



REVIEW ARTICLE

Insurgency, Counter Insurgency and Human Right Violation in The Niger Delta

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ABSTRACT

The Niger Delta region of Nigeria is blessed abundantly with oil right from the colonial times when the area was known as oil Rivers, this was the time when oil was drilled from the palm tree. The same region at a second time became the reservoir of crude oil resources and exploration. It is estimated that the total crude oil sale has amounted to about \$200 billion since its inception in 1958, yet the region is marginalized and underdeveloped. The drilling and exploration of crude oil by multi-national oil companies has resulted in environmental degradation in the region. The Federal Government and the multinational oil companies have not heeded to the cry of the people of the region which was in the form of peaceful protest at inception. Recently, the people have resorted to stronger measures to show their anger. This has been in the form of violent activities such as kidnapping and hostage taking of oil workers, bunkering and vandalization of public utilities. The Federal Government in an effort to curb the excesses of these militia groups through militarization of the region has committed several human rights abuses. This article uses historical and descriptive research method to analyse events in the Niger Delta that constitute abuses of the rights of the people of the area. The aim of this article is to appraise the repressive actions of the Federal Government and its attendant human rights abuses. The article will also examine the effect of government action on the people of the region.

Keywords: Niger Delta, Environmental Degradation, Repression, multinational companies, militia groups, hostage taking, bunkering, insurgency, counter insurgency.

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INTRODUCTION

The Niger Delta region of Nigeria has been a centre of major confrontation between the indigenous people and the Federal Government right from the time oil was discovered and explored in commercial quantities in 1957. The contention of the people is that the Federal Government and the multinational oil companies have neglected them and their environment. The fact is that the area has been degraded by environmental hazards due to oil exploration by oil companies. Among such hazards include oil spillage which destroys aquatic lives, aquatic resources are the major source of income of the indigenous people of the Niger Delta e.g fish, cray fish etc. Gas flaring is another hazard which is injurious to health. There are also poor infrastructures in the region. The history of militant activities and armed resistance in the Niger Delta is traced to the late 1960's. The earliest post-independence armed resistance was led by Isaac Jasper Boro. Boro and his associates of the Niger Delta volunteer service (NDVC) declared the Niger Delta Republic on 23rd February, 1962. The declaration made the Niger Delta distinct and separate from the Nigerian state. However this was not realized, the group was provoked by social neglect, ethnic

chauvinism, political marginalization and economic deprivation caused by post independent ruling elites. The marginalization continued into the early 1990's during the military era. In an attempt to liberate his people Ken, Saro Wiwa and eight other Ogoni indigenes were sentenced and hanged to death by a special military tribunal despite pleas across the world³. Ken Saro Wiwa spearheaded the struggle for the emancipation of the Niger Delta people from economic exploitation during the early 1990s. Successive Government and multinational Corporations failed to address the main concern of the people, hence the emergence of deadly militia groups today. One of such demand is the issue of resource control or percentage of oil revenues to the oil producing areas. For example in 2005, delegate from the Niger Delta area worked out of a National conference when the Government failed to heed to their demands. The constitutional conference ended in a dead lock following this development⁴. The mode of operation of these militia groups has changed from peaceful protest to insurgency. These militia groups were initially established to continue the fight for the liberation of the people and the physical environment from degradation through non-violent methods. The hope of the Niger Delta people became high with the emergence of democratic Government in 1999. Their expectation was that the fundamental issues in the region will be addressed democratically. These expectations were partly based on extensive consultations between the new democratic Government and the various ethnic nationalities with the aim of addressing the challenges in the region⁶. Unfortunately, instead of democratic means, troops were sent to the region to counter insurgent activities of the militia groups. This resulted in the death of many indigenes of the region. Recently, there is the resurgence of insurgent activities in the oil rich region of Nigeria. Their major action is the blowing and vandalization of oil pipelines. Their contention still borders on the Federal Government and multinational companies neglect of the region. They are also agitating for implementation of the policy of resource control as well as returning oil blocks owned by individuals to the Federal Government. They are also agitating for the adoption of the true features of federalism which will make the units stronger than the centre. These militia groups are indeed restive as they engaged in anti-state and antisocial activities in the region. In an attempt to crack down on the militant and curb their anti-state activities, the Federal Government has committed various human right abuses in the region. The use of force to fight militia activities do not actually affect the militiamen themselves but affect mostly armless civilians who are living in the region. This paper is an appraisal of the repressive activities of the Federal Government since the exploration of oil in the Niger Delta region of Nigeria in 1957. This is a survey of conflict and human rights violation escalated by the Federal Government due to neglect of the needs and demands of the people.

Oil Exploration and Environmental Degradation in the Niger Delta

Communities in the Niger Delta region are still facing environmental problems since the discovery of crude oil and subsequent explorations. The environmental problems include environmental changes, poverty, neglect and poor infrastructural facilities. The region is also facing the problem of oil spillage which destroy aquatic resources in the ocean. Also, toxic gases have been released into the atmosphere through gas flaring. There are also reckless environmental practices by multinational oil companies including burning of forest and farmland. Although the entire Niger Delta communities are affected by these degradation, the people worst hit are the people of Ogoni and Ijaw in both Bayelsa and Rivers States. Their source of livelihood has been destroyed. This is because oil induced environmental pollution has made farming and fishing impossible in these areas. These are the main occupation of the people. The communities are also facing scarcity of drinking water because of oil spillage. There is also malnourishment and outbreak of epidemic diseases.

The Federal Government and the multinational oil companies has not done enough to address some of these challenges even when they are making huge sums of money from petroleum resources in the region. Nigeria has experienced two oil booms since the discovery of oil in 1956. The first was in the early 1970s during the regime of General Yakubu Gowon, and second during the administration of President Goodluck Jonathan in 2011-2015. Also, it is estimated that between 1958 when oil was explored in commercial quantities and 1983, the total crude oil sale has amounted to about \$200 billion⁷, yet the country is still underdeveloped and the oil producing areas are neglected especially during the late 1980s and during the 1990s.

The neglect of the Niger Delta areas by both the Federal Government and the oil companies has ignited anger on the part of the citizens of the area. At inception, peaceful demonstrations were carried out and later stronger measures were adopted since the Federal Government did not address these inadequacies and the demands of the people.

Insurgency and Militia groups in the Niger Delta

Ethnic militia groups has been described as youth based groups formed with the aim of promoting and protecting parochial interest with activities involving the use of violence⁸. The aim of these groups is not

to capture political power, but to serve as pressure groups seeking to influence the structure of political power in Nigeria and therefore draw the attention of the Government to the deteriorating condition and perceived marginalization of the social environment⁹. These militia groups are not soldiers, they are civilians trained in military lines to attack when necessary¹⁰. They carry out insurgent activities against the Government. Insurgency means rising upon or against. Insurgence is defined as individuals who rise in forcible opposition to lawful authority, especially when it engages in armed resistance to a government or to the execution of its laws. It uses various means to achieve its aims. These include subversion, sabotage and armed conflict. In this research, insurgency is seen as protest and violent activities carried out by ethnic militia groups to draw the attention of Government and multinational oil companies to the deplorable condition of the area. They are pressure groups which protest against Government and multinational oil corporation activities such as lack of provision of infrastructures and environmental degradation in the region.

Ethnic militia groups emerged in Nigeria during the early 1990s when Nigeria was under military rule. Their activities intensified during the regimes of former Nigeria military president Ibrahim Babangida and late Gen. Sani Abacha. There are three basic features of the two regimes in which insurgent activities were very high, for example during the two regimes people shifted their loyalty to ethnic groups instead of the state. The first feature of the regimes was the personalization of rule and high concentration of power. According to this feature, when power lies for too long in the hands of one person there will arise ethnic tension and division among the ethnic groups in the country¹¹. There were a number of inter-ethnic, religious and communal conflicts during the times of these regimes. Ethnic conflict was moving like wild fire from one area to another. It happened in Ilorin, Kafanchan, Kaduna, Funtua, Kano, Zaria, Zango, Kalafa and the oil producing communities of the Niger Delta¹². These ethnic conflicts erupted due to prolonged military rule and its attendant neglect of minority ethnic groups notably the people of Niger Delta region.

The second feature of the two regimes was the repressive nature of the Federal Government which sought to destroy any group who opposed them. Some recognized civil society groups like NLC, ASUU, NBA and Human rights and pro-democracy groups were banned. Some of the groups went underground to organize their activities. It was during this period that ethnic based groups like Odua People's Congress (OPC), Movement for the Emancipation of the Niger Delta (MEND) etc. emerged. The third feature was the marginalization, social inequality and deprivation which were quite prominent in the Niger Delta area. Oil played a major role in this regard. This is because, oil is the main stay of Nigeria's economy, but the people and the physical environment experienced abject poverty and neglect.

Some people are of the view that marginalization of the Niger Delta is as a result of the minority status of the region compared to the fact that the major ethnic groups use the wealth from this region to develop their own area¹³. Historical antecedent has shown that the major ethnic groups are usually favoured more than the minority in terms of provision of amenities.

The marginalization of the Niger Delta region has resulted in the emergence and proliferation of ethnic militia groups such as Egbesu Boys of Africa (EBA), Chikoko, Ijaw Peoples movement (IPM), Ijaw youth Council (IYC), Itsekiri Nationality Patriot, Movement for the survival of Ogoni People (MOSOP), Niger Delta vigilante (NOV), Niger Delta peoples volunteer Force (NDPVF), Niger Delta Freedom fighters (NDDFF) and movement for the emancipation of the Niger Delta (MEND)¹⁴. There is the emergence of a new militant group in 2016 known as Niger Delta Avengers. Insurgent activities of these militia groups include illegal oil bunkering, vandalization of oil pipelines, kidnapping and hostage taking of oil and Government officials.

Counter-Insurgency and Human Right Violations in the Niger Delta

The Nigerian Government is given the constitutional mandate and under international human right law to respect, protect and enhance the fundamental rights of the citizens of the country. The Niger Delta environment has been degraded by the activities of oil companies e.g. Shell, Exxon Mobil, Chevron etc. Most of the oil producing areas in the Niger Delta do not have infrastructures such as good roads, hospital, schools, pipe borne water and electricity. Instead, there is erratic electricity supplies, poor water facilities, lack of health facilities, gas flaring which contaminate the environment and frequent oil spills which kills and reduces fish stock and also water pollution. Most of the indigenes of the area especially youths are not employed either by the Government or by the oil companies. The Federal Government has earned billions of Dollars from petroleum resources over the years especially during President Goodluck Jonathan's administration. This is as a result of increase in global oil prices. Even with these huge earnings from petroleum resources, the region remains and is still regarded as one of the most deprived oil communities in the world. Seventy percent of the people in the region live on less than US\$1 a day according to standard economic measure of absolute poverty¹⁵. Oil companies which has operated in the

region right from inception have failed to live up to human rights principles. Similarly, the Federal Government despite huge earnings from oil have also failed to respect, protect and fulfill the fundamental human rights of the citizens. The marginalization of the Niger Delta region has led to reactions from indigenes of the region. The reaction has led to insurgent activities in the area by militia groups in the form of peaceful protest at inception. The Federal Government neglect of the region has prompted the people to resort to stronger measures notably violence. The violent activities include oil bunkering, vandalization of oil installations, kidnapping and hostage taking.

The Federal Government in an attempt to counter insurgent activities by militia groups has violated the right of the citizens in their own region. Counter insurgency means action taken against a group of people who are trying to take control of a Government by force. Counter insurgency in the context of this article are repressive activities of a State to counter or contain activities of ethnic militia groups. The actions of Government usually affect innocent indigenes of the area resulting in abuse of their rights. For example on 10th December, 1995, Ken Saro Wiwa and eight other indigenes of Ogoni land were sentenced to death and executed by a special military tribunal set up by Former Head of State, Late General Sani Abacha. The other eight Ogoni indigenes were Baribor Bera, Saturday Doobee, Nordu Eawo, Daniel Gboko, Barinem Kiobel, John Kpuinen, Paul Levura and Felix Nuate¹⁶.

The execution of the nine Ogoni indigenes raised criticism across the world. They were tried and sentenced following an accusation for the killing of four traditional rulers of the area. Despite several appeals for clemency from world leaders, NGOs and Human Rights groups worldwide, they were executed on 10th December, 1995. Nigeria was sanctioned and suspended from the Common Wealth of Nations. This was one of the first Human Right violations in the region since they were denied right of appeal. Similarly, there was a military crackdown in Bayelsa and Delta states in late December, 1998 and early January, 1999. The crackdown led to the death of many people. It is estimated that more than one hundred people were killed. There was torture, inhuman treatment and arbitrary detention of innocent citizens. These abuses took place as a response to demonstrations staged by Ijaw youths in Yenegoa, capital of Bayelsa State and also in Kaiama community. The demonstration was initially peaceful and the majority of those killed were unarmed. Two communities in Delta state were attacked by soldiers using helicopters and gunboat commandeered from a facility operated by Chevron. This took place following an alleged confrontation that took place at a nearby Chevron drilling rig¹⁷. It is estimated that more than fifty people may have died as a result of the incident. It is widely believed that soldiers deployed to these areas engaged in counter insurgency which led to Human Rights violations in the region. These human rights violations ranges from routine extortion of money at road blocks to arbitrary detention and torture of innocent citizens of the area.

The return of the country to civilian rule has not reduced the rate of human rights violations in oil producing areas of the Niger Delta. The inauguration of President Olusegun Obasanjo in May 1999 brought hope to the neglected people of the region. These hope dashed because peace has been elusive in the region. The administration deployed indiscriminate lethal force in response to criminal activities, ethnic conflict or protest related to oil productions. For example in November, 1999 soldiers killed hundreds of people in an assault on the community of Odi where twelve policemen were killed. This was another gross Human Right violation in the region during the administration of Chief Olusegun Obasanjo¹⁸.

Due to poverty in the Niger Delta region caused by neglect of the area by the Federal Government and oil companies, citizens of these areas sometimes scoop fuel from leaking pipelines. Fire incidents usually arise and a number of people usually die in the process. For example, in October, 1998, more than one thousand people died in Jesse Town in Delta State due to the outbreak by leaking fuel pipelines. Also, hundreds of people died in July 2000 in a fire outbreak in Adege near Warri, Delta State. Due to increased theft or bunkering of crude oil from facilities of oil companies, the Federal Government has devised some security initiatives for the Niger Delta, including the creation of a Joint Task Force {JTF} on vandalization of oil pipelines. The aim is to counter insurgent activities by militia groups. It has been noted that security forces instead of focusing on their work, commit widespread violations of the fundamental Rights of the citizens in these areas. The pipelines Joint Task Force {JTF} has repeatedly carried out several extrajudicial execution of persons suspected of vandalizing pipelines or stealing petroleum product. The Government even threatened to reintroduce death penalty for those convicted of pipeline vandalization.

The invasion of Odi was followed by the raids on Odioma in 2005, Egbema, Olugbobiri and Ikebiri in 2004, Okerenkoko in 2006 and Agge in 2008, Gbaramatu in 2009 and Ayakoro in 2010¹⁹. Also, in 2003 General election, some militia groups were heavily armed and used by politicians and public office seekers against opponents. This led to the death of many of the citizens in the region. Election violence in

this region has equally led to the proliferation of arms which led to armed resistant by militant groups after the elections.

The use of military force to counter insurgency in the Niger Delta has led to destruction of lives and properties, thus constituting abuses of human rights of innocent citizens in the region. The military has been accused of repressing peaceful protesters, they burnt houses/villages, intimidate innocent people as well as torture innocent citizens. These are all gross human right abuses in which the state is statutorily responsible to protect and secure.

CONCLUSION

This article has examined some of the salient point which made issues in the Niger Delta since the discovery and exploration of crude oil in 1956 and 1958 respectively. This paper has clearly state sequentially the origin and examples of state repression in the Niger Delta. The outcome of this work show that the neglect of the region by both the oil multinational companies and the Federal Government has led to protest by the citizens of this region. The protests first started peacefully, later it escalate into violent protests due to federal government unconcerned attitude towards the worsened condition of the people of the region. This paper also discovered that lack of employment of youth led to the formation of militia groups whose activities has culminated into vandalization of oil pipelines, hostage taking and illegal oil bunkering. In an attempt to repel or counter the activities of these militia groups, the Federal Government has continued to use military force instead of political solution to resolve the issue. The use of force to curb the activities of militia groups has led to several human rights violations in the region. This work has examined the series of Human Rights violations in the region since the trial and execution of Ken Saro Wiwa and other eight Ogoni indigenes in 1995. This article has examined and realized that political solution through dialogue, provision of infrastructures and jobs to indigenes of these areas will stabilized the region instead of military solution which led to Human Right violations.

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