

**CONFLICT RESOLUTION IN THE OIL AND GAS  
INDUSTRY'S OPERATIONAL AREAS**

**BY**

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## **INTRODUCTION**

Conflict is a situation in which people, groups of countries are involved in a serious argument or disagreement. It is a violent situation or period of fighting between or among people or countries. Conflict arises when there are opposing ideas, opinions, feelings or wishes in which it is difficult to make a choice. It is a product of antagonistic interest between two or more opposing forces or groups within the society<sup>2</sup>. Therefore conflicts are inherent part of human life. New social and technological conditions make possible new ways to conflicts<sup>3</sup>. Essentially, conflict arises when two or more persons or groups manifest the belief that they have incompatible objectives. "Two or more" persons means that the persons involved in a conflict view each other as adversaries in trying to achieve their goals. "Persons or groups" includes individuals and organizations that claim to represent larger collectivities such as governments, classes, or ethnic communities, as well as individuals or organizations not making such claims<sup>4</sup>. The causes of conflicts and their effects vary but their resolutions are even more challenging. This is because conflicts are a product of human needs and fear in the society; for example, conflicts emerge due to unfulfilled needs of a people which may be in terms of autonomy, persecution, denial of human rights, and insensitivity of leaders or government. The manifestation of conflict could be as political, social, religious, territorial conflicts or conflicts over national interests or resources as in the case of the Niger Delta.

### **Varieties of conflicts**

Although every conflict is unique, yet each has some qualities in common with others. The commonalities allow us to learn from particular conflicts and apply what has been learned to similar conflicts. It is possible to discern which conflicts are like and unlike each other in specific ways. For example, some of the ways in which conflict vary include:

- (1) the issues in contention,
- (2) the characteristics of the contending parties.
- (3) the relations between the adversaries,
- (4) the context in which the adversaries contend,
- (5) the means used to conduct the struggle, and
- (6) the outcome of the struggle.



## **Conflicts in Nigeria**

Violent conflicts both local and international are not new to Nigeria. At the international level the conflict between Nigeria and the Cameroun over Bakassi which was ceded to Cameroun by the International Court of Justice can be cited. At the national level, the Ife-Modakeke conflicts of Oyo/Osun States (1999); Hausa/Fulani and Kataf of Zangon Kataf in Kaduna State (1999); Hausa/Fulani, and Yoruba ethnic conflicts in Oyo and Lagos States (1999/2000); Jukun/Chamba and Kutev, Jukun and Tiv in Taraba State (1999); Igbakwu-Omor, Aguferi and Umulari conflicts of Anambra State (1999); Plateau State conflict (2004); Benue State (2004) and several others. The causes of these conflicts differ from ethnic, religious, political as well as the feeling of deprivation and environmental degradation.

### **THE NIGER DELTA**

The Niger Delta has an area of about 70,000km<sup>2</sup> being approximately 7.5% of Nigeria's total land area, with a coastline of 560km which makes up about 67% of Nigeria's entire coastline. With a population of about 30 million in nine states – Abia, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Imo, Ondo and Rivers, speaking 250 different languages in about 1600 minority communities, the importance of the complexity of this region can never be over-emphasized. The Niger Delta is the only oil and gas producing area in Nigeria. It typifies an area of conflict which is related to resource exploitation. The Niger Delta, an area of coastal mangrove vegetation, rainforest and lowland swamps and sedimentary basins yield petroleum and gas deposits that provide approximately 90 percent of the value of Nigeria's exports. However, the area remains one of Nigeria's least developed regions.<sup>4</sup> Many observers have attributed the low level of development to the hostile terrain of the delta but this has become unacceptable under modern technology. It is generally agreed that the Niger Delta region has suffered gross social, economic and infrastructure neglect, poverty, frustrations, ecological catastrophes and other deprivations despite its contribution to the Nigerian prosperity<sup>6</sup>. These, apparently have led to the surge in conflict beginning from the late 1990s and is still escalating.<sup>7</sup> The problem remains. Despite government efforts through the Land Use Act 1978 (amended 1993), the Petroleum Act 1969 (amended 1991), Land Title Vesting Decree 1993 National Inland Waterways Authority Decree 1997 (all of which have been variously protested against by indigenes of the Niger Delta)



and the Niger Delta Development Commission Act 2000, and several other initiatives engaged over the problem of resource exploitation and control in the Niger Delta. It is clear that a workable resolution is yet to be synthesized towards socio-economic prosperity and peace in the area<sup>8</sup>.

The major stakeholders in the oil and gas industry's operational areas, namely the Niger Delta people, the Federal Government and the trans-national operators appear, over the years to have established firm positions about the issues in contention which have worsened relations between these adversaries. This has continued to distort the context in which the adversaries contend. Consequently the means used to conduct the struggle by all parties is constantly evolving resulting in very unpredictable expected outcome. It is not surprising that community protests which initially were localized have evolved into organized resistance by armed groups including hostage takings.

### **Conflict management in the Niger Delta**

Conflict management involves strategies aimed at resolving an already existing conflict, with a view to avoiding conflict escalation. Conflict management is not the elimination of conflicts, but provides pathways to regulate conflicts and render them positive and constructive. In Nigeria, conflicts have so far been handled in the most precarious of ways, which can best be described as a "fire brigade approach". This short-cut approach tends to create more problems than the desired result to the conflict parties at the end. A problem solving approach to the management of conflict is more desirable. The parties involved need to be brought together to dialogue, listen to each other with the intent of understanding the underlying elements in the conflict<sup>9</sup>.

### **Causes of conflicts in the Niger Delta**

It must be noted that the Niger Delta has a record of conflict and agitation. In 1947 the Rivers Province was created by the British following agitations by the Ijaw Rivers Peoples' League. About this period the Niger Delta Congress was formed and was chosen to represent the disadvantaged people of the Niger Delta in the London Conference of Minorities. Following this conference the Willink's Commission in 1958 recommended strategies for the development of the region, noting that the Niger Delta was "a poor backward and neglected region." In 1966 Isaac Adaka Boro became a master campaigner of resource control and championed a revolt against the Federal



Government which he called the “oppressors of the people of the Niger Delta”. The aim was to effect a proper management of the resources of the Niger Delta So that “man can be man.” From this trail has emerged youth vigilante groups under such names as Niger Delta Congress, the Niger Delta Youth Movement, Ijaw Youth Council, Ijaw National Congress, Ogoni Youth Movement, Afi ‘Wad Ekid, etc. Some are overtly militant. These groups propagate the observation that despite being the richest geopolitical, region in terms of natural resources endowment, the Niger Delta’s potential for sustainable development however remains unfulfilled. It is important however to recognize what many have regarded as the cause of conflict in the Niger Delta.

- i) **The Federal system of Government:** This is historical in that the federal system was right from the beginning at variance with the expectation of many minorities in Nigeria. For instance, the initial classification of the country into unequal regions and the subsequent political and demographic domination of the northern, western and eastern regions as the majority ethnic groups.”
- ii) **Deep-seated sense of neglect and marginalization:** It appears that government and the oil and gas companies have for a long time faulted in supporting critical human development, infrastructure and provision of basic social amenities which are key issues in environment and development. This should be a gradual process as the industry grows. But the Niger Delta has been described as a paradox of poverty in the midst of plenty where people live below poverty line, with 2 million youths being unemployed and 40% of the people illiterate. Over 24% of the rural communities and about 60% of urban communities have no access to potable water.”
- iii) **Exploration and exploitation activities of oil companies:** Environmental abuse by oil companies in oil producing areas is conspicuous. Oil spills and gas flaring destroy aquatic and marine life and farmlands. Their operating standards are often questioned, even with the existence of regulations and regulatory bodies.
- iv) **Corporate responsibility:** This has been related to escalating conflicts. Corporate practices are in many instances suspect and not transparent enough. Communities suspect that the oil companies are corrupt and that the government does not report all revenues received by oil companies.



- v) **Oil bunkering:** This is a major cause of conflict between rival armed groups because illegally acquired oil yields high profits on the black market. In addition much revenue is lost by government through oil theft.
- vi) **Media activities:** Sensational news reports exacerbate conflicts as government statements are distorted, armed gangs played against each other and communities made to believe that claims have been secretly paid for one oil spill or the other.
- vii) **Arms smuggling:** Over the years it has become relatively easy to acquire small arms and light weapons in the Niger Delta. This has multiplied the number of armed groups.
- viii) **Human capital development and employment:** The neglect of this sensitive sector has made cult activities attractive as there is paucity of meaningful employment in the region.
- ix) **Early warning of conflict:** Very often, there is no designed system for early warning of conflict, or where it exists, there no effective communication method that could respond to and prevent violence.
- x) **Good governance:** Good governance values and ethics are lacking. When governments are indicted for poor accountability and its executives engage in money laundering, it creates room for conflict and violence.
- xi) **Dislocation of youth transitions structure:** Most youths transit into adulthood on a family structure dislocated by poverty, unequal educational opportunities, cheating and reverend to dishonesty and corruption. This is perhaps the genesis of the “rugged life” and concept of the “recycled teenager” which tend to emphasize initiatory approach into adulthood.<sup>12</sup>

It can be summarized that conflict in the oil and gas producing areas of the Niger Delta correlate with the volume of oil and gas exploited which relate negatively with existing social infrastructure, the extent of marginalization and degradation done to the region, and the attendant fall-outs, principal of which are low infrastructural development, illiteracy and poverty. Loss of primary means of livelihood has resulted in inter-ethnic clashes as communities make claims and counter claims on available farmlands and water supply sources. There is rampant seizure and vandalizing of oil and gas facilities and kidnap of oil workers and associated vices.



## **CONFLICT RESOLUTION**

### **Preliminary considerations**

We cannot attempt to give a blue-print to conflict resolution in the oil and gas industries operational areas. This is because the text book approaches have been adopted but with minimal success. Perhaps what we should do is to evaluate and find out what went wrong or what have been going wrong with recent efforts. We may not be qualified to venture into suggesting that more state and federal constituencies be generated out of the existing ones to give the oil-rich communities more voice at legislature. However, we do feel comfortable in suggesting that should this be done, ineffectual representation could be reduced at both levels. The following should be revisited as a matter of priority:

- i) A Committee of experts should review the corporate practices of the oil and gas corporations with a view to enhancing transparency in their relation with the government and communities.
- ii) Crude oil theft has been recognized as one of the major causes of conflict between armed rival groups. The factors that facilitate oil theft should be addressed. A campaign against oil theft in the international scene could reduce the external markets from which money is obtained to arm the gangs.
- iii) How the media report conflicts in the oil and gas areas should also be addressed. Conflict is detrimental to development and should be seen as such.
- iv) There is need for more reconciliation among the aggrieved parties. Previous wounds should not only be allowed to heal with time, they should be openly discussed in a way that demonstrates an alternative to violence in the settlement of disputes.
- v) Although it may be difficult to hold the international weapons' manufacturers accountable, yet information exchange and vigilance among the security agencies can help track small arms movement into the region. Local arms trade can be minimized.
- vi) If there are no alternative employments, it would be difficult to completely disarm gangs. Disarmament and demobilization should be followed by reintegration. This requires a comprehensive approach with effective coordination.
- vii) Job creation activities should be pursued vigorously because disarmament and demobilization may actually increase the amount of



illegal activity since these former gang members may not have options for employment. The oil and gas companies and government agencies should create jobs.

- viii) Development of local networks and investment in communication methods will enhance an early warning system of impending violence. NGOs should be involved in this network and should have the capacity to analyze conflicts.<sup>13</sup>
- ix) The confidence of the people would be restored when government becomes accountable. All cases of abuse of public office should be exposed, punished and the loot returned to public treasury.
- x) Youth programmes should be properly funded to ensure that all youth have equal chances of success in life and the stress of transition to adulthood minimized.

### **Popular participation**

Popular participation or public cooperation is perhaps the most important condition for the success of conflict resolution. Popular participation makes the people more willing to bear hardships and tolerate mistakes since they are part of the decision. This means that the Niger Delta people must be part and parcel of the planning process. They need to be involved in the formulation and implementation of the plan that affects them.<sup>14</sup> Discussions should be held with the people to enlighten them on the available resources and how their needs should be met. If this is regularly done, there should expectedly be a favourable atmosphere for effective operation of the oil and gas companies in the region.

### **Equitable distribution of resources**

**This issue cannot be compromised as a focal point for conflict resolution in the oil and gas producing areas.** Although the oil companies and government may be constrained by other commitments, yet the goose that lays the golden egg must be adequately compensated in terms of development. This may be a complex developmental issue but the operators need to plough back considerable amount of the excess funds directly into the Niger Delta for human resources development, infrastructural development and industrial development. The NDDC has its problems but these can be remedied. With a proper derivation formula, states' revenue will increase for the provision of better social amenities.



## **Regulation of oil and gas activities**

The problem, we think, is not with the availability of regulations and standard, but with enforcement. NOSDRA, we believe was created for this purpose.

## **Market based instruments**

It has often been suggested that pollution taxes and effluent charges should be enforced. The "polluter pays" should be an important account t from which to complement the developmental effort of government in the oil and gas areas. The tax funds should be exclusively used to compensate the communities for environmental damage.

## **Information flow**

Distrust can be removed if information is freely available on funds being disbursed, and distribution of projects. This will increase confidence of the people in the operating agencies and help to minimize inter-ethnic conflicts.

## **An enhanced development agency**

The current special agency on ground in the Niger Delta in the NDDC which is vested with responsibilities as the institutional framework for special development in the Niger Delta region. However, the NDDC is poorly funded and does not seem to delineate the purpose of the commission besides being widely criticized as having loopholes for sharp practices. What is required for a more effective NDDC in the context of conflict minimization is to initiate appropriate legislative amendments to properly define the purpose, scope and structure of the commission. It is expected that with the improved fund and Niger Delta Plan, the NDDC will be more effective in the physical and human Development of the region thereby compensating the communities and states for environmental and ecological deprivation.<sup>15</sup>

## **Review of existing law and derivation principles**

Under Nigeria's laws oil and gas belong to the Federal government, which is the bone of contention in the Niger Delta conflict. One may say that this aspect is ripe for amendment, logically since it does not reflect the desires of the people. It is not surprising that this is one of the bases for the current agitation for a Sovereign National Conference. Of immediate importance is that the existing laws governing derivation principles among other such related laws should be reviewed. It is expected that a judicial review by the Supreme Court should enact other laws regarding resource control or



conflict. The Court should “give voice” to the Niger Delta people by taking expert testimonies of the long-term adverse impact of oil and gas operations in the region.

## **MEDIATING CONFLICTS**

Persons and organizations who perform mediating activities have been known to contribute significantly to de-escalating conflicts and to reaching and sustaining equitable agreements.<sup>16</sup> Mediation is central in the field of conflict resolution and it has expanded greatly since the 1970s.<sup>17</sup> Mediators have become increasingly active in environmental disputes, interethnic relations, industrial relations, international relations and commercial relations. The following activities which focus on de-escalation are performed at various stages of a conflict by intermediaries.<sup>18</sup>

- i) **Provide opportunities for communication:** This important, but minimally intrusive intermediary service is to provide a place for adversaries or their representatives to meet. This is because sometimes adversaries would want to meet to explore possible de-escalating moves but do not want this move publicized until they work out an agreement about the nature of the move. A very important service for adversaries who will not communicate directly to discretely transmit messages between them.
- ii) **Provide information:** As a conflict escalates, the antagonists tend to misinterpret the action and words of each other, exaggerating their hostility. Information about how the conflict is viewed by the other is an essential component of constructive de-escalation.
- iii) **Help adversaries to enter negotiations:** Intermediaries can explore, with representatives of the antagonists, what set of negotiating partners, agenda and context would make negotiation seem worth trying. The formula for negotiations presented by the intermediary is likely to have more appeal and legitimacy than if proposed by one of the partisans alone.
- iv) **Help penetrate emotional barriers:** Intermediaries may help in many ways that help lessen the hostile feelings that hamper members of one side accurately perceiving the other side or believing that its leaders are trustworthy. A mediator sometimes meets with each side privately,



sympathetically listening to expressions of anger, hate, or fear.

- v) **Help stop deterioration:** When conflict persists in escalation, it generally deteriorates into increasing destructiveness. For example, the intermediaries can engage the adversaries in prolonged negotiations which can slow down the escalation.
- vi) **Save face:** Once conflict erupts, each side finds it difficult to appear to accept the ideas of the adversary. If an intermediary voices an idea it can be accepted without seeming to yield to adversary.
- vii) **Change procedures:** Negotiators may become frozen in unproductive procedures and suggesting new procedures may break the impasse. Bringing in high-ranking representatives of the opposing sides, who have more authority to take new positions than lower level negotiators, is a significant procedure change.
- viii) **Help invent new options:** Once a conflict has persisted or has become severe, the adversaries tend to become locked into the positions they have previously staked out. Each side tend to see the others preferred outcome as unacceptable and thus sees continuing or escalating the struggle as better than accepting those terms. Intermediaries often help adversaries think of new options by bringing together a few members of the opposing sides to informally discuss their relationship and identify a variety of possible solutions to the problem they face.
- ix) **Represent persons not represented in the negotiations:** Conflicts generally affect many more parties than those represented in any set of negotiations, and those parties have a stake in the outcome. Intermediaries may be able to represent the more diffuse interests of others by upholding general norms of fairness.
- x) **Construct deals:** Very often, mediators actively shuttle between opposing sides, learning what each side wants, what each will give up, and what each will not abandon. On that basis, the intermediary may develop a possible settlement and propose it to the opposing sides.



- xi) **Generate pressures for an agreement or settlement:** This is a most important role of the intermediaries. They often pressure one or more of the adversaries to reach an agreement. One mild source of pressure is the obligation felt by the adversaries toward the intermediary with whom the parties have a non-antagonistic relationship. Aware of the investment of time and the risk taken by the mediator by trying to help bring about a settlement, the adversaries frequently hesitate to abandon the negotiations, as this may seem disrespectful of the intermediary's efforts.
- xii) **Rally support for an agreement.** Intermediaries often provide support for an agreement, which helps give it legitimacy for the negotiators' constituencies. An intermediary may even testify as to the ability of the negotiators for each side to protect interests of their respective constituencies. When mediators represent a broader community, they are frequently seen as validating the fairness of the agreement. In addition, the negotiating sides are likely to regard the intermediary's engagement in the negotiations as helping to guarantee that the agreement reached will be honoured.<sup>19</sup>

Clearly, many activities which intermediaries perform can enhance the de-escalating process of conflicts. These activities help to speed up the initiating and concluding settlements and contribute to the fairness of a resulting agreement and help ensure its implementation.

### **THE INTERMEDIARY IN THE NIGER DELTA**

Intermediary activities are generally conducted by persons filling a recognized social role, for example, as fact finder, facilitator, mediator, enforcer, or arbitrator.<sup>20</sup> A social role is a position about which a set of expectations are generally shared. An arbitrator, for example, is expected by the parties submitting a dispute to make a binding decision that settles the matter in contention.

The major stakeholders in the oil and gas industries' operational areas are the Niger Delta people, the Federal Government and the trans-national conglomerates. The intermediaries must be well versed in the workings of these three stakeholder groups. The intermediary must be a professional with a cast firm position for conflict resolution but with allowance for compromise among the stakeholders or adversaries. He should harmonize the mediation



Activities discussed earlier, that are relevant to the conflict in the oil and gas region, including existing isolated indigenous solutions, and draw up a workable template for mediation.

#### Current mediatory roles in the Niger Delta

- a) **Committee on the Niger Delta Summit:** The mandate of this Committee which is headed by Vice-President Dr Goodluck Jonathan includes finding solutions to the problems in the Niger Delta which range from youth militancy, oil bunkering, pipe line vandalization, kidnapping, infrastructural decay to mention but a few.<sup>21</sup> The problems are already known but the solution must be arrived at through the participation of the people.
- b) **The Niger Delta Peace and Conflict Resolution Committee:** This committee is headed by Senator David Brigidi and claims to have 'visited all the militants camps before submitting its (2008) report' to Vice-President Goodluck Jonathan. The recommendations of this report are not new. The Federal Government is to commence.<sup>22</sup>
  - i) ***Demobilizing the militants:*** The impression given here is that it is the government that mobilized the militants? The militants can only voluntarily, through negotiation and persuasion, surrender their arms, having accepted the terms of the mediator, and the mediator having conveyed the terms of the militants to the government. It is this mutual agreement that settles the conflict. If the militants were a factor without which there would be no conflict, and this conflict could not be settled otherwise, then an agreement is needed.
  - ii) ***Reintegration of militants into the society:*** We want to believe that the details of the integration have been worked out, because the militants are not mercenaries. They all come from the oil and gas producing communities; unless the government had destroyed their villages and existing infrastructure, which means that new homes should be built for them. This should be part of the negotiation details for the reintegration. The militants having willingly surrendered their arms should be given alternative productive employments and allowed to go home. Without homes and jobs which should have been items in the negotiation, they will simply return to banditry.
  - iii) ***Ecological audit:*** This should be part of the negotiation detail. An environmental assessment report of the oil and gas producing area should be carried out by an independent consultant and the unedited result



circulated among the stakeholders within six months. This should form the basis for addressing the infrastructural deficiencies in the region (We consider the NDDC Master Plan an establishment material which cannot be used to address a post conflict situation).

- iv) **Armed intervention:** In conflict resolution, a third party applying armed intervention will re-escalate the conflict, destroy the confidence and trust that must have been build up or established between the adversaries and make the conflict more violent. The Nigerian government must not allow any external party to be directly involved in the security of the Niger Delta. Internal military build-up will drive militants further underground and make them unavailable for negotiations. The intimidating military presence in the area will have negative impact on negotiations and consequently resolution of the conflict. It may generate sympathy for the militants and could be interpreted as aggression on the Niger Delta people. The violence associated with military intervention and the possibility of a civil strife will further retard intermediary and resolution processes.

The most practical way out of the Niger Delta impasse is negotiation. There is nowhere in the world that bullets have solved resource – related conflicts. We will conclude this section by quoting president Yar Adua on the proposed Niger Delta Stakeholders’ Summit. “One of the primary objectives of the Stakeholders’ Summit is to evolve a consensus and commitment from all concerned parties to end the incessant violence in the region and engender a much more conducive atmosphere for the massive improvement of infrastructure and social services in the region”<sup>23</sup>

### **PROCESS MAP FOR THE RESOLUTION OF NATURAL RESOURCE CONFLICTS**

A conceptual conflict management procedure may be presented here to meet the needs of practitioners engaged in mediation to resolve natural resource conflicts. However, the objective is to deal with conflicts and disputes that are at a low level of intensity and are not characterized by a high degree of violence and insecurity. The orientation is towards crisis prevention, with the aim of dealing with conflicts and disputes before they escalate into high – intensity, violent situations. This is because preventing escalation is much more cost effective than intervening only when severe damage has already been done.<sup>24</sup>



The main framework for resolving natural resources conflicts is to supplement traditional or local decision – making procedures by bringing the conflicting parties together to solve problems jointly through negotiated settlement. The framework includes:

- a) Procedures for collaborative decision-making that can take place with or without mediation. The hallmark of these procedures is their flexibility, which allows for optimal adjustment to the specific needs of parties in the conflict management process.
- b) The mediator, playing the role of an impartial third party serves in a facilitative role and is crucial in helping to overcome mistrust, procedural questions, stalemates or other circumstances that can halt negotiations. The mediator's role involves providing procedural, substantive and psychological support.

#### **The ten-step conflict management process map**

This process map is not intended as a uniform, rigid sequence to be applied in the same way in all settings and situations. On the contrary, it is offered as an inherently flexible and adaptable framework. Those engaged in conflict management procedures can tailor its approach, techniques and exercise to suit their own particular needs or previous experience. A virtue of the framework is its following of a progressive sequence from entry to exiting the conflict management process. The ten steps are summarized as follows:

- STEP 1: Preparing entry:** Mediators clarify roles prepare contacts, Examine background information and develop strategies for Contacting the various stakeholders.
- STEP 2: Entering the conflict scene:** The first contact is usually through separate meetings with each of the concerned parties; mediators, then clarify their own roles and secure a communication to start mediation.
- STEP 3: Conflict Analysis:** This involves clarifying assumptions about the stakeholders' positions in order to ascertain whether consensual and indirect-based negotiations are possible and whether the process should continue with the mediators' involvement.



- STEP 4:** Broadening stakeholder engagement: Participatory stakeholder analysis is facilitated with the involved parties assuming greater control and responsibility.
- STEP 5:** Assessing options: Mediators help stakeholders to formulate and assess options for managing or resolving the conflict.
- STEP 6:** Preparing negotiations: People and logistics are made ready for the conducting of negotiations.
- STEP 7:** Facilitating negotiations: Mediation, facilitation and reconciliation methods are used as the contesting parties engage in face-to-face discussions to identify possible options for agreement; ideally this involves a shift in the framing of the conflict from positions to interests and needs.
- STEP 8:** Designing agreement: Mediators help the parties to define, evaluate and decide on specific points of agreement.
- STEP 9:** Monitoring the agreement: Mediators assume a support role in clarifying implementation and monitoring of the agreement.
- STEP 10:** Preparing to exit: Mediators hand over responsibility for the conflict management process to local stakeholders or a trusted local mediator, providing capacity building support, if needed within the community for conflict management.

These ten steps are not a rigid blue print, simply because the actual process of conflict mediation is not linear but moves backward and forward as situations and capacities change. These steps can be modified and made applicable to individual situations in the Niger Delta where conflicts arise between communities on one hand and operating companies on the other or where the companies and government are joint adversaries in conflict with the communities.

#### **OTHER ISSUES RELEVANT TO CONFLICT RESOLUTION IN THE NIGER DELTA**

- 1. Training and Consultation Services:** Persons and organizations should



provide training and consultation services in conflict resolution methods. These should be based in the academic, business, religious, non-governmental or philanthropic setting. The training includes developing skills in negotiation, active listening, mediation, strategic planning, and many other aspects of conducting a constructive struggle. The consultation should include such training that helps in developing conflict-management systems. Such intermediary activity could be carried out with one of the sides engaged in a conflict, or even with all sides. Preferably it should be undertaken before conflict erupts, but it can also go on even if the conflict is protracted, or even after resolution has been achieved to help transform adversarial relations.

2. **Problem solving Workshops:** This is a relatively new form of conflict resolution which utilizes a workshop structure. Often, an academically based convener brings together a few members of the opposing sides and guides and facilitates their discussions about the conflict in which they are engaged. The participants are often persons with ties to the leadership of their respective parties (or have the future). The workshop may last for a few days.
3. **Dialogue Groups:** A few members of the adversary groups could develop an ongoing series of meetings at which they discuss particular aspects of the conflict in which their groups are engaged. These unofficial, regular meetings between well-connected persons from adversary groups could play significant roles in providing a channel of communication and discussion of possible solutions to contentious issues. Members act as unofficial mediators, but their actions are done consciously and are known to the leaders and others in the groups to which they belong.
4. **Multilateral Conferences:** Local conflicts such as in the Niger Delta which relate to resource use involve numerous aggrieved parties. A variety of conference formats should be used to bring many of the stakeholders together in order to find acceptable solutions. Under no circumstances should any group, party or community be excluded from this conference type. Usually, delegations in multilateral conferences sometimes coalesce into camps with similar interests so that fragmentation of interest is finally removed.



## **CONCLUSION**

The Government should promote peace as a foundation for development, through the development of a conflict warning system and application of proper conflict resolution procedures when conflict breaks out. Only persons with proven records of honesty and integrity should broker for peace. There is more ground work in conflict resolution than is currently being practiced in the Niger Delta. Essentially, conflict management is not all a media affair. Some discrete assurances and word of agreement should be permitted to mature before public consumption. We are optimistic that with proper procedures and keeping of faith, the oil and gas region can become relatively free of conflicts.

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