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OIL ON TROUBLED WATERS

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INTRODUCTION

Nembe is a community in conflict in the Niger Delta region of Nigeria: the country's economic nerve center, where oil is produced. The conflict in Nembe is the result of intense competition over political turf and the control of benefits from the oil industry. It can be traced back to the late 1980s when the Nembe Council of Chiefs¹ acquired the power from their King to negotiate royalties and other benefits with the oil companies.

Not surprisingly, this intense competition has disrupted Nembe's traditional system of governance and has also set the stage for further challenges to traditional authorities. Such is the case with the Nembe Council of Chiefs: by confronting the Amayanabo's² traditional hegemony, the Council set themselves up to challenges from other sectors of the community.

The youths in the Nembe community were the first to challenge the Council of Chiefs. They organized themselves into a group called the Isoungo-foru³. The Isoungo-foru successfully robbed the Nembe Council of Chiefs of their power to negotiate benefits with the oil companies. In the course of the Isoungo-foru's reign they established an absolute dictatorship that no one, not even the Amayanabo and his Council of Chiefs, could challenge without consequence. Unfortunately, there have been several bloody battles between the Isoungo-foru and rival youth groups.

In the course of these clashes, the oil companies, principally Shell Petroleum Development Company, Shell's Nigerian subsidiary operating a joint venture company with the Nigerian government, stoked and fueled the conflicts by playing one group against the other. To make matters worse, the government of Rivers State and the successor-government of Bayelsa State (created out of Rivers State) attempted to control the conflict by deploying abusive Mobile Police Forces into the Nembe community creating further bloodshed.

¹ The assemblage of the recognized Chiefs of Nembe who are duly elected by their respective war-canoes houses or families and chalked by the Amayanabo (King)

² Nembe's King and sovereign leader.

³ Isoungo-furo are small fishes often found in incredibly numerous schools. This name was used to symbolize the strength that they had in their numbers.

This paper attempts to provide a detailed account of the conflict in Nembe, as it represents many conflicts in the Niger Delta, and address the prospects for peace. The first part of the paper explores Nembe's history, community politics and oil activities. The second delves into the community's past and current conflicts and how they interconnect with the oil industry and politics. The latter part of the paper addresses the challenges to and prospects for peace, not only in Nembe, but also in the greater Niger Delta region. It is based on information collected by the author as a member of a committee appointed by the government of Bayelsa State to resolve the conflict in the community and on interviews conducted separately.

NEMBE

The word Nembe refers to a linguistic or dialectical group, a clan, or in the narrowest sense, a community (sometimes referred to as Ogbolomabiri⁴). However, the other Nembe speaking communities (Bassambiri, Beletiana, Egweama, Liama, Okpoama, Twon-Brass etc.) contend that Nembe is a common heritage which one community cannot lay exclusive claim to⁵.

Nembe is the capital and principal town of the Nembe-West Local Government Area of Bayelsa State, Nigeria. The population of the community is estimated to be 100,000⁶.

Nembe has a complex territory and a strategic location, which gives it a pre-eminence in the Niger Delta. Its geographical setting is beautiful and life supporting. The community is one of the most southerly in Nigeria, neighboring Okpoama and Brass. Brass, the site of one of Nigeria's seven oil export terminals, is at the edge of the Atlantic Ocean. To the north of Nembe is Ogbia - the community where oil production first began with the discovery of the Oloibiri oil fields in 1956. To the east is the community of Bassambiri with whom Nembe has been in conflict with for centuries. Eastwards, beyond Bassambiri, are the Oluasiri (a satellite community of Bassambiri), Bille, and Kalabari communities (See *Map 1*).

⁴In this paper Nembe is refers to Ogbolomabiri. I use the term Nembe rather than Ogbolomabiri because of its historical relevance and in deference to the fact that its inhabitants refer to themselves as Nembe community rather than Ogbolomabiri, which they claim, was a derisive term employed by the Bassambiri people, their closest neighbors and relatives.

⁵ This has been the subject of much disagreement amongst the people who regard themselves as Nembe.

Chief Ibifa of Bassambiri beliefs that the 'expropriation' of the Nembe name by the people of Ogbolomabiri is part of an overall strategy by the Ogbolomabiri people to dominate other Nembe people perpetually.

⁶ Dick Agbe, interview February 2001, Nembe based on deductions from the 1991 census figures.

The history of Nembe was traced through three methods of historical inquiry⁷. The first was the tracing of the Nembe King's genealogy, which created a chronology dating back more than 300 years⁸. The second methods employed were archaeological excavations and radio carbon dating. These methods were used in the communities of Onyoma and Sacrepogu⁹. Artifacts discovered in Onyoma dated back 700 years, while at Sacrepogu, radio carbon dating produced evidence of civilization dating back to about 1000 years¹⁰. Other studies of deeper excavations in the course of oil exploration activities, particularly of soil pores, and reconstruction of excavated vegetation, indicated that agriculture had thrived in the area 3000 years ago. In fact the oldest evidence of palm tree cultivation in West Africa was discovered in this area¹¹. The third and most compelling historical evidence comes from the study of the Ijaw language. The Ijaw language, compared to the Ibo, Yoruba and other Nigerian languages was discovered to be about 8000 years old - making it the oldest of the Nigerian languages¹².

COMMUNITY POLITICS

In the beginning, the Nembe community had a rigid political hierarchy with the Amayanabo at the apex. Below the Amayanabo were the Chiefs or head of the war canoe houses¹³. The Chiefs were elected by the entire war canoe house, which was made up of their prominent sons. After the chiefs were elected, they were presented to the Amayanabo for chalking¹⁴. Although the Chiefs were subservient to the Amayanabo, they acted as their closest advisers and supported the Amayanabo if there was a threat to the kingdom. The Chiefs are also responsible for electing the

⁷ Prof. E.J. Alagoa, interview February 2001, Port Harcourt.

⁸ Prof.E.J. Alagoa, interview February 2001, Port Harcourt.

⁹ Prof.E.J. Alagoa, interview February 2001, Port Harcourt.

¹⁰ Prof.E.J. Alagoa, interview February 2001, Port Harcourt.

¹¹ Professor E.J. Alagoa, interview February 2001, Port Harcourt

¹² Professor E.J. Alagoa, quoting Prof. Kay Williamson, said that the age of separation through the depth of language was found to be much deeper in the Niger Delta than in other parts of Nigeria.

¹³ The war canoe houses were the units of the kingdoms defense forces. A war canoe house consisted of the head of the house and a formidable number of able-bodied men who are responsible for defending the house and the King. In order to become the head of the house (chief) one needed to assemble sufficient men and materials, which if favorably assessed by the King would be adjudged a war-canoe house. In the event of a war between the Nembe people and an external aggressor, the various heads of the war canoe houses will fit out their war canoes and fight for King and Kingdom. Because the war canoe houses no longer exist, chiefs nowadays are elected by their families and awarded chieftaincy titles on the basis of their achievements.

¹⁴ Chalking is a chieftaincy reception or recognition ceremony during which the Amayanabo or King marks Chief-elect with native chalk on the forehead as a form of formal recognition and reception into the status of chieftaincy.

Amayanabo. After the death and burial of an Amayanabo, the Chiefs would choose a new Amayanabo from the Mingi¹⁵ Group of Houses.

The Nembe Council of Chiefs is the assemblage of the recognized Chiefs of Nembe that have been duly chalked by the King. In 1991 there were approximately 26 members of the Council. Today there are over 90. Chiefs do not play an active role in the affairs of the Council except during elections of the Executive Council. Every two years the Council elects an Executive Council to run its affairs, which have expanded over time to include supervising the community. Currently, the Council is polarized into two major sections, particularly during Executive Council elections.

Following the Chiefs in the hierarchy are the elders, who are also recognized by their House meetings and chalked by the Chief of the House. As chalked elders, they become the Chief's immediate advisers, and have certain responsibilities in the house such as mediating conflicts. Thus, an eighty-year-old man or woman is not referred to as an elder in the Nembe community unless the chief of his house has chalked him or her. Social stratification below the elder is largely along the lines of age and gender. For example, men who are 40 years of age have higher rank than the youths or the women.

OIL ACTIVITIES IN NEMBE

In the 1950s, the Tennessee Oil Company (a U.S. Company) began oil explorations in Nembe. However, oil was not discovered until much later when Shell D'Archy unearthed the Oloibiri oil field in Ogbia. Subsequent explorations led to the discovery of the large and rich Nembe oil fields. The first finds in Nembe were near the coast in Okpoama and Twon-Brass axis.

Currently the four Nembe oil fields produce approximately 150,000 barrels of high quality, low sulfur content crude, which is piped to both the Bonny oil export terminal located on Bonny Island and the Brass terminal, which is close to Nembe. The Bonny terminal is used by Shell and Agip uses the Brass terminal. Shell and Agip are the only companies that have concessions in the area.

Almost half a century of oil production and exploitation activities in Nembe have had far-reaching and devastating impacts on the people. Between 1985 and 2000 more than 50 cases of oil spills have been recorded and more than 500,000 barrels of crude oil have spilled into the swamps, creeks, rivers, and ocean. These spills have had a ruinous and debilitating impact on the flora and fauna. Consequently, the Nembe

¹⁵ The Amayanabos of Nembe have traced their ancestry back to the Mingi dynasty. The Mingi dynasty followed the dethronement and banishing of Ogbodo (king of Nembe before Mingi) was Mingi's cousin and was made king because on the death of Mingi's father Mingi was not of age to be king and Ogbodo proved to be brave, intelligent and industrious.

people, who depend mostly on fishing for their livelihoods, have experienced serious drawbacks on their ability to fend for a living.

This situation is made even more complex and serious given the health hazards generated by the spills. Recently, in the neighboring kingdom of Akassa, eight kids lost their lives when they came into contact with crude oil and other chemicals emanating from the offshore operations of the Texaco Overseas Petroleum Company Nigeria Unlimited (an American affiliated company)¹⁶. Aside from oil spillages, gas flares have also been blamed for several health defects in the communities.

The Niger Delta's ominous problems associated with oil spillages often do not elicit any sympathy from the oil companies. Monetary compensation for spillages is rare and paltry. Oil companies prefer to engage in lengthy litigations, sometimes spanning a period of more than 20 years, rather than compensating individuals or communities for their losses¹⁷.

The frequency of spillages is traceable to a variety of factors, including operational errors, sabotage, and aged and poorly maintained pipelines. In fact, the secretaries of two foreign missions and a researcher recently visited the Niger Delta and were appalled at the age and nature of the pipelines and the scale and effect of the pollution on the environment¹⁸.

The social impact of oil activities on the Nembe community is devastating. Since the discovery of oil there has been a total breakdown of morality resulting in broken homes, teenage pregnancies, and disrespect towards parents and elders due to the influence of oil money¹⁹.

¹⁶ N.C. Alago (participatory development facilitator in Akassa), interview February 2001, Port Harcourt

¹⁷ Such was the case between the Delta community of Ekeremor Zion and Shell Petroleum Development Company. Even after lengthy litigations, Shell insisted on its 'right' of appeal, which threatened to elongate the case another 40 years.

¹⁸ In February 2001, the Second Secretary at the British High Commission, Ms. Anne Macro, the Second Secretary at the Royal Netherlands Embassy, Mr. Michel H. Deelen, and the Coordinator of the British Niger Delta Environmental Training Program Dr. David Howett of Bradford University, undertook a tour of the Niger Delta with myself as the guide. The team visited, among other places, Oloibiri which is the site of the first oil well in Nigeria. Currently, Oloibiri is a ghost town providing no indication that it was once the source of stupendous wealth for Nigeria. It is a cynical reminder of what could one day become of the entire Niger Delta: a barren expanse of a former darling. We also visited Biseni, which revealed to us the horror of oil spills: a wide expanse of a scorched and foul smelling deadly zone. The cause of the spill was obvious to even the most naive. The oil pipelines were aged, poorly maintained and, similar to a contortionist, made the most amazing of shapes as they crossed swamps, rivers, etc. It is was a wonder to the team that spills didn't occur more frequently.

As the team visited my community of Anyama, the scale of poverty and sense of helplessness was simply depressing. The people's infinite hope and confidence in what the future may hold was the tonic by which they lived day by day.

¹⁹ Tekena Beregha, Nembe youth leader, interview April 2001, Port Harcourt

The following describes how oil exploration and development has generated both unprecedented intra-community conflict and violence and a transformation of local rule and political leadership.

OIL IN NEMBE – A COMMUNITY IN CONTENTION

With the discovery of oil in Nembe this traditional system of governance began to diminish in status and power. Initially, the Amayanabo, as the sovereign leader, negotiated and received royalties and other minor benefits on behalf of the Nembe community. His Royal Majesty, Justice Ambrose Alagoa, Mingi IX was the first to play this role. He was said to be so pliant that he accepted anything that Shell offered. His poor leadership capabilities generated a restive and dissatisfied community who protested against his dealings with the oil companies. Due to the intense pressure from the community and Chiefs, the Amayanabo transferred the responsibility of negotiating with the oil companies to the Nembe Council of Chiefs in 1991. Chief Egi Adukpo Ikata acted as the Council's first chairman.

About the same time, a young engineer with Elf Oil Company²⁰ named Mr. Nimi B.P. Barigha-Amage, started using his knowledge of the oil industry to organize the youths of the Nembe community into a force capable of extracting concessions from the oil companies. Chief Barigha- Amage by his own admission decided to do this when he saw as an insider in the oil industry that his people were suffering serious deprivations. He was moved by the fact that the oil companies were not treating his community even to their own standards. Chief Ikata, chairman of the Nembe Council of Chiefs, and retired army was quick to form an alliance with Mr. Amage to pressure Shell to accede to community demands. The engineer supplied the youths with information regarding community entitlements, and the Chief used his knowledge of military logistics to organize the youths for flow station shut downs and other forms of protest²¹.

At this point, a man named Mr. Lionel Jonathan decided to resign from his position as law lecturer at Rivers State University of Science and Technology and return home to “improve” his community. Upon returning to his community, he built a power structure around himself with a group of youths that referred to themselves as the “House of Lords.” By 1995 the group had metamorphosed into the Isongo-foru with membership strength in excess of a hundred, which had firm control of the local politics in Nembe and access to the oil companies.

²⁰ a subsidiary of the French company TotalFinaElf, who also operate a joint venture company with the Nigerian government.

²¹ Other forms of protest included threat letters (usually copied to security agencies in order to generate security reports which could advise the company to negotiate), verbal attacks on oil company staff, seizing of oil company boats, equipment, etc.

Never operating directly as the Isongo-foru, the group, through three different outlets (the United Nembe Youths, Nembe Youth Council and Nembe Progressive Youth) was able to exclusively interpret the desires of the Nembe people and transmit them to Shell, the Nigerian Agip Oil Company²² and their service companies²³. Essentially, the Isongo-foru began working for Shell. As long as the community's desires were met, the Isongo-foru protected the oil companies from shutdowns and thus, oil continued to flow. Under this arrangement Shell began a policy of strengthening the Isongo-foru, particularly after 1993, to serve as a deterrent against agitations from other sources. Through this policy the Isongo-foru amassed substantial wealth and were largely invincible due to their awesome arsenal acquired from Shell.

In 1995, Mrs. Itari Kumbo-Garuba, a Nembe indigene, retired secondary school principal and wife of Colonel Chris Garuba, was ready to measure strength with Lionel Jonathan and his Isongo-foru. As a member of Abacha's constitutional conference and wife of a senior military officer she had enough resources and contacts to dare. She facilitated the assemblage of a group of youths who called themselves Agbara-foru²⁴. The Agbara-foru were ready to do battle with Isongo-foru in order to gain political leadership and access to negotiating with Shell. The groups clashed immediately. There were three separate eruptions of violence on November 12th and 25th and December 14th, 1995.

The Chairman of the Nembe Council of Chiefs at the time, Chief Hans Suku-Ogbari, attempted to broker a peace agreement between the two groups. But when that failed, he employed, with the collaboration of the Rivers State government, the use of Mobile Police forces also referred to as MoPo or kill- and- go²⁵ to arrest members of the warring factions, including his own nephew. Much to the admiration of the entire community, Chief Hans Suku-Ogbari insisted on arresting every one involved in the crisis. Thereafter, the Nembe Council of Chiefs placed a ban on the activities of the youth groups involved in the clashes.

But in an interesting twist, some of the Chiefs were arrested on the basis of incriminating statements made against them by arrested youths. For instance, youth's claimed that several Chiefs were responsible for arming the Agbara-foru. In a complex power game, the sponsors of Isongo-foru were able to implicate several of their enemies on the charges of gun running and murder. These charges were investigated not from the Rivers State Police command, but from the zonal headquarters putting the

²² The Nigerian subsidiary of the Italian oil company ENI.

²³ Oil servicing companies render engineering, marine, geophysical and other services to oil companies. In the Niger Delta, and Nembe in particular, these companies include: Berger and Bilfinger, Wilbros, Chinese National Petroleum Company, Western Atlas, Western Geophysical, etc.

²⁴ Personal discussion with Seigha Victor Glasgow; February 2001, Nembe.

²⁵ The MoPo or kill and go are notorious for their disregard for the sanctity of life, and unlike the regular police do not have to account for how they use their bullets.

case momentarily out of the lobbying reach of the Chiefs involved in the matter, including Chief Nimi Amange and Chief Ikata. While the charges against these Chiefs could not be substantiated it was obvious they had a stake in the fall of Isongo-furo, which they believed had a strangulating hold on the community's affairs.

The Military Government of Rivers State set up a panel to investigate and resolve the conflict. The panel consisted of 3 indigenes of Nembe: Commander Godwin Ombo (later retired as Chief of Naval forces in Nigeria), Wing Commander Nyananyo (still in service) and Engineer Numoipere Wills(now chairman of the Peoples Democratic Party in Bayelsa State. However due to the status of individuals involved in the conflict and their lobbying reach, the report of the panel never surfaced. It is believed that the report indicted some highly placed individuals who simply 'killed' the report in the interest of peace.

After this conflict, the Agbara-foru group fizzled out, but the Isongo-foru persisted growing strength and audacity. Challenges to Isongo-foru hegemony continued but were met with stiff and often brutal resistance until the "peoples' revolution" that occurred on May 6, 2000. The genesis of the " Peoples' Revolution" was a meeting between the Nembe Council of Chiefs and Shell.

On February 28, 2000 the Nembe Council of Chiefs were scheduled to have a meeting with the management team of Shell Petroleum Development Company at its Port Harcourt Offices over an amount of eight hundred million naira which Shell claimed to have set aside for the community. Unknown to the Chiefs, the management of Shell never wanted to have the meeting. Shell's reluctance to hold the meeting was predicated on the unpalatable nature of the meeting agenda, which centered round the possible disappearance of several millions of Naira meant for the Nembe community. Even though Shell claimed to have spent the money on community development projects, the Nembe community had not seen any sign of such projects.

Therefore, the main topic of the scheduled meeting was how exactly the 'disappeared' funds had been spent. It was already the subject of much speculation in the community that the majority of the money had vanished into a vast corruption pool created by elements within Shell and the leadership of Isongo-furo. Understandably, the meeting was not one that Shell and Isongo-foru were looking forward to. The Isongo-furo believed that the mere conception of the meeting was an affront to their unbridled powers and a threat to their confidential dealings with Shell. Similarly, Shell knew the meeting would publicly expose corruption within the company.

In an attempt to delay the meeting, Shell management kept the Chiefs waiting for over five hours. Although the Chiefs were extremely frustrated, they remained patient and continued to wait. Sensing that the Chiefs might wait indefinitely, Shell motivated the Isongo-foru to chase the Chiefs off their premises.

The outrage following this event was colossal. When the Nembe Council of Chiefs complained to Shell about its lack of courtesy and protection, Mr. Burham, Shell's Head of Community Relations, responded by claiming that the Chiefs did not have the

clout to close flow stations and therefore did not merit serious attention from Shell's management. The youths on the other hand, were in a position to determine oil flow and thus deserved Shell's consideration.

The Chiefs' comeback to this taunt was to close the flow station in Nembe Creek -- without the assistance of other parties. Shell quickly called in their allies, the Isongo-foru, and requested they re-open the flow stations in direct affront to the Chiefs. The entire Nembe community, even the youths, felt aggrieved by the Isongo-foru's show of bravado and as a result, began to plot the demise of the Isongo-foru.

On the evening of May 5, 2000 the ranking members of Isongo-foru were preparing to travel to the neighboring community of Okpoama for the wake of their secretary-general, Christopher Peters. Sensing that community youths were conspiring against them, the Isongo-foru arrested dissidents of the Isenasawo or Teme group (a spiritual movement made up mostly youths with Chief Nimi Amange as their Patron) in an effort to intimidate them. The Teme group had in fact been planning to overthrow the Isongo-foru power block and when the Isongo-foru left for Okpoama other members of the Teme group seized the Isongo-foru armory and rounded up all the Isongo-foru members in the community. The Isenasawo proclaimed a new order in the early hours of May 6, 2000 at the Opopolotiri²⁶. The Nembe people were exultant about the Teme group's triumph over the Isongo-foru.

The young Engineer Nimi B.P. Barigha-Amange was now in command of Nembe as the High Chief, head of the Group of Houses, legal adviser to the Nembe Chiefs of Council and Patron of Teme. Only a few months back, Lionel Jonathan's Isongo-foru group had humiliated him, as he could not secure a single vote for his Peoples Democratic Party. Lionel Jonathan's All Peoples Party had secured all 48,000 available votes in Nembe via intimidation and violence. But now, after several years, Chief Barigha-Amange was the de facto ruler of Nembe and dismissed Lionel Jonathan and his Isongo-foru group.

I. The Fight For Political Turf in Nembe: The Rivalry between Mr. Nimi B.P. Barigha-Amange and Mr. Lionel Jonathan

The recent rivalry between Chief Barigha-Amange and Mr. Lionel Jonathan dates back to 1998 when General Abdulsalami Abubakar became head of state following the death of Abacha, and instituted a transition to civil rule program .

During the transition, Mr. Lionel Jonathan and Chief Barigha-Amange had aligned themselves with two separate political parties: Mr. Jonathan joined the All Peoples Party (APP) and Chief Barigha-Amange joined the Peoples Democratic Party (PDP). As a prominent member of the APP, Mr. Lionel Jonathan ensured that his party won all the elections (the Local Government Elections, the State Governorship and House of Assembly elections and the Presidential and National Assembly elections). He won

²⁶ The Community Square

these elections via threats, intimidation and even violence. In all three elections, which were held between late 1998 and early 1999, his party won by the same unreal margin: 48,000 to 0, according to the Independent National Electoral Commission (INEC). Chief Barigha-Amange was therefore unable, in spite of his good standing in the community, to secure any votes for his party, not even his own vote.

Even though the PDP lost in Nembe, one of the PDP members, Chief Diepreye Alamiyeseigha, was able to win the Governorship of Bayelsa State. Mr. Lionel Jonathan, the Deputy-Governorship candidate of the APP, was naturally resentful about Chief Diepreye Alamiyeseigha's victory in Bayelsa State. So, in an attempt to win back the governorship, Mr. Lionel Jonathan crossed over to the PDP while his party was still contesting their loss of the Governorship in court. While this move predictably strengthened the PDP, it weakened the position of Chief Barigha-Amange in his own party and Mr. Lionel Jonathan became the most important figure in the PDP. Mr. Jonathan was even appointed into the Bayelsa State Executive Council as Commissioner for Environment and later for Agriculture. It was against this political background that both men were fighting for political turf in Nembe.

II. Teme Rule

Meanwhile the Amayanabo-in-Council (the King and his Chiefs), acting to confer the Teme's actions legitimate, formally banned the Isongo-foru group and imposed a ten year ban on its leading members from entering the Nembe community.

The Bayelsa State Government tried to intervene and restore Isongo-foru members, including Lionel Jonathan, into the Nembe community. However, the community insisted that the situation did not warrant government intervention. As far as the community was concerned, Governor Chief Alamiyeseigha's intervention was an attempt to return Mr. Jonathan to his previous position as the leader of Nembe in order to ensure that he would receive Mr. Jonathan's support for his re-election in 2003. Furthermore, the Nembe community was extremely offended that the government had chosen to intervene now rather than when the Isongo-foru was terrorizing their entire community.

In the Teme's declaration at Nembe's community square, the group condemned the activities of the Isongo-foru and promised to restore Nembe to its pristine state, including returning full authority to the traditional hierarchy. The entire community acclaimed the declaration.

However, in a manner reminiscent of George Orwell's *Animal Farm*, the new Teme regime became more feared than loved by the community. It seemed to have merely supplanted the Isongo-foru, adopting its strategies and tactics. Acting on the pulse of the community, the ambitious Vice-President of the Teme group staged a coup against the Teme President, Kumonsounyo George, and established a new government characterized by extortion, drugs and destruction. Then on Christmas Eve 2000, the deposed faction staged a counter coup, and returned to power with a new President, Seigha Victor Glasgow. Mr. Glasgow was a teacher, longstanding community activist and

bosom friend of Kumonsounyo George. The coup's intension was to restore the credibility of the group by bringing in a president that was not affiliated to any of the factions.

Meanwhile, threats by both the Allen Alagoa faction of the Isenasawo and the Isongo-foru continued. Attempts by both groups to enter the community had become almost a daily occurrence and the community had become totally unstable. The Nembe community in Diaspora initiated the process of bringing an end to the circle of violence in the community.

After several meetings in Port Harcourt, Yenagoa and Nembe in late December 2000 and early January 2001, the government of Bayelsa State was 'persuaded' to intervene. The intervention was in form of the Nembe (Ogbolombiri) Peace and Reconciliation Committee, which was, inaugurated by the Governor of Bayelsa State (His Excellency, Chief D.S.P. Alamiyeseigha) and the Deputy-governor (His Excellency Mr. Lionel Jonathan). The committee had the mandate to restore peace and order in Nembe and to promote reconciliation. It consisted of twelve members. The members were from the Nembe community, the security agencies, the local government council, the Ijaw National Congress and the Ijaw Youth Council.

PROSPECTS FOR PEACE

I. The Nembe Peace and Reconciliation Committee and Implementation of the Constitution

The Nembe Community and the government of Bayelsa state identified the root of the problem as the competition over access to benefits from the oil companies and the associated quest for coercive control over the community.

As a result, the Nembe Peace and Reconciliation Committee, within its terms of reference, was mandated to implement a community constitution²⁷. It was thought that a constitution would do away with arbitrary rule and clarify a system of governance in the community.

A Nembe Fiscal Commission was also established in line with Part IX, Section 98-100 of the Nembe City Constitution. This commission would clarify the issue of authority for negotiating and receiving community funds. The body of the commission is drawn from representatives of the Amayanabo, the Nembe Council of Chiefs, the

²⁷A Constitution was drawn up in Nembe in 1997. However, before it was approved members of Isongo-furo threatened the King not to approve the Constitution. They felt that the implementation of the Constitution would be a threat to their exclusive hold on power. The 1997 Constitution provided for the Amayanabo (King) as the first tier of government and symbol of authority in the community. The Nembe Council of Chiefs was retained as the second tier and upper house of legislation, and a Nembe Community Council was created as the executive arm of community government.

Deputy Chiefs Council, elders, Opu-Asawo, youths, women, and professional, and socio-cultural groups. This type of system is intended to ensure transparency.

Although the Fiscal Commission has not yet been tested, there is concern about its effectiveness. Some wonder whether the Commission will hoard the benefits for themselves. Others wonder if they have the capacity to contain the youths, particularly those who have benefited from the old system and may want to sabotage the constitutional arrangement in favor of the old order. There is also the fear that Shell's staff would continue to engineer their counterparts in the community to create a "business as usual" atmosphere – the business of dispersing funds into private pockets. But, given the recent traumatic experience of the Nembe people, it is unlikely that retrogression to the former state of near anarchy will be possible.

As youth restiveness was also part of the problem, the constitution called for the establishment of a neutral youth organization. The idea behind the youth organization was to create a space for youths to have a voice in community politics while also replacing the void that was left after the banning of the youth groups in Nembe.

However, the term neutrality posed a dilemma for the community. The Peace Committee was left to deliberate the definition of neutrality with respect to the youth group and the Fiscal Commission. The Peace Committee's approach was to define neutrality from an individual rather than an institutional, point of view. The Peace Committee decided to consider all individuals as neutral. This approach eliminated the difficulty of dealing with the official exclusion of individuals associated with any of the former banned groups.

The next step was to determine whether officials of the youth body should be appointed or elected. Although the appointment option was tempting because it offered the protection from the predatory instincts of power mongers, the Peace Committee chose to democratize the selection process in order to form a popular base for the sustenance of the new order.

Following this decision, the Peace Committee assisted in the creation of a Nembe City Youth Council and organized elections using the Electoral College System (despite its Florida inadequacies). The Electoral College was to remain in place as a larger representative council and members were elected from the various houses in Nembe. From these elections emerged some interesting developments.

The community expected that individuals affiliated with the Isenasawo would win the elections due to their popularity. But, neither the Isenasawo nor the Isongo-furo made a good showing in the elections. It appeared that the youths who elected the electors were determined to exclude both factions from leadership in the new order. Whether this was a politic strategy is a matter for the future to tell, but both factions now appear to be uniting on the basis of their exclusion. It is also possible that their exclusion was due to the 'neutral' factor, as most of the elected youth officials had not held any prior leadership positions in the banned groups.

Furthermore, both factions did not fully participate in the Nembe City Youth Council elections: the Isongo-furo were not in a position to partake in the elections because they had not yet been fully re-integrated into the community and the Isenasawo boycotted the elections because they perceived the Peace Committee to be arrogant. The factions also resented the new youth body because their elected Vice- President was a man named Allen Alagoa, a foe of both factions and said to be responsible for most of the destruction that took place in the community. Nonetheless, both groups extended a reluctant recognition to the new youth body with the understanding that their leadership might be temporary.

However, up until March 2001 the new leadership of the Nembe National Youth Council was fully supported by the community members and the members of the Nembe Peace Committee. Thus, an immediate change in leadership was doubtful. Again, youths had voted against the Isenasawo and the Isongo-furo during the election of officers into the new youth body. But comments made by the President of the Isenasawo, Mr. Seigha Victor Glasgow, indicated that the Isenasawo remained hopeful that the community would support them again in the future.

Mr. Seigha Victor Glasgow told the author in a discussion “I know that we have fallen out of favor in the community and it will be difficult for the people to accept us again. The people are angry with us because a few of us made mistakes and we also accepted the Isongo-furo’s return into the community. As for the Isongo-furo no body wants to hear their name because they have caused so much havoc in Nembe. I believe that with time the community will forgive our mistakes and fully accept us because they know the sacrifice we have made to liberate this community from the grip of the Isongo-furo. When the Isongo-furo were in charge nobody could talk, not even the Amayanabo. Their word was law. But we brought freedom back to this community”²⁸.

The Nembe Peace Committee believed that the prospect for continued peace in Nembe would be to a large extent dependent on the stability of the new youth body and their commitment to uphold the community constitution. This belief helped to reinforce the new youth body to operate within the confines of the community constitution²⁹. However, the new youth Executive Council appeared to think differently. The mother of one of the new Executive Council’s members was said to have visited the Chair of the Peace Committee to thank her for including her daughter in the council, as that would go a long way in solving their family’s financial problems³⁰. Thus, according to the executive council member in question, she and her colleagues were in a position to share community money as in the past. This situation obviously called for a re-orientation process, a continuous monitoring of the youth body and

²⁸ Personal discussion with Seigha Victor Glasgow; February 2001, Nembe

²⁹ Speech by Peace Committee Chair, Mrs. Alagoa at the inauguration of the new youth executive council, February 2001, Nembe.

³⁰ Unofficial report by the chair of the peace committee to members, February 2001, Nembe.

threatened sanctions to those groups who did not adhere to the community constitution.

THE PEACE COMMITTEE'S CHALLENGES

I. The Oil Companies

The cooperation of the oil companies will perhaps be the most determinant factor of the peace process. Unfortunately, Shell and Agip are the most unreliable factors of the peace equation. Although Shell and Agip were responsible for the breakdown of the traditional structures in the community and the chaos arising from the "grab for power and resources" mentalities, neither seems to have an abiding interest in the peace processes as they have rejected two consecutive invitations to attend the Peace Committee's meetings.

The oil companies Community Liaison Officers (CLOs) have been accused of a range of corrupt practices including, instigating the sabotage of pipelines for the purpose of skimming off compensation payments. Non-existent names are presented for compensation by the CLOs' accomplices in the community. CLOs then use their counterparts in the relevant departments of Shell or Agip to 'verify' these fictitious claims. Ultimately, payment is made to the local wing of the benefit captors, the Isongofuro, who then advance the Community Liaison Officers and their counterparts in Shell, their share of the loot. So, the Shell staff and the CLOs are compensated for not while the actual people who are affected are left with nothing - not even the right to protest as any protest is quickly quelled with bribery and threats of violence.

The oil companies also exploit the communities through the corrupt practice of "buying off" community leaders. Since oil companies often infringe on the community's rights, environment, etc., communities will ask them for some type of compensation. Unfortunately, communities are often short-changed during these transactions. For instance, when a community seeks compensation from an oil company such as Shell, community leaders formulate claims on behalf of their community. Such claims normally sail through on time, but the full amount does not end up in the community's hands. The community leaders (i.e. the Isongoforo) are made to sign for more than they actually get from the company and Shell's staff collects the balance with an assurance from the group of non-disclosure of the total amount paid out. This leaves room for the leaders, who signed for the money, to under-declare the amount received from the company, leaving a surplus, which goes into their pockets and ultimately finances their "reign of terror."

Since communities are short-changed in these dealings there is always an attempt by the community to oust their leaders. However, these efforts will often be futile. Nothing indicates that the companies are considering the possibility countering this malaise, as they have never supported a legitimate and representative institution.

Shell also tends to hide behind their service companies, which are the companies that provide specialized engineering and geophysical services to them. The work of the oil servicing companies constitutes the biggest threat to the environment next to oil spills: their practices cause serious environmental damage to forests and farms. But Shell does not claim responsibility for any of the damage caused by these companies.

It is also the oil servicing companies that started the stand-by payments in Nembe. One of these companies paid 140 youths a monthly salary even though they were not working³¹. This money was paid directly to the youth body, which in turn shared the money with their loyalists. Although Shell has begun to work with oil-servicing companies with renowned records like the Chinese National Petroleum Company (CNPC), there is no indication that Shell will act responsibly as their employer.

The community is also quite trepid about Shell's relationships with NGOs. As they move towards co-operation with Non-Governmental Organizations, there is the fear that even NGOs might be swayed towards corruption.

While this translates into minor leakages in the Shell system, the effect on the communities is far reaching, devastating and sometimes irreversible. It attacks the very foundations of the community, such as their values, traditions and structures, which are often several hundred years old and highly revered. The effect of this system collapse is the sort of conflict witnessed in Nembe and other communities in the Niger Delta

II. Reconciliation among the groups

The last of the committee's undertaking was to promote the peaceful reconciliation of differences among the various groups in the community. While the other tasks were straight forward, at least in terms of certainty, this endeavor would prove to be quite challenging considering the group's losses and level of animosity toward one another. Property worth more than twenty million was burnt or looted and more than ten houses were destroyed, some of which were the homes of key characters in the conflict such as Chief Nimi Amange and Mrs. Remi Kuku, a ranking member of the Isongo-foru.

While the reconciliation of differences between groups depended on the absolute cooperation of the conflicting parties, other terms of reference were less challenging to the committee. Many terms of reference only required the cooperation of the larger community, the council of Chiefs and the King. These were not difficult conditions to create given the level of communal support for the peace process and backing from the government. Until now, there has only been one individual who has

³¹ Testimony by Bilfilger and Berger (B&B) Public Relations Officer to the Peace Committee, February 2001, Yenagoa. B&B is one of the oil servicing companies in Nembe.

challenged the committee. His name was Olu Coker Ineyogha³². He went to court to seek an injunction against the committee's assignment, but ultimately had to withdraw his suit due to public outrage.

III. The Return of Mr. Lionel Jonathan and the Isongu-foru

Another challenge faced by the committee was the facilitation of the return of Mr. Lionel Jonathan and his followers the Isongu-foru. The return of Mr. Jonathan to Nembe was crucial to the Governor's re-election in 2003. The governor expected Mr. Jonathan to 'deliver' Nembe votes to Governor Alamiyeseigha - an expectation that would not be met if Mr. Jonathan's ban from entering Nembe were to remain in place until the 2003 elections.

The return of Mr. Jonathan required the confidence of the parties in the reconciliation process. In spite of all the misgivings, the committee ultimately was able to win the party's approval. The committee persuaded the Nembe Council of Chiefs to lift the ban placed on Mr. Lionel Jonathan and his followers. The stage was now set for the return of the banished Isongu-furo group.

The committee then arranged for private meetings with key actors in the Nembe conflict. Some of these key actors were Chief (Major) Adukpo Egi Adukpo, Chief (Major) Egi Ikata, Chief Edmund Daukuro, Chief T.E.Beregha, Chief D.C.Ikoli Berana, Chief (Elect) Lionel Jonathan Omo and Chief N.B.P.Amange. All the invitees gave useful insights into the causes of the conflict and offered suggestions to facilitate the reconciliation process³³. At the end of these private meetings, the committee arranged a community meeting with Chief (Elect) Omo (Mr. Lionel Jonathan) and Chief Amange in Nembe. Both Mr. Jonathan and Chief Amange were given the opportunity to speak to the Nembe people at City Hall. Chief Amange's speech was critical of his rivals, the government and the Peace Committee, but ultimately was conciliatory. Although Chief (Elect) Omo also scorned his rivals, he praised the government and the Peace Committee. In the end however, he too was conciliatory.

After meeting privately with the groups and listening to their speeches, the Peace Committee working through Christopher Peters, Secretary-General of Isongu-furo and

³² Chief Olu Coker, a lawyer and Nembe Chief, ironically was the chairman of the committee that produced the Nembe Constitution but he went to court to stop the Constitution from being implemented because he thought that the government was unduly interfering in the affairs of the community.

³³ These people were invited because they were key players in Nembe politics. Chief Ikata, Chief Daukuro and Chief Beregha belong to the reformist faction of the Nembe Council of Chiefs (the same faction as Chief Amange) and they are all bitterly opposed to Mr. Lionel Jonathan. Chief Adukpo and Chief Berana are traditionalist and also do not support Mr. Jonathan. An agreement by the two factions in the Council was considered an important step in the peace process because power mongers could capitalize on a split in the Council in order to take control of the community.

Seigha Victor Glasgow, President of Isenasawo, convened a meeting with the Isongofuro and the Isenasawo. At this meeting the parties reached the following resolutions:

1. That parties control their membership to prevent any future conflicts, while at the same time counseling their members who may be extremely agitated about losses they may have suffered. (There were already several cases of threats by Isongofuro members against other members of the community, especially Isenasawo supporters, twenty-four hours after their arrival from exile).
2. To set up a joint commission comprising both factions, the security agencies, and the new youth body for the purpose of receiving and acting on complaints against either of the factions and generally ensuring peaceful and harmonious relationship among the parties. This was to serve as a preventive measure against the principle of self-help under which one faction may have retaliated against any perceived wrong against its members leading to the possible renewal of violence.
3. Parties would compromise, accommodate each other and maintain respect for one another. This resolution was put in place with the hope that the factions would some day be friends and they would have a sense of brotherhood.

MEDIATION – WILL IT HELP OR HINDER THE PEACE PROCESS?

Customarily, mediation in Nembe has been a cross between mediation and arbitration: while the elders strive to achieve a win-win situation, their recommendations are ultimately binding. For instance, a family dispute that would arise from day to day interactions would be something that the elders of a family could look into - either on their own initiative or at the prompting of the parties in conflict. If a conflict involves the elders or other important members of the family, or if it is likely to lead to an uproar in the family, the Chief of the family or house will directly intervene in a just and equitable manner, possibly with the assistance of his council of elders.

If a matter went beyond the family, such as if it were a dispute between factions of different families, the King's court would intervene either on its own or at the invitation of the parties. The Chiefs of the houses may also invite the King's court to intervene, particularly if the dispute threatens the peace of both families. The King's court does not necessarily require the King sitting in court, but instead is an assemblage of the King's wise men and diviners. At this level judgments are binding and are normally given unless the Chiefs involved are so powerful that any approach outside of mediation would negatively impact the stability of the kingdom.

With regard to inter-communal relations, mediation has played a key role for hundreds of years in the resolution of disputes - even after wars have been fought. In fact, agreements (such as native oaths or covenants) ensuing from mediation have prevented many communities from fighting again, no matter the degree of temptation. Mediation is the reason that Bille and Nembe enjoy a very cordial relationship.

Bille and Nembe fought a war more than 100 years ago over territorial claims. Due to the ferocity of the war, both sides agreed never to fight each other again. This agreement was sealed by way of native oath and to this day individuals from Nembe and Bille do not fight one another because they believe so strongly in the oath taken by their forefathers.

The mediation of disputes involving kingdoms normally involves traditional rulers who are neutral but have historical ties with the parties in conflict. Out of respect for the historical ties, parties may submit themselves to mediation. After reaching a settlement, parties take the native oath or covenant, otherwise known as Ovu, rather than signing their names on dotted lines. The Ovu is known to be much more effective than the western signature type agreements. For instance, in the case of the very bitter and bloody conflict between the Ogonis and the Andonis, the peace accord was sealed by native covenant of oath taking. Since this event (more than seven years ago) there has not been a re-occurrence of violence between the two communities even though the cause of the dispute has not yet been resolved³⁴.

Between Ogbolomabiri and Bassambiri is another testimony of positive impact of traditional means of dispute settlement. Although the parties did not agree to take the native oath, the Okrikas who are historically linked to the Nembe people, intervened separating the two communities. The Okrikas spiritually decreed the wrath of the gods against any of the parties that may attack the other. Since this spiritual decree was made almost two years ago, there has not been any outbreak of violence between the two communities. Rather the relationship between the two communities continues to improve.

In contrast, the war between Eleme and Okrika erupts intermittently. The war was over land upon which one of Nigeria's refineries is built. It has not abated despite several interventions by government and Non-Governmental Organizations.

With the demise of traditional institutions and values, traditional modes of conflict management are used infrequently. The standard conflict resolution mechanism of government is the deployment of troops followed by the setting up of a Judicial Commission of Inquiry ' to look into causes of the conflict. After hearing both sides of the argument, the judicial commission writes up a report of recommendations, which is then sent to the government. This report usually indicts several prominent individuals from both parties for gunrunning, fueling of the conflict or other charges. As a result,

³⁴ The cause of the Andoni/Ogoni war is nebulous, as both kingdoms believe the other is responsible for the fighting (the Ogoni version is that the war was masterminded by Shell and the Federal Government to wipe out Ogoni land). What is more important is that after several months of negotiation between parties, they agreed to end the fighting, and to take native oath as a testimony of that agreement. The effect of the oath taking is that both kingdoms now enjoy peace knowing that an Ogoni will never provoke an Andoni and vice-versa.

the indicted frantically, and often successfully, try to “kill” the report before it reaches the government.

Not surprisingly, this type of conflict management strategy or the lack of it has left most of the conflicts in the Niger Delta unresolved. After several years the conflict resurfaces as in the Kalabari/Bille conflict, the Nembe/Kalabari conflict, the Fishtown/Kuluama conflict, etc.

In the case of the kalabari/Bille conflict several villages are destroyed during each conflict circles even though Commissions of Inquiry are set up. The Nembe/Kalabari war also led to the setting up of a Judicial Commission of Inquiry by the Rivers State Government, under which Nembe fell in the early 90s. The judicial commission’s report of inquiry has not been released because of powerful interests that have blocked the release of the report. Likewise the report of the 1999 Judicial Commission of Inquiry into the conflict between Fishtown and Kuluama that led to the complete destruction of the community has not been released.

In several other cases the government has not even bothered to set up Judicial Commissions of Inquiry or to intervene in any reasonable form. This is the case with respect to the conflict between the Epebu and the Emadike and between Okigbene and Epebu. The conflict arose out of a dispute over oil rich land, the Emadike were annihilated and yet, there was no government response. In the case of the conflict the between Brass and Okpoama, which is also over oil rich land, government intervention was limited to the deployment of Mobile Police forces to help eliminate one of the communities.

Thus, mediation has never really been an option considered by government except as a pre-emptive measure following security reports. Even this is not normally conclusive but merely an attempt to prevent the eruption of violence. These ‘mediation’ sessions will normally begin and end with warnings issued to the parties involved in the conflict and once violence is suppressed momentarily a successful ‘mediation’ is declared.

Alternative mediation facilitated by non-governmental organizations, and other civil society organizations, is perhaps where the future of community conflict resolution lies in the Niger Delta. This will be appropriate only if there is a combination of western mediation techniques and traditional methods of mediation. This is the approach that Our Niger Delta³⁵ is adopting in our attempts at facilitating the conflict matrix in Akassa, Kuluama, Egweama, Liama, Beletiamia, Twon-Brass and Okpoama in the coastal area of Bayelsa State.

CURRENT CONFLICTS

³⁵ Our Niger Delta is a Niger Delta based NGO committed to facilitating community based development and conflict management using participatory approaches.

In the coastal area of Bayelsa State all the communities are involved in at least two unrelated conflicts, over territorial claims of oil rich land, or as in the case of the conflict between Akassa and Egweama, on the mere suspicion that the land may be rich in oil. Akassa and Egweama started the latest round of fighting in May 2000 over a piece of land known to the people of Akassa as "Kolobie" and to Egweama as "Orukolo." Since 1912 the people of Akassa and Egweama have been disputing over this piece of land. But, in May 2000 the people of Akassa acting on the (purported) kidnapping and cold-blooded killing of ten of their young men who ventured into the disputed territory, invaded Egweama. The Egweama in turn imposed a blockade against Akassa. The blockade has created great problems for the Akassa as their major trade route is through Egweama. Nonetheless, the blockade and the state of war continue and there has not been any official government response to the situation.

In essence, there is a "cold war" between Liama and Egweama. This conflict is the result of mutual suspicion, rivalry, and claims of marginalization of Egweama. Beletiamia, a small community bordering Egweama, is no longer an existing community. Liama eradicated the community in 1997. Since 1997, the people of Beletiamia have remained refugees in Brass, Yenagoa, Port Harcourt and other communities.

The conflict involving the other communities in the region have already been explained above.

The approach by Our Niger Delta is outlined in the Bayelsa State Conflict Management and Participatory Development Program, which target these communities. Our Niger Delta plans to mediate (only if parties and stakeholders agree to), and strengthen the conflict management initiative with a complementary joint participatory development component, involving all the communities in the region. This will serve as a basis for sustainable mutual cooperation in participatory development and as an alternative to a deepening conflict. The strategic objective here is to develop a model for conflict management practitioners, especially in the Niger Delta.

CONCLUSION

The Nembe example is obviously an important one for resolving intra-communal conflicts in the Niger Delta. Similar to Nembe, most of the conflicts in the Niger Delta are centered on the competition for access to oil-related benefits, and local political hegemony.

While no two conflicts present the same challenges, one cannot help but observe the similarities between the Nembe conflict and the recent conflict in Pereamabiri, Bayelsa State. The conflict erupted in March of 2001 just as the Nembe Peace and Reconciliation Committee was putting together its report for the Bayelsa

State Government. The conflict in Pereamabiri claimed more than sixty lives and was the result of a faction seeking access to Shell.

In Ologbobiri, their internal crisis climaxed when the Nigerian Navy, acting on behalf of Agip Oil Company killed more than twelve youths. Again, this killing was the result of an intra-communal power-struggle.

Other examples of internal conflict still abound. The case of Peretoru in Ekeremor, Bayelsa State, involved a band led by a man named Alex Preye who fought the entire community, allegedly beheading one person in the process. The community had earlier labeled as Alex Preye and his group as benefit captors who alone had the sole proprietorship over contracts with Shell in the community.

Unfortunately, the list of examples of internal conflict is almost inexhaustible. But, what the Nembe experience has taught us is that when the government is fair, serious and decisive, there is enough goodwill to welcome any conflict management initiative, no matter how terrible the situation might seem.

Not surprisingly, the limiting factor may be funding since state governments prefer to invest in tangible projects (like housing, road construction, electrification, etc.) rather than conflict management. Conflict management is not something that traditional politicians want to list among their achievements.

Following the Nembe example the Government of Bayelsa State has already set up a temporary Peace and Reconciliation Committee over the Pereamabiri conflict and is in fact considering setting up a *standing* Peace and Reconciliation Committee. However, the will to implement the committee is lacking.

My recent (July, 2001) visit to Nembe revealed that the structures set up by the Peace and Reconciliation Committee are failing for a number of reasons. First, the Isensawo and the Council of Chiefs are in joint control of the community again. Second, the Fiscal Commission, Community Council and new youth body seemed to have given way. Third, the Peace and Reconciliation Committee only had five weeks to complete its work - certainly an inadequate amount of time to complete its work. And lastly, all the follow-up actions recommended by the Committee to the government (such as strengthening the new structures), were not implemented.

We can only conclude that a fully participatory peace process, over a sufficient amount of time, and fully backed by all stakeholders is the only basis for sustainable peace building.