Assessment of the Presidential Amnesty Programme (PAP)
Executive Summary

Nigeria lags in human capital and infrastructural development despite the tremendous revenue it made from oil resources. The Niger Delta region from where oil is extracted is marred by youth unemployment, environmental degradation and other forms of socio-economic and political deprivations. These perceived neglects led to youth restiveness and criminal violence in much of the late-1990s to late-2000s. The situation became a major security threat to lives, livelihoods, environment and critical oil infrastructure. At the peak of the crisis, especially between 2007 and 2009, Nigeria’s oil production dropped as low as 700,000 barrels per day (bpd) from the previous crude production of 2.2 million. Nigeria is believed to have lost about ₦8.7 billion or $58 million daily. The economic losses, as well as the deteriorating security situation in the region, led to the proclamation of amnesty for militant groups in the region by President Umaru Musa Yar’Adua in 2009.

The Presidential Amnesty Programme (PAP), created as a result of the proclamation, was designed to restore oil production to pre-amnesty level and reducing the scale of insecurity in the region. Part of its provision is to support ex-militants with monthly stipends, as well as providing vocational and university education as part of its Disarmament, Demobilisation and Reintegration (DDR) process. PAP has now existed for more than ten years, well beyond the planned five years, with its objectives not fulfilled and no end in sight. The programme’s budget is becoming too heavy and unsustainable in light of competing priorities for the government. This, coupled with issues of lack of transparency, corruption, nepotism, patrimonialism and exclusionism has trailex the existence of the PAP.

With its patchy track record and non-fulfilment of stated objectives – apart from curtailing threats to oil facilities and insecurity – Nextier SPD (Security, Peace and Development) commissioned a team of consultants to conduct a review of the PAP. As part of this review, the team conducted an institutional assessment of the PAP to determine areas where it has been successful, highlight critical issues that were hampering its success. Through interviews and content analysis, the team reviewed the overall performance of the programme, examined challenges which have prevented it from producing optimal results and proposed policy approaches for the transition of the programme. Most importantly, the team developed actionable recommendations on how to transition the agency into a vehicle that will be able to address the critical issues of the region more effectively.

Background

The oil-rich Niger Delta region is paradoxically described as the oil pollution capital of the world. The region produces Nigeria’s crude oil, about two million barrels per day in 2019, supplies 95 per cent of Nigeria’s export earnings and 80 per cent of Federal Government revenue, but, ironically, more than 50 per cent of its youths are believed to be unemployed or underemployed. This impelled the youth to rebel against the state. Thus, in 2009, late President Umaru Musa Yar’Adua offered an unconditional pardon to militants and cash payments to those who agreed to lay down arms and key into the programme and created the Presidential Amnesty Programme. (PAP). Nigerians hailed the move which was meant to tackle unrest and vandalism of oil pipelines and installations in oil-rich Niger Delta.

The PAP was modelled after the United Nations’ Disarmament, Demobilisation and Reintegration (DDR) interventionist programme. The PAP was adjudged a success for restoring oil production to pre-amnesty level and reducing the scale of insecurity in the region. The PAP has recorded some achievements. First, it has helped in mitigating tension and
insecurity in the region. Incidences of kidnapping and cases of disruption of the oil economy have significantly reduced, and oil workers who had fled the Niger Delta region had returned to sites.

Key Findings

1. Performance

By and large, there seems to be a consensus that a level of stabilisation has been achieved; just as overall security has been improved. While the disarmament phase of the DDR process was seen as a success, it created many ongoing problems ranging from failure to establish the exact number of agitators to a failure to define and implement clear disarmament criteria to low fighter-to-weapon ratio. Apart from the quality of the arms surrendered, there has been concern over whether the disarmament phase demilitarised the region in terms of the reduction in the number of arms in circulation, considering the high level of criminality the region still experiences.

The demobilisation phase has also been criticised for failing on various grounds: the payment of the monthly ₦65,000 to ex-agitators, while ensuring some stability in the region has had the unintended consequence of making some beneficiaries bigger than their communities, ultimately upending some traditional mores; the continued payment of this stipend has also been criticised for maintaining the command and control structure of the militant groups and for deepening the entitlement culture of not just the ex-agitators, but generally in the region.

Another troubling aspect revolves around the maintenance of the list of 30,000 beneficiaries. The list has been seemingly compromised through the direct control of the ex-generals of the various groups. The appropriateness of paying of stipends to ex-agitators has also been a constant refrain throughout the existence of the PAP.

Many observers see the stipends as a cash-for-peace incentive; essential for keeping the oil flowing but has been a great impediment to the reintegration efforts as the size of the stipend in comparison to minimum wage, coupled with the current policy of paying in-training allowances in addition to monthly stipends, has made it challenging to break beneficiaries’ dependency.

The relevance of the formal educational, vocational skills acquisition and entrepreneurship training programmes and the relationship with and involvement of employers has been of critical interest. Thus, it has been difficult for beneficiaries to land jobs after graduation; a situation complicated by the current decline of oil price and the negative impact of the COVID-19 on the economy.

In the same vein, there is an apparent lack of coherence between the activities of PAP, other Niger Delta intervention agencies at federal as well as state levels and the corporate social responsibility (CSR) activities of key organisations in the region such as the IOCs, since the PAP activities are largely being implemented in isolation of other related workstreams. Also evident is the lack of involvement or buy-in of some of the main job employers in the country.

2. Effectiveness

It is generally agreed that the disarmament and demobilisation phases have been completed. However, it can be argued that the disarmament objectives have only been partially met, same with demobilisation objectives. For instance, the failure to dismantle the command and control structures of the various militant groups has been a significant cause for concern, as the
continued payment of stipends through former camp commanders shows. Also of concern has been the massive empowerment of top generals through federal government contracts with limited resultant trickle-down effect.

There have been accusations that Amnesty Office has politicised the opportunities being offered in the programme in order to benefit those with some influence over the PAP activities. The lack of genuine employment opportunities and the mismatch between training and opportunities in the Nigerian labour market have also been points of criticism of the PAP reintegration phase. The PAP has defended itself in many instances on the basis that the lack of resources hampered its ability to provide true empowerment. This, coupled with the sense of entitlement and apparent lack of desire and drive by some ex-agitators to be genuinely empowered, has been used in defence of the PAP.

It is evident that the root causes of the conflict such as marginalisation, corruption, youth unemployment, poverty, environmental degradation are still visible and mostly unaddressed. The PAP appears to have rewarded criminality, militancy and aggressiveness while being unable to address the underlying causes that gave birth to the militancy in the first place.

3. Efficiency

The programme has been well-funded despite the heavy financial burden on the federal budget, which many in the region see as a fair deal being the area that provides Nigeria's economic lifeblood. The pace of implementation of the programme has been exceedingly slow. This has led to a view that the cost of delivering the peace in the region has been high – even though oil production has increased as a direct result and in the face of a massive increase in oil theft (bunkering), kidnapping and other criminal activities.

Initially, with the scrutiny and oversight of the National Assembly, the programme was seen as cost-efficient. Still, with the passage of time and the increase in oil production, this scrutiny declined and dwindled to mere passing interest. The level of corruption within the programme has also been reportedly alarming. The programme has, however, been dogged by allegations of corruption against some top government officials including successive PAP Coordinators. The use of contractors and consultants to execute many of the programme activities have also been criticised, especially as anecdotal evidence points to Northerners dominating the contractors at the Amnesty secretariat.

4. Impact

Regarding what difference the programme has made, it is generally agreed that its primary priority was to stabilise the security situation enough to keep the oil flowing to replenish the national coffers rather than developing the region. This was successful in the short-term relative to security and stabilisation of oil and gas revenues as well as creating a fragile peace between the Federal Government and the militants.

The significant skills acquisition and educational opportunities extended to and accepted by many Niger Delta youths has also inadvertently encouraged migration from the communities into towns and cities in search of employment.

While the organisational setup of the PAP itself – its reporting line to the NSA – has been an issue, the location of the Amnesty Office outside the region has been problematic and pointed out as one aspect that has limited its impact in the region.

With this mixed bag of results and challenges, there is a prevalent view that the PAP has overstayed its welcome and that it is now the time for a viable and sustainable exit strategy to
be crafted and implemented, especially since the root causes of the conflict are yet to be addressed.

**Justification for Transition: Why is the transition important?**

A consensus has emerged that after a decade of existence, PAP has made a visible impact on security and stabilisation in the Niger Delta region, which has resulted in stable production of oil.

Despite what seems like a success, it is equally valid that PAP has not achieved its other twin objectives of peace and addressing under-development; the main driver of the conflict in the region. The cost of the programme has become an albatross on the federal budget. It is seen as unsustainable going forward, especially in light of the challenges posed to the economy by COVID-19 and slump in the global oil prices. There are other justifiable reasons for making a transition from PAP as constituted, and they are:

- Firstly, like every programme, it always has a start and end time.
- Secondly, since its inception, it has been marred by corruption, lack of transparency and elite capture.
- Finally, while PAP remains a federal government-funded and controlled intervention for the Niger Delta, it is so state-centric that directives from the federal government override desires and contributions from the local communities who are expected to benefit from the programme.

That said, if the transition is not well thought through, properly handled and widely accepted, it might result in the security situation in the region becoming worse than before the amnesty was proclaimed.

**Possible Obstacles and Support for the Transition**

One thing is sure in developing the Transition Strategy, which will be a move away from the PAP status quo, is there are likely to be those who will support and others that will resist the process.

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<tr>
<th>Likely Supporters</th>
<th>Sources of Possible Resistance</th>
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<td>1. Presidency and MDAs</td>
<td>Ex-Militants</td>
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<td>2. State Governments</td>
<td>Ex-Agitators not presently getting the stipend</td>
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<td>3. Civil Society Organisations (CSOs)</td>
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<td>Those benefiting from fraudulent contracts</td>
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<td>5.</td>
<td>Members of Security Agencies</td>
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Transition Scenarios

There is a case to be made for drawing up a transition strategy for PAP as it is currently constituted to another form of mechanism that could foster peace and security, and also address the issue of underdevelopment in the Niger Delta, avoiding the identified challenges. Such a mechanism should be equitable and fair, buy-in by all stakeholders, and consultative.

The four options are:

**Option 1: Closure of the Programme**

Such a decision of closure could have support within the country, especially in the majority of the states and people outside the Niger Delta region; justified on the grounds that considerable federal resources have already been invested in the area with limited appreciable results. In the wake of the COVID-19 pandemic, it is even more challenging to justify the retention of PAP as currently constituted. The key implication is that any abrupt closure without a viable alternative could bring about the resumption of violence in the region, which translates to a reduction in crude production and revenue for the government.

**Option 2: Transforming PAP into an Autonomous Youth Programme**

Under this option, PAP transitions into a youth development programme within a federal entity like the Small and Medium Enterprise Development Agency of Nigeria (SMEDAN) and does not just focus on militant youth only. The programme would also provide job placement support, including from the private sector.

The transition of PAP from concentrating on a small number of militant youths to focusing on the youths across the Niger Delta region would be a positive development. Still, given the stark fact that the primary source of the conflict is about underdevelopment in the region, this strategy has to be able to accommodate the concerns of the overall communities.

**Option 3: Devolution of PAP Activities to Federal MDAs**

Closing the programme and divesting the PAP activities into the programmes of other federal MDAs through the Ministry of Niger Delta Affairs (MNDA) and the Niger Delta Development Commission (NDDC). This will mean identifying the relevant institutions and MDAs, their core competencies and their capacity to undertake assigned PAP roles and tasks.

**Option 4: Devolving PAP Activities to State Oil Development Commissions**

In order to divest powers from the centre and make the agencies of government more accountable, with more local ownership and supervision, the current mandate and activities of the PAP should be given to the state development commissions. This reduces the federal-centric nature of the programme, which has helped in fuelling corruption and elite capture, to a better-monitored programme at the state level, which will give more control and oversights by communities, CSOs, Community Development Associations (CDAs) and the private sector.
Preferred Options

The choice of preferred option is based on a SWOT analysis and balancing of many factors, and in the exercise Option 4 is the preferred option followed by Option 3.

1. Second Preferred Option: Making a Case for Option 3 (Devolution of PAP Activities to Federal MDAs)

Option 3 is ranked as the second preferred option. Significantly, the adoption of this option does not require any legislative intervention. It may at best need an executive order or policy direction for its realisation. It can therefore be executed within a comparatively shorter period. Also, Option 3, acknowledges that the problem of Niger Delta is principally developmental and thus multi-faceted, which requires the inputs of the various MDAs for sustainable development.

2. The Preferred Option: The Case for Option 4 (Devolution of PAP Activities to Oil State Development Commissions)

Option 4 is considered as the preferred option of the four transition options that have been presented in this report, based on the use of SWOT analysis in examining all the options.

More fundamentally, it can effectively address the issue of underdevelopment associated with youth unemployment and livelihoods in the Niger Delta region. It provides an exact exit route for closing the programme without necessarily re-igniting the conflict in the region. This is because it can help in improving development projects. Again, because it is locally accountable to the communities and the local people, its success rate, is likely to be higher than what is presently achieved with the PAP.

The involvement of local stakeholders, it is very likely to include the private sector, especially the non-oil sector, mainly in Small and Medium-Scale Enterprises (SMSEs) in developing skill sets that are in great demand in the market.

Furthermore, the fact that the present activities undertaken by the oil community development commissions are funded from the 13 per cent oil derivation to the oil-producing states, Option 4 offers a good opportunity for transferring the activities of PAP to the various states, as some of their activities are similar to what PAP does. As such, direct allocation of PAP budgets to the states’ development commissions for project execution, can be negotiated between the federal government and the states of the Niger Delta region.

Engaging with Stakeholders

As part of this assessment, an advocacy strategy was developed to push for the agreement and adoption of the transition strategies. In selecting the stakeholders to be engaged, the consultants considered these criteria:
(a) main stakeholders/stakeholder groups that are affected and able to influence efforts to re-engineer the PAP;
(b) main stakeholder groups to support the activities outlined in the intervention to reform the PAP;
(c) the most appropriate methods through which to disseminate information to the respective stakeholder groups at the appropriate time and in the appropriate manner to get the desired results;
(d) the relevant engagement processes to enable the main stakeholders/stakeholder groups to be able to influence the project at the appropriate times, and;
(e) to get the buy-in of the main stakeholders, especially the Accountability Actors, on the need to transition the programme as well as on the preferred option for reforming the PAP (Option 4: Devolving PAP Activities to State Oil Development Commissions) and providing the main stakeholders with the reasons for the selection of that option.

In conclusion, one of the glaring lapses of the PAP as it’s currently configured is that the intervention does not fit in with other interventions in the region. Also evident is the lack of involvement or buy-in of some of the leading job employers, such as the federal and state governments, the oil producers – both international and indigenous – and other private sector actors into the programme. This is one of the glaring appeals of Option 4.