

THE NIGER DELTA DEVELOPMENT COMMISSION: X-RAYING THE PEACE PROPAGATION MANDATE

DIKE HARCOURT WHYTE, PhD.

Department of Mass Communication
Faculty of Social Sciences Rivers State University
Port Harcourt, Nigeria

And

PAPAMIE, BELEMA

Department of Mass Communication
Faculty of Social Sciences Rivers State University
Port Harcourt, Nigeria.

Abstract

The year 2020 is an important milestone in the Niger Delta Development Commission's plan for measuring and evaluating its performance in delivering on its original 'mandate'. Twenty years after the establishment of the Commission, the rhetoric surrounding the NDDC's communication of its 'mandate' now confuses the question of whether peacebuilding is a core component of the Commission's work, and if it is, how. This paper revisits the debate between two schools of thought: one school which advances a case in favour of the position that the NDDC necessarily has a mandate of peace and another school which insists that the legislation that established the NDDC hardly contains any articles or provisions to the effect of a role or responsibility in peace work for the Commission. By tracing the historical precedents that led up to the establishment of the NDDC pre-2000, by reviewing the Commission's own legacy documents of 2001 and 2004, and by examining extant provisions in the Commission's establishing laws of 2000 and 2017, the paper employs the method of textual analysis to show how history, documents and statutes play as unmistakable sources of a clear mandate of peace to the NDDC. The paper concludes that understanding these three sources and the content that they each hold will empower not only the NDDC in the communication of her mandate but will also empower the communities of the Niger Delta in the communication of their expectations of the NDDC towards a maintenance of relations that tend to peacebuilding and conflict resolution in the Niger Delta area.

Keywords: Peacebuilding, Mandate, Commission

Introduction

The 'mandate' of the Niger Delta Development Commission (NDDC) has been obfuscated by the rhetoric surrounding it. Hardly a director, senior executive or spokesperson of the Commission speaks to the press without at least once or twice saying something to the effect of either "This is our core mandate" or "It is not in our mandate"; either "We are only an interventionist agency" or "NDDC is not just an interventionist agency". Such counterclaiming rhetoric does not only disorient the Commission, it also confuses the communities of the Niger Delta which the NDDC itself calls its "primary stakeholders" (NDDC, 2004, p. 11). Because the rhetoric is inconsistent with its definitions of the mandate of the Commission, it leaves the

communities at sea as to what exactly the Commission is committed to as a mandate to them and, as a result, leaves them unsure of what to expect of her.

What exactly should the communities of the Niger Delta expect of the NDDC as its 'mandate' to them? How can we establish with exactness whether the mandate of the NDDC includes a peace component? This paper will provide answers to these; but first, let us define the sphere over which the NDDC is a mandatary.

The NDDC and a Definition of its Sphere

The Niger Delta Development Commission (NDDC) was established by the Niger Delta Development Commission Act of 2000 (Adeyeri, 2012; Okolo, 2014) to substitute the then moribund Oil Mineral Producing Areas Development Commission (OMPADEC) as a replacement "...vested with the powers and functions of among other things, formulating policies and guidelines for the overall sustainable development of the Niger Delta area" (NDDC Act, 2000). There are nine states in the Commission's sphere. The Commission's 'sphere' here is the Niger Delta region as officially defined. The 'region' in today's definition comprises nine states, including all the six states of South South Nigeria (Akwa Ibom, Bayelsa, Cross River, Delta, Edo, and Rivers), two states in the South East (Abia and Imo), and a state in the South West (Ondo) (Duruji & Azuh, 2015; NDDC, 2001; NDDC, 2004; Okolo, 2014). This definition can be referred to as the 'NDDC definition' because it defines Niger Delta according to the listing of states in the NDDC Act of 2000. The 'NDDC definition' is an expansion of an earlier 'OMPADEC definition of 1992'. The 'OMPADEC definition of 1992' comprised eight of the nine NDDC states, less Bayelsa, which had yet not been created at the time of OMPADEC's establishment. Bayelsa was created later, on October 1, 1996, and was only included on the OMPADEC list of states when the OMPADEC Decree was amended in 1998.

The earliest ever definition of a 'Niger Delta', however, was given by Sir Henry Willink in 1958, comprising only three of the current nine NDDC states (Willink, 1958; Dudafa, 2017). The 'Willink definition', as it is called in this paper, was contained in his 1958 report for the Commission on Minority Fears where he suggested that "there should be a Federal Board appointed to consider the problems of the area of the Niger delta" (Willink, 1958, p. 96). Willink's definition of Niger Delta, the first ever official definition, "would include the Rivers Province without Ahoada or Port Harcourt and would add the Western Ijaw Division" (Willink, 1958, p. 96), areas which now fall in "present day Bayelsa, Delta and Rivers States" (Dudafa, 2017, p. 229). This is worth noting, considering that historically, nearly all of the conflict occurring in the Niger Delta occur within these three states in which falls the Niger Delta of Sir Willink's definition (Akpan, 2007; Dudafa, 2017; Offiong & Cocodia, 2011; Okolo, 2014).

What Is and What Is Not the Mandate of the NDDC?

The question of what is and what is not the mandate of the NDDC has been a subject of much argument among civil society leaders, public officers, and technocrats alike. Some scholars hold the position that to build peace and resolve conflicts in the Niger Delta area is as much a component of the mandate of the NDDC as is to develop the area (Adeyeri, 2012; Okolo, 2014). This school of thought makes a case that the Commission was established to help quieten the agitations in the Niger Delta area and therefore should always keep its eye on that bigger picture. Another school of thought argues that the Commission's mandate is limited to what is stated in the legislation that established it, namely, the NDDC Act of 2000. This latter

school of thought makes the case that the NDDC Act says nothing about peace, peacebuilding, conflict, or conflict resolution, and that nothing proximate to any of those terms can be found therein. This latter school asserts that since a mandate connotes a legal authorization, the place to go to define the NDDC's legal authorization is the NDDC Act of 2000, the legal instrument that established the Commission.

But the earlier school of thought, on the contrary, submits that the mandate of the NDDC is definable beyond its establishing legislation. It insists that the Commission's mandate draws from other sources in addition to the NDDC Act of 2000. One of those sources is the original vision of the president who commissioned the Commission, President Olusegun Obasanjo, who it was that presented the initial executive bill to the legislature which ultimately became the NDDC Act (Nwabuko & Adedaja, 2000).

In his inaugural address to the Governing Board of the Commission in 2001, Obasanjo transmitted his vision for the Commission as a mandate to the Board. His vision was "...to bring ...sustainable and even development; to establish a region that is economically prosperous, socially stable, ecologically regenerative and politically peaceful" (NDDC, 2004, p. 18). His vision evidently had a peace component. He reiterated this peace component in his foreword to the NDDC's *Niger Delta Regional Development Master Plan* document, three years into the NDDC's operations: "The collective vision of the stakeholders captured in this Master Plan is the accelerated development of this hitherto turbulent and underdeveloped region into Africa's most peaceful, most prosperous and most pleasant region" (NDDC, 2004, p. 9). Even the inceptive planning of the Commission itself speaks to a peace component: "The overall plan vision is to transform the Niger Delta into Africa's most prosperous, most peaceful and most pleasant region by 2020" (NDDC, 2004, p. 221). This school of thought therefore maintains that these sources render it unrealistic to exclude peace and conflict resolution from the mandate of the NDDC.

Is the foregoing sufficient for dispelling all abstruseness surrounding the subject of a peace mandate for the NDDC? If the foregoing is not, then the following three points of reference should provide fuller clarity on the subject of a peace mandate for the NDDC:

1. The historical precedents leading up to the establishment of the NDDC pre-2000;
2. The Commission's own legacy documents, especially its *Making a Difference in the Niger Delta* corporate profile document of 2001, and the *Niger Delta Regional Development Master Plan* document of 2004;
3. The establishing legislation(s) i.e. the NDDC Act of 2000 and the NDDC (Amended) Act of 2017.

The challenge of unclearness in communicating the Commission's full 'mandate' stems from insufficient knowledge and/or understanding of one or more of these three points of reference. We will discuss them in the order in which they have been presented.

A Peace Mandate in the Historical Precedents Leading Up to the Establishment of the NDDC

Many studies about the peace and conflict situation in the Niger Delta have commonly established some nexus or the other between the role and work of NDDC on the one hand and the peace-and-conflict status of the region on the other (Aghalino, 2009; Aghalino, 2012; Akpan, 2007; Dudafa, 2017; Duruji & Azuh, 2015; Etekpe, 2007; Etekpe, 2009; Imobighe, 2004; Okolo, 2014; Olumide, 2011; Oviasuyi & Uwadiae, 2010; Sanubi, 2011; Watts, 2004). Indeed,

every one of the area-dedicated development agencies preceding NDDC, namely, Niger Delta Development Board (NDDDB), Niger Delta River Basin Development Authority (NDRBDA), and Oil Mineral Producing Areas Development Commission (OMPADEC), has like NDDC been linked by scholars or by activists to the peace and conflict situation of the Niger Delta of its time.

For instance, the activist Isaac Boro, the progenitor of armed agitation in the Niger Delta area (Boro, 1982; Clark, 2009; Obuoforibo, 2011; Olumide, 2011), linked the necessitation of his activism in 1965/1966 to, among other things, the failure of the Nigerian state to address the environmental problems of Niger Delta communities (Clark, 2009), environmental problems of Niger Delta communities being a statutory responsibility of the NDDDB in Boro's day (Francis, LaPin & Rossiasco, 2011; Olumide, 2011). In addition to being a statutory responsibility, attending to the problems of the Niger Delta area seemed like an imperative for cohesion of the Nigerian federation of that era, as the story of the emergence of the NDDDB suggests.

Years before Boro took to his activism, a group from the Niger Delta area consisting of his Ijaw kinsmen had gone to London to register their fears at the Pre-Independence Constitutional Conferences of 1957 and 1958, fears about how, in view of the abstruseness of their geographical terrain, the majority-controlled regions of Nigeria under which they had been forced to be governed would be inept at catering to their special needs in a post-colonial Nigerian federation (Dappa-Biriye, 1995; Okolo, 2014). Sir Henry Willink along with two others had been commissioned by the colonial authorities to follow up on such fears across all minority groups in Nigeria, and in his report, he had suggested that "there should be a Federal Board appointed to consider the problems of the area of the Niger delta" (Willink, 1958, p. 96). Willink noted the peculiarity of the Niger Delta terrain and acknowledged that it was a difficult one. These considerations of peculiarity and difficulty informed his recommendation that exceptional attention be given to the Niger Delta in the form of making it "a special area for development" (Aghalino, 2012, p. 145).

It was in keeping with the recommendations of the Willink Commission that upon independence, the federal government of Nigeria established the Niger Delta Development Board (NDDDB) in April 1961 (Aghalino, 2009; Aghalino, 2012; Duruji & Azuh, 2015; Ikporukpo, 1981; Okolo, 2014). The summary of its role was to see to the atypical developmental challenges of the Niger Delta area, but sadly, after only five or six years of its establishment, the peoples of the Niger Delta area had suffered frustrations in its hands enough to conclude that the NDDDB was a failure at its responsibility of addressing the problems of their area (Adeyeri, 2012; Okolo, 2014). Scholars adduce reasons for the failure of the NDDDB, including fault lines in the organisational structure of the board, the administrative culture, and the funding architecture (Adeyeri, 2012; Duruji & Azuh, 2015; Etekpe, 2007; Okolo, 2014; Okolo & Akpokighe, 2014) but Boro thought strongly that it was due to a lack of empathy on the part of the Nigerian state, and a refusal by the state to deal fairly with her Niger Delta citizens (Boro, 1982).

Seeking at first "to rectify the injustices by non-violent means" (Clark, 2009, p. 135), he took the federal government to court, including in his prayers that the NDDDB be made to perform its statutory responsibilities to the Niger Delta area in earnest. According to Clark (2009), because of "pressure from the government" (p. 35), the court declined Boro's plea. Having failed to find redress in the courts, he resorted to taking up arms in 1965, and eventually declaring an independent Niger Delta Peoples Republic in 1966 (Boro, 1982). Of course, the

Nigerian government responded with state might and rounded Boro and his men up promptly, and in so doing contained the conflict, though temporarily; but the point from the story is that Boro associated his activism and his taking to arms with, among other things, the failure of NDDDB to attend to the special problems of the Niger Delta area as it was statutorily delegated responsibility to do.

By 1977-1979 during which time General Olusegun Obasanjo was military president, petroleum was already the mainstay of Nigeria's economy (Adeyeri, 2012; Olumide, 2011) and the NDDDB had already been replaced by a new agency, the Niger Delta River Basin Development Authority (NDRBDA). NDRBDA was established in 1970 (Sanubi, 2011) and even before 1977 was already widely adjudged a failure. Considering that all of the petroleum at the time was exploited exclusively from the Niger Delta area (Adeyeri, 2012; Ibaba, 2011), one would have thought that the government of the day would have focused attention on NDRBDA to position it for effectiveness and to fund it for success; but it did not. Rather, the Obasanjo administration created ten other River Basin Development Authorities (RBDAs) for all other parts of Nigeria (Adeyeri, 2012; Aghalino, 2009; Aghalino, 2012; Duruji & Azuh, 2015; Longe, Omole, Adewumi & Ogbiye, 2010; Okolo, 2014), and "proceeded to fund the additional RBDAs much more than the Niger Delta [River] Basin Development Authority" (Adeyeri, 2012, p. 101).

For the peoples of the Niger Delta area who had expected that their government would have at least fashioned a fairer deal to make up for the disappointments of both NDDDB and NDRBDA, it shocked them that the Nigerian state would come up with this blatancy of creating other RBDAs and even more tauntingly, funding them better than their own RBDA. Their only interpretation of the actions of the Obasanjo administration was that the Nigerian state was categorically slighting them. First, according to Sanubi (2011), "the collective failure of both the NDDDB and...the [Niger Delta] River Basin Development Authority...increased the local peoples' consciousness of the unserious posture of the federal government towards the development of the region" (p. 208), and now Obasanjo's creating River Basin Development Authorities (RBDAs) for all other parts of Nigeria, and brazenly funding them better than the Niger Delta River Basin Development Authority added insult to injury "thereby igniting...protests particularly as the Niger Delta had by that time become the economic nerve center of Nigeria." (Adeyeri, 2012, p. 101). Again in this instance, we see an association between the actions or inactions of the state through or by the agency established for the development of the area on the one hand and the restiveness in the area on the other hand.

By 1979, when President Shehu Shagari assumed the saddle, the Niger Delta peoples, especially her youth, had feelings of exasperation and a sense of denial, unfairness and injustice already seating deep (Okolo, 2014; Olumide, 2011). President Shagari must have perceived these feelings, because he took steps to assuage them. He reintroduced the principle of derivation which had been set aside by fiat during the years of military rule, adopting a policy of payment of the value of 1.5% of the federation account as derivation allocation to oil-producing communities, and setting up a Presidential Task Force on Niger Delta Development to oversee administration of the fund (Adeyeri, 2012; Okolo, 2014). If this helped at all in pacifying the growing restiveness and feelings of exasperation in the region, it was only for a short while because soon after, even as early as the 1980s, the oil-producing areas began to express dissatisfaction at the meagerness of the derivation allocation (Etekpe, 2009; Okolo, 2014).

By the early 1990s, with Ibrahim Babangida in the saddle, the intensity of the agitations in the Niger Delta region had reached what Okolo (2014) described as a “dramatic dimension” (p. 38). Much of the agitations incurred repressive responses by state forces, with many of them resulting in unfortunate fatalities. Some of the more indelible episodes of the gory drama played out at ‘theatres’ like Oburu in 1989, Umuechem in 1990, and Egbema between 1989 and 1991 (Adeyeri, 2012). The Umuechem incident, in particular, heightened the oil communities’ sense of insensitivity and ruthlessness by the Nigerian state towards them, and deepened their feelings of mistreatment and injustice in the Nigerian federation. According to Amuwo (2001) and Olumide (2011), one of President Babangida’s motivations for establishing the Oil Mineral Producing Areas Development Commission (OMPADEC) at the time he did in 1992 was arguably to appease the oil-producing communities who he perceived were still sulking after the massacres at Umuechem, and who he guessed would not have been as restive as they had become if the area development agencies of the past as well as the fiscal arrangements of the past had been attentive to their needs in the first place (Okoh & Egbon, 1999; Olumide, 2011). Babangida started with jerking up the derivation allocation to the region from 1.5% to 3%, and then replacing Shagari’s Presidential Task Force with OMPADEC as administrator of the regional fund (Adeyeri, 2012; Okolo, 2014; Olumide, 2011).

But like her predecessors, OMPADEC was hardly effective at reining in the restiveness in the region. Incidents of violence from agitations by oil-bearing communities kept coming up across the delta area years after OMPADEC’s establishment, for examples, in Biara village in Tai-Ogoniland in 1994, and in Ubima in 1995, to mention but two incidents (Adeyeri, 2012; Owasa, 1999). In both cases, the issues were such that Decree 23 of 1992, the decree which established OMPADEC, had some of its provisions interpretable as windows through which the Commission could have stepped in to mediate between oil company and oil community, but it did not; and when the communities stood up for themselves, in both cases, unfortunately, state forces conjoined with multinational business interests (Adeyeri, 2012; Amnesty International, 2017; Owasa, 1999) and the result in each case was a massacre of Nigerian citizens by Nigerian forces.

Similarly, the main rights which the Ogonis under Ken Saro-Wiwa and the Movement for the Survival of the Ogoni People (MOSOP) were pressing for were rights which the OMPADEC Decree delegated some responsibility to the Commission to protect. For example, 2(1)(d) of the Decree states as an objective of the Commission: “to liaise with the various oil companies on matters of pollution control” (OMPADEC Decree, 1992). The main issue at hand in the Ogoni case concerned a certain oil company on a matter of pollution control (Amnesty International, 2017; Saro-Wiwa, 1992; Tam-George, 2010). If OMPADEC had done its job in this regard, Ken Saro-Wiwa, the people of Ogoni, and MOSOP may not have had cause to agitate as hard as they did, and the peace-and-conflict situation in the Ogoni area at the time would perhaps have been different from what it turned out to be.

In the Ijaw areas too, the situation could perhaps have been different when a few years down the line, “inspired by Ken Saro Wiwa” (Golden, 2012, p. 76) and by a position paper presented in 1990 to the government of Nigeria by the people of Ogoni called ‘Ogoni Bill of Rights’ (MOSOP, 1992), a group of youths of Ijaw extraction assembled at Kaiama, Bayelsa State on December 11, 1998 to pronounce what was later to be known as the ‘Kaiama Declaration’,

raising identical issues to the ones Saro-Wiwa raised, and setting up an Ijaw Youth Council (IYC) to “coordinate the struggle of Ijaw peoples” towards attaining redress for the issues raised in that Kaiama Declaration (Golden, 2012, p. 543). Again, the OMPADEC Decree had provisions in it which could have served as valid grounds on which the Commission could have stepped in to forestall the conflict, but instead, the Nigerian state “retaliated” with “two Nigerian navy warships and fifteen thousand soldiers” (Golden, 2012, p. 78) in a military operation curiously named “Operation Salvage and Flush” (Okonta & Douglas, 2003, pp. 144, 147). Here again, the inaction of the area development agency was implicative in the conflict in the area.

After those outcomes in the Ogoni area with MOSOP and in the Ijaw areas with IYC, OMPADEC began to seem more and more irrelevant, so much so that by the time Obasanjo took office as an elected president in 1999, OMPADEC was moribund. In fact, a key message of Obasanjo’s electioneering campaign was a promise to “replace the moribund OMPADEC” (Okumagba & Okereka, 2003, p. 2) with a new agency that should do better with developing the area, with redressing the environmental conditions, and with contributing to building peace in the area. The fulfillment of that promise was his establishing the Niger Delta Development Commission (NDDC) in 2000. Going by these historical precedents leading up to the establishment of the NDDC, the mandate of the Commission necessarily and unarguably does include a peacebuilding component.

A Peace Mandate in the NDDC’s Legacy Documents

In two of the NDDC’s own legacy documents, namely, the *Making a Difference in the Niger Delta* corporate profile document of 2001 and the *Niger Delta Regional Development Master Plan* (NDRDMP) document of 2004, a peace component is evident in the Commission’s stated mandate. The *Making a Difference in the Niger Delta* document of 2001 is the earliest corporate profile ever developed for the Commission; and the *Niger Delta Regional Development Master Plan* of 2004 is the earliest official strategy document ever developed for the Commission. Together they represent the original thinking of/for the Commission and so must be taken seriously in tracing the original mandate of/for the Commission.

In the *Making a Difference in the Niger Delta* document of 2001, the mission statement of the Commission is: to “*facilitate the rapid, even and sustainable development of the Niger Delta into a region that is economically prosperous, socially stable, ecologically regenerative and politically peaceful*” (NDDC, 2001). *Side by side the components of prosperity, stability, and environmental renewal, a peace component is built into the earliest mission statement of the Commission. Identical words are carried over to the Niger Delta Regional Development Master Plan of 2004:*

The vision embraces the long term aspirations of the people of the Niger Delta, and indeed of the nation regarding the Region, which was well captured in... the inaugural meeting of the Governing Board of the Niger Delta Development Commission (NDDC) in December 2001, that is “...to bring ...sustainable and even development; to establish a region that is economically prosperous, socially stable, ecologically regenerative and politically peaceful.” This Master Plan directly takes on this challenge and aims to have the Region that hitherto was underdeveloped, very poor and turbulent, become Africa’s most prosperous, most peaceful and most pleasant Region. (NDDC, 2004, p. 18)

In addition to the mission statement which covers prosperity, stability, environmental regeneration, and peace, the foregoing articulates a vision of the Niger Delta becoming a region that is “Africa’s most prosperous, most peaceful and most pleasant” (NDDC, 2004, p. 18). This vision of/for the Commission, like its mission, evidently speaks to a peace mandate. President Obasanjo who commissioned the Commission, in his foreword to the *Niger Delta Regional Development Master Plan*, spoke of this vision in identical words: “The collective vision of the stakeholders captured in this Master Plan is the accelerated development of this hitherto turbulent and underdeveloped region into Africa's most peaceful, most prosperous and most pleasant region” (NDDC, 2004, p. 9). The then Chairman of the Commission, Ambassador Sam Edem, in his preface reechoed this vision and this mandate in identical words as well: “The destination to which the NDRDMP leads is a Niger Delta that is Africa's most peaceful, most prosperous, and most pleasant[.] [T]his vision is not far-fetched” (NDDC, 2004, p. 10).

These two legacy documents of the NDDC are unequivocal about a peace mandate for the NDDC. Clearly, the original thinking of/for the Commission was for it to cause the Niger Delta region to become not only pleasant and prosperous but also peaceful. The logic for actualizing this vision of peace for the Delta seemed straightforwardly presented in the documents *viz. economic prosperity plus social stability plus environmental regeneration will result in a more peaceful region. This then brings us to the question of whether the legislation that established the NDDC supports this logic. We will examine the NDDC Acts of 2000 and 2017 next to answer this.*

A Peace Mandate in the NDDC Acts of 2000 and 2017

As has been stated hereinbefore, directors, senior executives and spokespersons of the NDDC often refer to their Commission as “just/only an interventionist agency”. Often when they say things to that effect, it is to make a case why their agency should be excused from wading in on some particularly thorny crisis in the Niger Delta region. For examples, in conflicts between oil company and oil community, the NDDC would rather leave it to the companies and the communities concerned to work it out between themselves. Also, the NDDC would rather not get involved in conflicts related to oil pollution and would rather leave those to the Hydrocarbon Pollution Remediation Project (HYPREP) and the Nigerian National Petroleum Corporation (NNPC) to take care of.

But what does the NDDC Act say about the NDDC’s roles in oil pollution matters and oil company-oil community conflict? Under ‘Functions and Powers of the Commission’, the NDDC Act of 2000 lists “[to] liaise with the various oil mineral and gas prospecting and producing companies on all matters of pollution prevention and control” (NDDC, 2000) as Article 7(1)(i). This article is actually a carryover from the OMPADEC Decree of 1992 which listed Article 2(1)(d) “to liaise with the various oil companies on matters of pollution control” (OMPADEC Decree, 1992) as one of the objectives of that Commission. Since the inception of oil exploration activities in the Niger Delta, from Isaac Boro to Ken Saro-Wiwa, matters of pollution have been a major source of the conflict in the region. That the NDDC would rather leave it to HYPREP and/or the NNPC to take care of speaks volumes about how the NDDC is either deficient in the requisite knowledge it ought to have of itself or has slipped into amnesia.

Equally disturbing is the NDDC's disposition of rather leaving the oil companies concerned to deal with the environmental problems that arise from their operations; for that again is a negation of the provisions of the NDDC Act. Article 7(1)(h) states as one of the functions of the NDDC: "[to] tackle ecological and environmental problems that arise from the exploration of oil mineral in the Niger-Delta area and advise the Federal Government and the member States on the prevention and control of oil spillages, gas flaring and environmental pollution" (NDDC, 2000). This provision again is a carryover from the OMPADEC Decree of 1992, which listed in Article 2(1)(a)(ii) that OMPADEC was established "for tackling ecological problems that have arisen from the exploration of oil minerals" (OMPADEC Decree, 1992). Ecological and environmental problems, oil spillages, gas flaring, and oil pollution not only are core sources of the conflict in the Niger Delta, they are some of the fundamental reasons why the NDDC was established in the first place. The NDDC's self-exclusion from resolving conflicts associated with these problems is inconsistent with its establishing legislation and in fact a negation of its statutory mandate.

There have been arguments that with the establishment of HYPREP in 2012, sections like Articles 7(1)(i) and 7(1)(h) in the NDDC Act of 2000 have been rendered obsolete and no longer applicable. But those arguments are deflated by the fact that when the NDDC Act was amended in 2017, 5 years after HYPREP was established, the NDDC (Amendment) Act of 2017 still left Articles 7(1)(i) and 7(1)(h) intact and untouched. If the NDDC had been true to its duties in these respects, there hardly would have been any need to establish HYPREP in the first place.

Conclusion

Early on and in its inceptive planning, the Niger Delta Development Commission projected into the future and documented in its *Niger Delta Regional Development Master Plan* what at the time it envisioned for the Niger Delta region: "The overall plan vision is to transform the Niger Delta into Africa's most prosperous, *most peaceful* and most pleasant region by 2020" [italics added] (NDDC, 2004, p. 221). Today, this year 2020, the NDDC's 'Year of the Plan Vision' has at last come upon us. This year should have been that year when we get together to evaluate how well the Commission has travelled on its defined path, but paradoxically, and indeed pathetically, it is rather a year when we must get together to *redefine* to the Commission what path it *should have* been travelling on in the first place.

The historical precedents leading up to the establishment of the NDDC, the legacy documents of the Commission, and the NDDC Acts of both 2000 and 2017 all thrust upon the Niger Delta Development Commission a clear and definite peace mandate. In other words, the NDDC has a peace mandate sourced historically, documentarily, and statutorily. Understanding the contents of these sources will empower the Commission's communication of her mandate with more clarity. Understanding the contents of these sources will also empower the communities of the Niger Delta with more clarity in their communications of their expectations and demands from the Commission.

References

- Adeyeri, O. (2012). Nigerian state and the management of oil minority conflicts in the Niger Delta: A retrospective view. *African Journal of Political Science and International Relations*, 6(5), 97-103.
- Aghalino, S. O. (2009). The Olusegun Obasanjo administration and the Niger Delta question, 1999-2007. *Studies of Tribes and Tribals*, 7(1), 57-66.

- Aghalino, S. O. (2012). Brief but revolutionary: Yar' Adua and the sustainable development of the Niger Delta, Nigeria. *Global Advanced Research Journal of History, Political Science and International Relations*, 1(6), 144-151.
- Akpan, F. U. (2007). Dousing the tension in the Niger Delta through administrative agency: A programme evaluation of Niger Delta Development Commission as an intervention regime. *Global Journal of Social Sciences*, 6(1), 85-91.
- Amnesty International. (2017). *A criminal enterprise? Shell's involvement in human rights violations in Nigeria in the 1990s*. London, UK: Amnesty International Ltd.
- Amuwo, K. (2001). Transition as democratic regression in Nigeria during the Abacha years (1995–1998). In K. Amuwo, D. C. Bach & Y. Lebeau (Eds.). *The domestic and international politics of democratization* (pp. 1-56). Ibadan, Nigeria: Institut Francais de Recherche en Afrique.
- Boro, I. (1982). *The twelve-day revolution* (T. Tebekaemi, Ed.). Benin City, Nigeria: Idodo Umeh Publishers.
- Clark, E. V. (2009). Oil as a source of political conflict in Nigeria: The case of Ijaws. In V. Ojatorotu (Ed.). *Contending issues in the Niger Delta crisis of Nigeria* (pp. 123-151). Houston: JAPSS Press, Inc.
- Dappa-Biriye, H. (1995). *Minority politics in pre-and-post-independence Nigeria*. Port Harcourt, Nigeria: University of Port Harcourt Press.
- Dudafa, U. J. (2017). Niger Delta crisis and the challenges of development in the region. *International Journal of Scientific Research in Education*, 10(2), 228-245.
- Duruji, M. & Azuh, D. E. (2015). The dynamics of Niger delta in Nigeria's cultural politics. *Wilberforce Island Review*, 13, 19-54.
- Etekpe, A. (2007). *Politics of resource allocation and control in Nigeria: The Niger Delta experience*. Port Harcourt, Nigeria: Harey Publications.
- Etekpe, A. (2009). The Niger Delta Development Commission and peace-building in the Niger Delta. *National Development Review*, 1, 24-42.
- Francis, P., LaPin, D. & Rossiasco, P. (2011). *Securing development and peace in the Niger Delta: A social and conflict analysis for change*. Washington, DC: Woodrow Wilson International Center for Scholars.
- Golden, R. L. (2012). *Armed resistance: Masculinities, Egbesu spirits, and violence in the Niger Delta of Nigeria*. Ann Arbor, MI: ProQuest LLC.
- Ibaba, S. I. (2011). Amnesty and peace-building in the Niger Delta: Addressing the frustration-aggression trap. *Africana*, 5(1), 238-271.
- Ikelegbe, A. (2001). The perverse manifestation of civil society. *Journal of Modern African Studies*, 39(1), 1-24.
- Ikporukpo, C.O. (1981). Planning and the transformation of problem regions: The experience

- of the Niger Delta". *Nigerian Geographical Journal*, 24(1 & 2), 119-129.
- Imobighe, T. A. (2004). Conflict in Niger Delta: A unique case or a 'model' for future conflicts in other oil-producing countries? In R. Traub-Merz & D. Yates (Eds.). *Oil policy in the gulf of Guinea: Security & conflict, economic growth, social development* (pp. 101-115). Bonn, Germany: Friedrich-Ebert-Stiftung.
- Kew, D. & Phillips, D. L. (2013). Seeking peace in the Niger Delta: Oil, natural gas, and other vital resources. *New England Journal of Public Policy*, 24(1), 1-18.
- Longe, E.O., Omole, D.O., Adewumi, I.K. & Ogbiye, A.S. (2010). Water resources use, abuse and regulations in Nigeria. *Journal of Sustainable Development in Africa*, 12(2).
- MOSOP (Movement for the Survival of the Ogoni People). (1992). *Ogoni bill of rights presented to the government and people of Nigeria, October 1990, with an appeal to the international community, December 1991*. Port Harcourt, Nigeria: Saros International.
- NDDC (Niger Delta Development Commission) Act of 2000.
- NDDC (Niger Delta Development Commission). (2001). *Making a difference in the Niger Delta* [Profile]. Port Harcourt, Nigeria: NDDC.
- NDDC (Niger Delta Development Commission). (2004). *Niger Delta Regional Development Master Plan*. Port Harcourt, Nigeria: NDDC.
- NDDC (Niger Delta Development Commission) Amendment Act of 2017.
- Nwabuko, C. & Adedjoja, T. (2000, June 7). *Nigeria: Senate Passes Niger Delta Commission Bill*. Retrieved from <https://allafrica.com/stories/200006070351.html>
- Obuoforibo, G. I. J. (2011). Small arms and light weapons (SALW) proliferation and instability in the Niger Delta: An analysis of the disarmament, demobilization and reintegration (DDR) process. *Africana*, 5(1), 49-73.
- Offiong, O. J. & Cocodia, J. (2011). Charting pathways to development in the riverine areas of the Niger Delta region. *Africana*, 5(1), 164-188.
- Okoh, R. N. & P. C. Egbon. (1999). Fiscal federalism and revenue allocation. *Proceedings of the 1999 annual conference* (pp. 405-19). Ibadan, Nigeria: Nigerian Economic Society.
- Okolo, P. O. (2014). NDDC, conflict, peace-building and community development, in the Niger Delta region. *Global Journal of Political Science and Administration*, 2(1), 36-54.
- Okolo, P. O. & Akpokighe, O.R. (2014). Federalism and resource control: The Nigerian experience. *Journal of Public Policy and Administration Research*, 4(2), 99-109.
- Okonta, I. & Douglas, O. (2003). *Where vultures feast: Shell, human rights, and oil in the Niger Delta*. New York: Verso.
- Okumagba, P. O. & Okereka, O. P. (2003). The politics of oil and the Niger Delta regional development master plan: Its workability and the option of political goodwill. *Global Advanced Research Journal of History, Political Science and International Relations*, 2(1), 1-5.

- Olumide, E. (2011). Minorities and resource allocation in a transitional state: The Nigeria experience 1960-1999. *Africana*, 5(1), 74-107.
- OMPADEC (Oil Mineral Producing Areas Development Commission) Decree No. 23 of 1992.
- Oviasuyi, P. O. & Uwadiae, J. (2010). The dilemma of Niger-Delta region as oil producing states of Nigeria. *Journal of Peace, Conflict and Development* (16), 110-126.
- Owasa, L. (1999). Oil and the minority question in Nigeria. In H. Saliu (Ed.). *Issues in contemporary political economy of Nigeria* (pp. 81-98). Ilorin, Nigeria: Sally & Associates.
- Sanubi, F. A. (2011). Armed militancy in the Niger Delta: Quintessential play-off of sub-regional economic disparities. *Africana*, 5(1), 189-215.
- Saro-Wiwa, K. (1992). *Genocide in Nigeria: The Ogoni tragedy*. London: UK: Saros International Publishers.
- Tam-George, A. (2010). Ken Saro-Wiwa, the Ogoni struggle and the aesthetics of spectacle. *Canadian Review of Comparative Literature*, 37(3), 297-310.
- Watts, M. (2004). *The sinister political life of community: Economies of violence and governable spaces in the Niger Delta, Nigeria*. Niger Delta: Economies of Violence (Working Paper 3). Berkeley: Institute of International Studies, University of California, Berkeley.
- Willink, H. (1958). *Report of the commission appointed to inquire into the fears of minorities and the means of allaying them*. London, UK: Her Majesty's Stationery Office.