementation process especially after the surrendering of arms in the context of sustainable peace and development in the region, has become lopsided whereby men dominantly were considered in the entire amnesty programme. Though some

women have been trained in specialized skills centres, in general, there seems to have been no plans for the inclusion of women's needs and concerns in the DDR programme. Yet, some of these women have served as wives, girl friends, combatants, concubines, cooks, informants and couriers in the militant formation. Some women were taken into forced slavery, while others were physically and psychologically abused. Where are these women? How come they do not have a place in the whole amnesty exercise? (Agbegbedia, 2012).

In fact, the existence and needs of female combatants have historically been overlooked, just as the neglect of the many and complex roles that women play during war and peace. These neglects lead to a less effective and less informed DDR that does not fully extend to the community level and that may not lead to long-term or sustainable peace.

It is important to note that women are crucial to ideas of inclusive security. This has also been recognized by international organizations involved in peace-building. On 31 October 2000, the UN Security Council issued Resolution 1325, urging the Secretary-General to expand the role of women in UN field-based operations, especially among military observers, civilian police, human rights workers, and humanitarian personnel. This resolution also relates to many facets of the protection of women and girls during and after conflict. Resolution 1325 also calls upon all parties to take action to:

- i) promote the participation of women in decision-making and peace processes,
- ii) integrate gender perspectives and training in peace-keeping,
- iii) protect women in armed conflict, and

iv) mainstream gender issues in UN reporting systems and programmes related to conflict and peace-building (Whitman, 2005).

Exclusion of Conflict Affected Communities

The role of communities in facilitating resettlement and reintegration of ex combatants into civilian and community life has been identified as crucial to sustainable and effective DDR (Carames & Sanz 2009). The host communities are now regarded as part of reintegration programme and thus should be empowered to participate in the design, planning and execution of reintegration programmes.

Poor community reintegration makes for reluctance of ex-militants to return to home communities. The “ex-combatant versus society dichotomy” is more effectively broken through community involvement and projects that are mainstreamed by DDR (Carames 2009c). The lack of community integration is also responsible for relocation of ex-combatants to urban areas with less likely potential for social stigmatization rather than return to home communities as has happened in Angola (Carames 2009b). In Central African Republic (CAR), the ex-militant Reintegration and Community Support Project that administered DDR, included the following community initiatives:

- i) “demobilize and reintegrate ex combatants in home communities or communities” of their choosing
- ii) train communities to receive ex-combatants and improve community receptivity to ex-combatants
- iii) strengthen community capacity for ex-combatants including infrastructures destroyed in the war

- iv) reconcile ex-combatants to home or host communities
- v) assistance to 1,675,000 inhabitants of identified surroundings through participation in social economic and cultural activities
- vi) adoption of special measures for returning ex combatants by communities
- vii) the institution of processes and activities of dialogue and reconciliation in the communities (Carames 2009a)

Exclusion of Non Ijaw Groups

The narrow basis of the PAP is further manifested, when it is realized that the armed resistance or militia phenomenon was largely in the creeks and waterways. More dominantly, militancy was an Ijaw and associated dialectical groups' phenomenon. Thus the reinsertion payments, human capacity and economic empowerment of 30,000 ex militants is like the settlement of Ijaw youths. However, in the later phases, this settlement has included a sprinkle of Itsekiri and Urhobo youths and other youths who were part of the Ijaw led militia movement.

Consequently in the main, it can be claimed that PAP by leadership and beneficiaries is dominantly Ijaw. Thus, PAP and the DDR are concentrated among the youths of Bayelsa, and parts of Rivers, Delta and Ondo States. The non Ijaw ethnic groups , and the Akwa Ibom, Cross River, Abia and Edo States have been agitating for more inclusion in the activities of PAP and even in the appointments and development activities of the federal government. Ex-

militants protested the deliberate neglect of Akwa Ibom people in the Amnesty Programme in September 2012 at Uyo (Ekpimah, 2012).

Lack of Resettlement Programme

DDR programmes usually include resettlement which according to Ikelegbe (2014), pertains to:

the creation of access to and acquisition of land, tools and credit to ex –fighters that require employment in agriculture such as farming and fishing, and the provision of social benefits, disability support schemes and pension support schemes that are provided somewhat more permanently to enhance survival and welfare of ex-combatants (Ikelegbe 2014).

The access that ex-militants have to “natural capital as arable and grazing land, water, forests, fisheries and game, is critical to both poverty reduction and social peace” (Addison 2001:4).

In the Niger Delta, a resettlement component to the DDR would have facilitated reintegration and post reintegration engagements in such occupations as farming and fishery which are traditional to the region. PAP would have needed to facilitate access to land and water bodies, provide start up tools, technical support and financial support to get a considerable number of the ex-militants into self employment in productive activities. The advantage would have been that some of them would have had some experiences in these activities which would have made it easier for re-engagement.

Lack of an Employment Programme for Products of Reintegration

Some DDR programmes provide employment to ex-combatants through integration into the military, police and para-military agencies. In Uganda, several ex-combatants were recruited into the military, police and security sector (Sanz 2009c). Some others include programmes of public employment and public works.

PAP did not include provisions of employment such as through pre-arranged systems of employment into oil companies and oil servicing companies, the military and security agencies and the public service. There are no quotas of any kind for engagement into specified MDAs. There is no programme of short term public works employment to engage ex-militants and the youth.

4.5 EXCLUSIONS IN THE IMPLEMENTATION AND MANAGEMENT OF PAP.

Lack of Inclusive Stakeholder and Intergovernmental Management Structure

The management and implementation of PAP has been exclusive. The governors and governments the South-South States have not been involved or even kept abreast of the details of the amnesty programme. There is thus no intergovernmental structure that integrates and synergizes efforts and activities. Though several international agencies, international nongovernmental organizations, the World Bank, the United Nations and its agencies such as UNDP, FAO, UNICEF, FAO; and regional and continental organizations such as the European Union, ECOWAS, African Union have been involved in providing technical, medical, humanitarian, resource and other assistance and support for DDR in several countries, they are absent in PAP. Yet, their involvement or solicited support and technical assistance should have been a

major booster not only of capacity but of confidence among ex-militants and the region; and the integrity and legitimacy of the programme.

The roles of the private sector, nongovernmental organizations and community based organizations in peace building and reintegration programmes are crucial in complementing and collaborating with the state and international organizations in employment generation, empowerment programmes, social assistance and human capital development and the overall stability and suitability of PCTP. In the PAP, these groups were not integrated into the management and implementation structures and programmatic efforts. It is therefore not surprising that there have been poor non-state sector input and contributions in terms of funding, technical assistance, employment and empowerment.

CHAPTER FIVE
FRAGILE PEACE AND SECURITY: THE CONSEQUENCES OF
EXCLUSION IN THE PEACEBUILDING PROCESS IN THE NIGER
DELTA

5.1 INTRODUCTION

The Presidential Amnesty Programme for Niger Delta ex-militants has been relatively successful in the restoration of the oil infrastructure through repairs of pipelines and other facilities. Thus oil and gas production began to increase from September 2009. By February 2012, crude oil production had risen to 2.39million bpd. Gas sales had risen by more than 70% to an average of 4billion standard cubic feet per day in 2011 (The News 2012). The former militant leaders and fighters that embraced PAP have not only continued to benefit from the rehabilitation and reintegration programmes but also benefit from access to surveillance contracts of oil infrastructure.

As a result of the cessation of hostilities between the government troops and armed militias, there have been relative peace, security and stability in the region. The increased production and export of oil and gas has translated into more revenues and higher growth of gross domestic product, the economy as well as higher foreign direct investments in the region. Since the implementation of the Amnesty Programme has brought relative peace to the Niger Delta, the question that arises is: Will the relative peace last? In other words is the relative peace fragile or durable. Current events in the Niger Delta can help answer these questions.

5.2 EXCLUSION AND THE THREATS TO PEACE AND SECURITY

The Threat of Rising Criminality

Disgruntled ex-combatants have been linked to violent criminality such as armed robbery, kidnapping and extortion in Indonesia, Mozambique and South Africa. This is clearly occurring in the Niger Delta. Soon after the amnesty, violent criminality such as kidnapping and bank robberies became rampant in some parts such as Delta, Bayelsa and Edo States. There is also a growing incidence of criminal violence in the creeks and water ways, and particularly in Bayelsa State. Some have tended to attribute rising criminality to disarmed and demobilized militants who could be finding new opportunities outside oil based militancy, because of increasing frustration with irregular and incomplete payments of monthly stipends and disgruntlement over challenges of enlistment in the demobilization and reintegration phases or exclusion from PAP.

The Threat of Militia Resurgence

The fragility of the relative peace in the Niger Delta is evident from the resurgence of violent activities by militants. This is depicted in Tables 5:1 and 5.2 below:

Few months after the introduction of the amnesty programme, the Movement for the Emancipation of the Niger Delta threatened to resume hostilities because it was not comfortable with the amnesty due to the following reasons among others:

- The government was not ready for broad and meaningful dialogue on the issues at the root of the crisis.

- The government was pretending to be talking peace, but was actually arming and equipping the military through hardware purchases for a military onslaught.
- The reasons for militia fighting have not been addressed.
- The JTF deployment was still intact and constituted a threat to militants during the 60 day moratorium.
- The extant reports of commissions and committees on the region were not being implemented.
- International organizations were not involved in the amnesty. Such involvement would build trust and reputation that can guarantee security and safety of what has been promised.

Recently, MEND claimed to have resumed hostilities directed at the oil infrastructure and particularly cutting oil production to zero by 2015 under the code name Hurricane Exodus, in response to among others, the convictions and imprisonment of Messrs Henry Okah and Charles Okah (Ikelegbe 2014). Apart from the resurgence of activities within MEND, there has been sporadic emergence of new and resurgent militia activities. In 2010, a new militia group headed by Keiti Sese that had developed a camp at Foropa in Southern Ijaw local government Area (LGA) emerged and attacked an oil facility. It was attacked and dislodged by the JTF. John Togo, regarded as one of the generals of the militia movement, was one of the major cases of dissidence and militia return to the creeks. His renewed militancy did not last for long as he was killed in military attacks on his camp in May 2011.

More recent militia movements include the Coastal Revolutionary Forces, and the Idiot Family in Bayelsa State. According to Ikelegbe (2014), militia – military confrontations are beginning to emerge as the JTF raided and destroyed seven alleged MEND camps and allegedly invaded some communities in search of MEND militants in Bayelsa State in April, 2013. MEND was reported to have attacked oil facilities at Ogbegbagbene in Burutu L.G.A in Delta State in early 2014. Following the attack, the House of Representatives mandated some of its committees to investigate the performance of bodies with relevance to PAP (<http://www.theNigeriaoice.com/nvnews/82211/1/houseinvestigates.html29/8/14>).

Table 5.1 Militia Resurgence and Violent Attacks 2009-2014

S/N	Date	Militia attacks/Militant Organisation	Target	Outcome
1	October 1, 2010.	Nigeria's 50 th independence Celebration. Allegedly Mend.	Abuja Federal Capital Territory	Detonation and blast of 2 cars bombs killing 2 persons and wounding 36 others
2	October, 2010	Agip Pipeline in Bayelsa. Mend	Agip Pipeline in Bayelsa.	Explosion
3	March 5, 2010	Post Amnesty Conference at Warri, Delta State. Mend	Post Amnesty conference at Warri, Delta State.	Car bombing near event. 1 person killed and 11 injured.
4	November	Raid on Oil rig and	Oil rig	Kidnapping of

	8, 2010	kidnapping of seven foreign staff. Mend.		seven staff
5	November 15, 2010.	Attack on Exxon Obil Oil platform. Mend.	Oil platform	Kidnapping of seven nigerian workers.
6	February 4, 2012.	Attack/ bombing of Agip trunk pipeline. Allegedly Mend.	Agip trunk pipeline, brass, Bayelsa State.	Bombing of Agip trunk Pipeline
7	January 9, 2013.	Gun battle between Militants and Nigerian soldiers over oil theft from pipeline in Ogun State.	oil pipeline	Explosion of Pipelineline, several Militants, soldiers and villagers died.
8	March 20, 2013.	Attack on Oil Pipeline. Allegedly Mend.	Chevron facility, near Warri.	Bombing and destruction
9	April 13, 2013.	Attack on shell oil well in Nembe L.G.A, Bayelsa State. aallegedly mend.	Shell oil well	Bombing and destruction
10	July 4, 2013.	Attack on oil pipeline. Allegedly Militants affiliated to mend.	Oil pipeline, Rivers State.	Bombing and destruction
11	December 20, 2013.	Attack on Oil Plant	Oil Plant	Kidnapping of 4 South Korean Oil workers.
12	January 15, 2014.	Agip facility in Nembe-Brassanbiri, Bayelsa. Allegedly mend (New group of mend trainee	Agip tug boat and Kidnapping of vessel staff.	Hostages released (Ransom allegedly paid)

		fighters)		
13	January 25, 2014	Police gun boats in Azuzuama Waterways, Southern Ijaw L.G.A, Bayelsa State. Allegedly mend	Peremabiri Southern Ijaw, Bayelsa	2 Police gun boats and escorts of former militant leader at Peremabiri

Source: Ikelegbe 2014

The Burgeoning Underground Oil Economy

The period of agitation and militant resistance provided an environment for extensive underground economy-oil bunkering and illegal crude oil production. The later fuelled a vicious cycle of arms proliferation, triggering more violence and empowering more illegal bunkering and refining. It is important to note however, that in spite of the marked reduction in violence and increased oil production, the post-amnesty period has also witnessed more reports of illegal oil bunkering and other criminal activities. The environment for illegal oil businesses seem to have been sustained in the post PAP period. As the region's grievances remain unresolved and the deprivation from oil economy benefits and participation continues, citizens and others have not had any qualms in continuing with the illegal activities. Furthermore, the arms and personnel for the illegal businesses have not been in short supply.

The Thriving Sea Piracy in the Gulf of Guinea

Sea and waterways piracy was associated with militancy. It declined after the Amnesty in 2009. However, it has been on the rise since 2011. As Table 5.2 indicates, there has been a sharp rise in piracy since 2012. There were attacks on 39 vessels and coastal crafts in Nigerian waters with about 7 deaths and 33

hostages taken between December 2012 and March 2013 ([www.shipsandport.com/niger-delta-militants-threaten-to-blow-up-vessel/march 26 2013](http://www.shipsandport.com/niger-delta-militants-threaten-to-blow-up-vessel/march-26-2013)). There were 29 piracy incidents on Nigerian waters with two hijackings, boarding of 11 ships and attacks on 13 vessels and attempted attacks on three others in 2013 (Anaesoronye 2013). The new trend of piracy may be linked to the resurgence of hitherto criminally bent militants or new criminal elements or groups that have emerged since the post Amnesty period. They may also be associated with disgruntled elements of the ex-militant formation.

Table 5.2. Piracy, Oil Theft and Kidnapping of Sailors 2011-2014: The new face of Militancy.

S/N	Date	Incidence	Vessel/ Outcome	Militant Affiliation/Place
1	September 14, 2011.	And kidnapping of 14 Filipinos and 9 Spanish sailors	At Mathios. Release of 23 sailors on 26 th September, 2011.	Allegedly mend
2	October 13, 2011.	Kidnapping of 20 Russian sailors	Mt cape Burd. Sailors released	Allegedly mend
3	October 19, 2011.	Hijack of Exxon Mobile oil tanker	Ahstwibert Tide. large amount of oil stolen. captain released	Allegedly mend. Near Opobo
4	November 1, 2011.	Kidnapping of 2 British Sailors	Chevron oil vessel.	Allegedly mend

			Sailors released in December 2011.	
5	February, 29, 2012	Kidnapping of 3 Dutch sailors.	Allegedly mend gunmen	Off the Rivers State coast
6	August 4, 2012.	Kidnapping of 3 sailors. gun battle with Nigerian Navy	Oil carrier 35 miles off Nigerian coast	Allegedly mend
7	September 5, 2012.	Hijack of oil tanker, 14 miles off Nigerian coast	Abu Dhabi Star	Allegedly mend
8	October 15, 2012.	Kidnapping of 7 sailors aboard bourbon liberty 249	Bourbon liberty 249 Allegedly released on payment of ransom on November.	
9	December 13, 2013.	Attack of oil carrier pm Salem	PM Salem. One person killed and another injured.	
10	December 17, 2012.	Kidnapping of 5 Indian sailors aboard sp Brussels	SP Brussels. Ship looted and set ablaze S sailors released on ransom in January, 2013	
11	December 23, 2012.	Kidnapping of 3 Italian sailors	AssoVentino. Sailors released	

		Aboard AssoVentino	on ransom payment in January 2013.	
12	February 4, 2013	Hijack of Filipino operated vessel	Kidnapping of one sailor and killing of another.	
13	February 7, 2013.	Kidnapping of 2 Russian and 1 Romania sailors aboard British cargo ship	Looting and damage of ship. Sailors released on March 13, 2013.	
14	February 17, 2013	Kidnapping of 6 Russian sailors aboard armada Tuah 101	Sailors released on payment of ransom	
15	February 10, 2013	Attack on oil carrier armada Turgas and oil carrier Walves 7		Allegedly mend
16	February 22, 2013.	Kidnapping of 2 Pakistan sailors aboard oil carrier	1 released	
17	March 7, 2013.	Kidnapping of 3 Malaysian sailors aboard armada Tuah 22	Released following a raid on mend camp	
18	March 8, 2013.	Hijack of oil carrier	Looting, theft of oil.	
19	April 22, 2013.	Kidnapping of 4 Russian and	Released upon JFT attacks on camp on may	Allegedly mend

		Ukrainian)	26, 2013.	
20	April 28, 2013.	Kidnapping of 9 oil workers from a Shell operated oil installation		Allegedly mend
21	April 29, 2013.	Kidnapping of 5 sailors aboard cargo ship off the coast of brass	Released after payment of ransom on may 14, 2013.	
22	May 28, 2013.	kidnapping of 12 Pakistan and 5 Nigerian sailors aboard Mt matrix oil tanker	Crew released after payment of ransom.	
23	June 13, 2013	Hijack of French oil tanker adour off the coast of Togo.	One sailor seized but released on JTF seizure of camps	
24	June 19, 2013	kidnapping of 2 Indian and 2 polish sailors aboard oil vessel mdpl continental		Pirates allegedly affiliated to mend
25	July 26, 2013.	Hijack of Murkish oil carrier Mt cotton off the coast of Garbon	Crew held hostage. large amounts of oil stolen.	Prates
26	August 15, 2013.	Hijack of oil vessel Mt Notre	Crew held hostage until	

			Nigerian Navy interception of ship.	
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Source: Ikelegbe 2014

Thriving Proliferation of Small Arms and Light Weapons

The total number of ammunitions/weapons handed in by the militants totaling 1,798 rifles, 1,981 guns of various types, 70 RPGs, 159 pistols, one spear and six cannons (Agbo, 2011) are certainly low when compared with 26, 358 militants that registered for the amnesty programme as at the second phase. The region is still ridden with arms and this is evident in the various violent attacks, kidnapping, sea piracy and criminality that have occurred since the disarmament exercise (Joseph, 2010; Oluduro & Oluduro, 2012).

The Emerging Formation of Disgruntled Ex-Militants

There is an emergent formation of dissatisfied ex-militants who are frustrated over issues of non inclusion, delays and irregular payment of their allowances, the withholding and none payment of their allowances, the short- payment of their stipends, poor facilities and hence poor competence derived from vocational training, the lack of employment after integration trainings, the lack of opportunities for reintegration training because of the trickle allocation of slots to militant camps and the problems of enlisted ex-militants who have not gone for training.

There have been numerous protests by ex-militant groups over non inclusion or non enlistment, non payments and lack of access to reintegration trainings. The Forum for Ex-militant Leaders led by one General Gift Tare of Iduwini Volunteer Force, threatened resumption of attacks on oil infrastructure in

November, 2011, over non payment of regular monthly allowances of disarmed militants, and preferential treatment of some generals and their ex-militants (<http://www.pilot.africa.com/2011/11/07>. Accessed 21/8/14). The presence of non militants has contributed to the anger and frustration of those who consider themselves to be the real, or “core” militants, but have been excluded from these benefits.

The Challenge of Reintegrated and Unemployed Ex-militants after 2015

The ex-militant formation hitherto lived on loose funds appropriated from the oil companies, kidnapping, bunkering and diverse extortions during the period of militant agitation and armed resistance. Then amnesty was offered and a new system of loose funds through monthly stipends was introduced as a way of reintegrating the ex-militants into civilian life. This has gone on since 2010 and would continue until 2015.

Then a massive programme of training and education was embarked on to prepare the ex-militants for productive economic engagements and sustenance. About 30,000 youth have now been trained or are in training but employment and economic empowerment have become the new challenge. Only a trickle of those trained have been employed or provided business start up support.

The next challenge facing the nation is what will happen with the 30,000 unemployed ex-militants, when the monthly stipends is stopped with the termination of the programme in 2015. How will the nation handle this population of youth, trained in arms, hitherto used to armed resistance as a means of livelihood, when they become frustrated and angry and possibly

turned on the society, the governments, the oil companies and the oil economy and infrastructure. What portends does a new militancy conducted by more educated, trained and exposed personnel have?

Already some ex-militant leaders such as Ramsey Oyakemeagbegha are warning that the termination of the Amnesty could trigger fresh crisis (Imoh, 2014). The ex-militant leader of Ebipa-Opre Ex-militants Forum argues that apart from the fact that the conditions which trigger militancy are yet to be addressed, idle ex-militants without further reintegration payments could tend towards violence, criminality and militancy.

The Violence that Pays

The exclusionary nature of PAP is creating the general feeling that violence is being rewarded more than those who apply peaceful means to issues. Thus in a sense, PAP is nothing but encouragement of Niger Delta youths to take to arms (<http://www.irinnews.org/report/96403/nigeria-anger-over-amnesty-programme>).

Locals in the communities are unhappy about the one-sided benefits of a post-amnesty programme that has focused on “those with arms,” while excluding the victims often caught in the crossfire of militia violence and state reprisals. Thus Ibaba (2011) raises the question as to whether the attention given to ex-militants do not reinforce the frustrations of the non-arms bearing Niger Deltans. Ikelegbe (2014) has stated that the next violence would be quite extensive and intensive as every youth, woman and adult would have to join

militant groups, acquire arms and demonstrate capability for violence in order to position themselves for the next Amnesty programme.

5.3 EXCLUSION AND THE FRAGILITY AND NON SUSTAINABILITY OF THE CURRENT PEACE AND SECURITY

The problem in the Niger Delta region is that negative peace, the temporary cessation of violence and insecurity is being taken as permanent peace and security. Positive peace that is connected to conflict transformation, the restoration of relationships, the creation of social systems that serves the needs of the whole population and the constructive resolution of conflict is not being cultivated. As long as there is no transformation of the conditions that generated the deep grievances and anger that triggered armed resistance and violence, positive peace would continue to evade the region.

The relative peace in the Niger Delta is like a time bomb. Widespread violent conflict could explode at any time. The fragility of the relative peace could be attributed to both conceptual exclusion and exclusion in the management of the amnesty programme. These have adverse consequences for peace-building in the Niger Delta.

The prevailing challenges associated with the implementation of the PAP makes it doubtful if the programme can bring about sustainable peace in the Niger Delta. That is why the Integrated Regional Information Networks (IRIN, 2012) argued that the amnesty programme was not designed to address Niger Delta's socio-political and developmental problems, but was a method of buying relative peace with the aim of obtaining unhindered access to oil.

The underlying political priorities driving the amnesty process are narrower than that comprehensive resolution would have suggested. The emphasis seems to be more on the immediate objectives of disarmament and demobilization to ensure uninterrupted flow of oil than on a sustainable reintegration process (IRIN, 2012).

The real beneficiaries of PAP are the oil companies, the federal government and governments in the federation and the ex-militants. The communities, youth and people of the region have not benefitted from amnesty other than the cessation of violence and the temporary existence of some peace and security.

PAP has been mainly a tokenist, monetized, or cash based exclusionary settlement of the armed segment rather than a resolution of the crisis. The Amnesty Programme is tantamount to the purchase of peace, because of the massive system of diverse payments of stipends or allowances, economic empowerment, human capacity building and diverse support to those who have made trouble or are capable of making trouble and thereby disrupting crude oil and gas production and associated revenues. The massive budgetary allocations to PAP have been in connection with huge expenditures on reintegration and monthly payments of reinsertion benefits. The somewhat commodification of the amnesty as evidenced by the large expenditures on monthly payments is somewhat reinforced by the extensive compensation to ex-militant leaders by way of payments through them for their fighters, surveillance contracts, appointments and influence or access to power.

PAP is training and paying 30,000 youth and thus delinking them from current aspirations to resort to violence. The programme has not addressed the needs of the youth, the communities and the citizens of the region. The deprivations

and problems of the people remain unaddressed while their aspirations in the struggle for resource benefits and resource control remain unsatisfied. Yet it is expected that the settlement of the few ex-militant elements is tantamount to the settlement of the problems, needs and aspirations of the region.

Such exclusionary settlement without conflict transformation is fragile and cannot be a basis for sustainable peace and security. Any accentuation of the ND problematic, threat to regional interests, or major development that affects the fortune of the region can be expected to generate or accentuate grievances, frustration and anger that can drive ex-militants to the forest and creeks in a new resistance. Already the demand of the region for resource control and increased derivation funds in the 2005 and 2014 Constitutional Conferences had led to threats by the Niger Delta People Salvation Front led by Majahid Dokubo to mobilize and return to the creeks to resist Nigeria's exploitation of the region (<http://mail. Iyep.com.ng/news/item JULY 18, 2014>. Accessed 21/8/14).

In spite of what has been done for the ex-militant formation, there is yet so much disgruntlement and feelings of being cheated and sidelined by the government, traceable to the diverse dimensions and levels of exclusion. The high levels of exclusion traceable to poor participation of all stakeholders including the grassroots people (Ako, 2011), militants, youth organizations, women groups and civil society; the inequitable treatment of diverse segments including those within the ex-militia formation; the neglect of the regions youth, women and vulnerable groups and the neglect of the conflict afflicted communities within the conception and span of benefits and entitlements in the PAP are creating an emergent population of aggrieved and angry citizens.

CHAPTER SIX

CONCLUSION AND POLICY RECOMMENDATIONS

6.1 CONCLUSION

Peace-building is increasingly recognized by the international community as a necessary response to conflict situations, which seeks to prevent violent conflict or a relapse into conflict in states in transition (Institute of Strategic Studies, 2014) and to build a viable and enduring basis for sustainable peace and security. To achieve these, DDR programmes such as PAP usually adopt inclusive programmes that have a broad coverage of packages, participation, benefit structure and multi-stakeholder management. DDR itself occurs within a framework of broad and comprehensive process of transitional policies and programmes and cannot be effective as a stand-alone and narrow programme in the movement towards sustainable development, security and peace.

PAP was a bold and innovative initiative for resolving the crises in the Niger Delta.

Its immediate effects in the cessation of hostilities, ceasefire by MEND, relative peace and security, restoration of the oil infrastructure, extensive growth of petroleum production, oil and gas exports and revenues and improved human security ought to have been followed with broad and inclusionary participation, implementation structure, programme benefits and entitlements; and comprehensive address of the demands and aspirations of aggrieved, vulnerable, deprived, and conflict impacted groups.

However, the PAP for the ex-militants involving a disarmament, demobilization and reintegration currently implemented is floundering on the altar of excessive exclusion and inequitable benefits. The very narrow conception of PAP has precluded the government from addressing broad issues connected to PCPT and peace building. PAP has been so haphazardly designed and packaged more as an hoc response to severe threats to national security and economic survival, that it has not been a comprehensive and inclusionary basis for resolving the region's problems and driving it towards sustainable peace and security.

PAP is still hazy in focus and goals with grey areas over comprehensiveness, and short and long term outlines of policy, programmes and content. It is obvious that the commitment put into securing amnesty and militant participation has not gone into developing sound programmatic framework based on best practices, the building of a solid inclusionary basis for mobilizing and integrating the people, harnessing synergies and efforts, and the construction of solid platform of intergovernmental and state-non state partnership for effectively addressing challenges of post conflict development and peace building and satisfying the hopes, expectations and aspirations of all stakeholders and citizens.

There is growing level of dissatisfaction in society and disgruntlement within the ex-militant formation. There are problems of sincerity, trust and commitment rooted in the non inclusive management structure and implementation of the PAP.

In being too exclusionary, PAP became a very narrow, stand alone and unviable basis for redressing the Niger Delta crisis. Rather than an effective basis for sustainable peace, the PAP induced peace and security is political, being based on linkage with the presidency and the prospects of continued presidential commitment and support, which at best is tenuous in the post 2015 period.

PAP outside a broadly conceived and inclusionary programme of engagements, participation and benefits is only a tentative and palliative step towards resolving the crisis and cannot be the solution to the Niger Delta problem. Reconciling with militants, disarming and paying them to maintain peace, is not tantamount to peace building nor equivalent to conflict reconciliation, resolution and transformation which are more permanent platforms for sustainable peace and security.

With the current scale of exclusion and the accompanying dissatisfaction, it is doubtful if the basis for long term or sustainable peace exists. Elsewhere, Ikelegbe (2014) has noted that the amnesty being rooted in a tiny minority to the exclusion of the larger population has not removed the sense of deprivation, frustration and anger that boiled over into the general restiveness, agitation and violent protests. Thus as Ikelegbe (2010:71) states, a situation of permanent non relapse or non re-eruption of hostilities has not been created and the current peace is therefore remedial.

6.2 POLICY RECOMMENDATIONS

PAP needs to redesign its goals, content, benefit structure and breath in such ways that they are more inclusive and comprehensive. This will mean that PAP will have to include issues that are germane to post conflict transformation and peace-building. In its relationship with the federal government, it should tease out more comprehensive strategies for managing sustainable peace and development. This means that PAP should be connected or linked to or become part of a wider programme of economic recovery, transformation, transitional justice, reparation and resettlement. There should be a comprehensive programme for addressing the grievances of the region and transforming the conflict situation.

There has to be a concrete programme of peace-building comprising rebuilding of broken relations, social capital and mechanisms of peace and advocacy; and peace works volunteering, early warning systems and conflict prevention.

The issues of exclusion in the current PAP must be addressed and mechanisms worked out to ensure a system that is satisfactory, acceptable and supported by all segments of the Niger Delta people. The benefits should move beyond ex-militants to youths, women, vulnerable groups, communities affected by the Niger Delta conflict, home communities of ex-militants, and social and community activists.

There has to be inclusion within the ex-militants in the distribution of benefits. All ex-militants who passed through the eligibility process should be included. There should be provision of spaces for all disarmed militants rather than a situation where those who claimed to have disarmed are still excluded from reintegration benefits. The system of payment of monthly stipends should be

transparent and accountable. Payment should be made directly to the ex-militants rather than the current system of payment through their commanders.

The issues of post reintegration training in terms of employment and economic empowerment should be comprehensively addressed because training ex-militants without employment in the post 2015 period is a clear pathway to another Armageddon. Therefore, intergovernmental and inter stakeholders structures for synergizing efforts for employment have to be put in place for not only ex-militants but for other Niger Delta youths.

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