

KONCEPTUALIZACE A BOJ PROTI HNUTÍ ZA EMANCIPACI DELTY NIGERU**CONCEPTUALIZING AND COUNTERING THE MOVEMENT FOR THE EMANCIPATION OF THE NIGER DELTA***Petr ZELINKA****Abstrakt**

Dopady povstání v deltě Nigeru nezasahují jen samotnou Nigérii (nejvýraznějším příkladem mohou být rostoucí ceny ropy). Tento článek se pokouší o konceptualizaci v současnosti nejvlivnější a nejnebezpečnější skupiny v oblasti – Hnutí za emancipaci delty Nigeru (MEND). K tématu je přistupováno z pragmatického hlediska s ohledem na důsledky související s pojmy jako terorismus. Cílem práce není pouze pochopení skupiny MEND, ale také návrh strategie protipovstaleckého či protiteroristického boje, přičemž základem je porozumění prostřednictvím konceptualizace.

Abstract

The insurgency in the Niger Delta has wider consequence than just for Nigeria (rising oil price as most sounding examples), this article will try to conceptualize the most influential and dangerous contemporary group in the region – the Movement for the Emancipation of Niger Delta (MEND). This will be done from a pragmatic point of view, bearing in mind the consequences which labels such as terrorism evoke. The work aims for more than to conceptualize the group but also to propose a counter-insurgency or counter-terrorist strategy, these will be based on the understanding the MEND via the conceptualization.

Klíčová slova

MEND, Nigérie, delta Nigeru, konceptualizace, násilný nestátní aktér – VNSA, terorismus, etnický terorismus, strategie boje proti terorismu, válka o ropu.

Keywords

MEND, Nigeria, Niger Delta, conceptualization, Violent non-state actor – VNSA, terrorism, ethnic terrorism, counter-terrorism strategy, oil war.

INTRODUCTION

The Gulf of Guinea has become a popular issue in academic sphere recently. It offers many topics relevant for research and analysis in political science – failed state, petro-state, oil curse, indebtedness, authoritarianism, corruption, civil war, transnational crime and so on. Also the relevance of the research grows as grows the share of oil from the Gulf of Guinea in global consumption and in certain countries – mainly USA and China. Last but not least, it has become a spot for confrontation and competition of oil transnational companies from various countries usually backed by their governments.

Nowadays we are witnesses of an upsurge of violence in one of the key regions of the Gulf of Guinea – the Niger Delta. The situation has come so far that both actors – army and the insurgents have declared all-out war¹. The most important actor in the Niger Delta is beyond any doubts the

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Movement for the Emancipation of the Niger Delta (MEND). We will try to conceptualize this group, in more concrete terms, find out whether it is appropriate to label it as a terrorist organization. This label has its consequences not only on the normative and legitimate level but also in the possible response of actors involved – with the possible establishment of USA's AFRICOM due to, among others aims, stabilization of oil output of the region², a crucial question in the near future.

Conceptualization itself will be done by approximation, which means that the conceptualization will begin on the most general level – using the concept of violent non-state actor (VNSA) as formulated by Thomas, Kiser and Casebeer.³ Then we will proceed to the question whether MEND is or is not a terrorist organization, where we will apply more than one definition or approach because consensus on this level does not exist so far.⁴ Last step will consist in deciding upon the question of ethnic terrorism and its relevance for MEND, we will draw upon the work of Daniel Byman.⁵

This analysis should not be understood as an academical and theoretical play with terms and categorization. Each concept (VNSA, terrorism, ethnic terrorism) not only tells us something about the actor but also offers possible solution and hints how to overcome its strength and diminish its support. Goal which Nigerian government led by both Olosegun Obasanjo and now Umar Yar'Adua was not able to achieve so far.⁶ On each level of analysis or approximation we will weight the importance of counter-strategy as proposed by the key authors for particular type of violence. We should bear in mind that the three concepts used in this article are not mutually exclusive, precisely opposite, violent non-state actor being the most general category; terrorism will be understood as a certain type of VNSA and ethnic terrorism as a specific form of terrorism.

MEND AS VNSA

VNSA is defined as: „non-state actor that uses collective violence“⁷ and to make it even clearer „VNSA resort not only to random or opportunistic aggression, but to collective violence as a tool to achieve goals“.⁸ Although the precise strength of MEND is not known, estimates of its size range from the low hundreds to the low thousands.⁹ Also the condition of use systematic violence has been proved beyond any doubt (see Appendix 1). From this it is clearly visible that MEND is well suited for the category of VNSA, if anything, than thanks to general scope of this concept.

Thomas, Kiser and Casebeer¹⁰ emphasize the role of environment and society when it comes to understanding the creation of VNSA. The deeds and act of government could also be very strong reinforcing factors concerning the spawning of VNSA. It's clear that when devising counter-insurgency strategy this must be taken in account. They name five environmental and societal factors: resource scarcity, demographic pressure, socio-economic deprivation, organized crime and corruption, identity cleavages and three reinforcing factors caused by government: illegitimacy, incapacity, extensive use of coercive force, all have effect on forming the VNSA.

Resource scarcity

Because of environmental degradation caused by extensive oil extraction in Niger Delta the amount of fresh potable water decreased, damaged was also the natural habitat of fish – one of main sources of food for people in Delta.¹¹ Even that this lead to creation of demonstrations and political campaigns, according to the author it is not the main source of resentment of local people which lead to creation of MEND. Because as was shown some of the oil leaks and environmental pollutions was caused deliberately by the inhabitants themselves to get some money from the multinational corporations. It is clear that environmental degradation is important but probably only as a reinforcing factor.

Demographic pressures

Delta is one of the most populated regions of Nigeria, but the problem of overpopulation never appeared in rhetoric of militants as an issue. It can only support the violence secondarily – because of the swelling number of unemployed youth.

Socio-economic deprivation

The violence and MEND itself is clearly driven by economic deprivation – people of Niger Delta feel deprived of rents and income from oil extraction, by now the regional states receive only 13% of Nigerian oil revenues.¹² It is clearly articulated in rhetoric of MEND when its main goal is to achieve that 25-50% of oil revenues would get to the foundations maintained by community.¹³ The vision of easy cash is symptomatic for all countries of the Gulf of Guinea.

Organized crime and corruption

The role of organized crime should not be underestimated. Transnational crime but also pauperized population is responsible for stealing the oil in so called „bunkering“ or „local bunkering“. ¹⁴ What is important part of the governing elite is linked to the smuggling organizations and syndicates and have no interest in ending the violence.¹⁵ As long as the violence and chaos endures they can tap the resources for their own interests. It is also necessary to mention the role of oil companies which tried to appease resentments by paying dividends, but this soon led to confrontations between the populations over this source of income.

Identity cleavages

MEND as many similar violent groups are mostly formed by Ijaw. It is true, that there were some skirmishes between Ijaw, Itsekiri, Urhobos in the past,¹⁶ but not on the identity basis, rather because of revenues attached to the oil extraction – mainly compensations. They are not identity conflicts per se, but identity has been soon intermingled with the revenue demand. This will be explained below, let's just say that identity plays only a secondary role, if any.

Illegitimacy

The Nigerian state never achieved full legitimacy in the eyes of Nigerians, partially because of colonial heritage and lack of national idea. But also because it has no need to be legitimate – what is important to preservation of regime is the control of oil revenues, other sources of income, such as taxation, are almost non-existent.¹⁷ Well known corruption of states bureaucracy¹⁸ does not help to improve the image of state.

Incapacity¹⁹

After the early oil boom years came the indebtedness of state and virtually contracting its role and function almost only to oil extracting tasks even where the help of transnational companies was essential. The abandonment of so called white elephant projects betrayed the expectations of people.²⁰ Incapacity could also be seen in terms of failing in disrupting most of VNSAs in Niger Delta.

Excessive use of violence

Coercive force not only in Delta region was the hallmark of Nigerian military regimes – such as Babangida's or Abacha's, but unfortunately not limited to them.²¹ The infamous repression of

Ogoni movement or Ijaw Kaima declaration²² has contributed to the fact that the cause has been promoted in a violent way.

MEND AS TERRORIST ORGANIZATION

The problems with definition of terrorism and labeling an organization as terrorist are manifold.²³ To avoid most of these we will embrace the approach recommended by Boaz Ganor²⁴ and Brian Jenkins²⁵ which basically is to focus on means or modus operandi of an actor. The identity of that actor does not play a decisive role. We set some criteria about the act that are terrorist and then we can more or less objectively decide whether the actor could be labeled a terrorist organization or not. This step is important because otherwise the act of labeling could be easily biased by researcher's preferences or political views.

What is first needed is a basic definition of terrorism. In this article we will use Ganor's definition which states that: „terrorism is the intentional use of, or threat to use violence against civilians or against civilian targets, in order to attain political aims“.²⁶ Secondly, as forms of violence could be various we adopt Jenkins view of summarizing the tactics of terrorism: bombing, hijacking, arson, assault, kidnapping and hostage taking. Also use of WMD can be added²⁷ although this is irrelevant for this case.

By this we created criteria which if fulfilled will tell us that MEND is a terrorist organization. To further underscore our point we will use Hoffman's²⁸ approach to delineate terrorism distinguishing it from guerrilla and organized crime, both can be relevant for the region and perhaps also for MEND.

Applying the definition

Violence as a mean of MEND was already confirmed earlier, now we just have a look what it uses specifically. The main tool of nowadays terrorists is the bomb. MEND differs slightly from this rule. So far it used bomb attacks mainly against infrastructure – oil pipes and oil facilities and only three times as a car bomb – two of the bombs killed several civilians.²⁹ The main tactic of MEND certainly is kidnapping. MEND specializes in abduction of foreign workers belonging to one of the big transactional oil companies. The hostage is usually released after a period of time (see Appendix 1) under not clear circumstances – many believe that after a ransom is paid, which is a common practice of criminal groups operating in Delta, but MEND denies this.³⁰ Assault also has its role in MEND tactics. Usually foreign contractors are not targeted, even though few were killed, but more importantly MEND sometimes attacks military personnel on duty,³¹ but this is not relevant to the definition conditions as they are not civilians.

The condition of use of violence³² or threat of it against civilians or civilian targets (the infrastructure) is fulfilled, even though that for example Oliviera³³ argues that the private oil companies are in the eyes of local population seen as a part of government. Firstly, even if it were considered part of governmental institution it still would be civilian targets and secondly, author's opinion is that in case of MEND this can not be argued because it did not abduct personnel of the Nigerian National Oil Company – proof that it can distinguish one from another. Nigerian personnel probably do not pose the symbolic value and most importantly it does not bring the media in. But the kidnapping of foreign workers does that and it can put pressure not only on transnational companies, but also on government.

All the rest is to decide whether the aims of MEND are political. The key demands of MEND are: resource control (25-50% of oil revenues should be channeled back to communities and not via state and its bureaucracy but through foundations controlled by communities); release of two key ethnic leaders (Dokubo Asari, who was released by Umar Yar'Adua in 2007 and Dieprey Alamieyeseigh – an ex-governor of one of the Delta states, contemporary demand is the release of

Henry Okah who is deemed to be one of MEND leaders); force Shell to pay 1.5 billion USD as redemption for environmental damage.³⁴ Even though that the political agenda of MEND is heavily economically embedded and orientated it should not blur the fact that it is still primarily political. The argument about „revenue cake“ is characteristic for many oil exporting countries and most of the politics in states of the Gulf of Guinea is oriented this way.³⁵

Using Hoffman´s approach

The term guerrilla could perhaps be also applied to MEND, but our point is to show that terrorism suits it better. What speaks for applying guerrilla concept are the military-like operations³⁶ and training³⁷, according to some sources also the support of local population.³⁸ On the other hand Hoffman offers some points which help distinguish terrorism from guerrilla, and they prove the opposite. According to him „terrorists, however, do not function in the open as armed units, generally do not attempt to seize or hold territory, deliberately avoid engaging enemy military forces in combat...exercise no direct control or governance over populace at either the local or national level“.³⁹ MEND is characteristic for being exactly like this. Operating clandestinely, deliberately attacking civilians, military objects are engaged rarely, if they are then usually using indirect approach, such as bombing. Also MEND does not try to hold a territory or implement its way of governance there. Additionally when applying Geneva Conventions criteria, as for example Miroslav Mareš recommends,⁴⁰ we conclude that MEND does not have distinct leadership accountable for local actions, neither does it have uniforms or insignias, does not carry arms in an open way and does not comply with regulations and customs of warfare (primarily targeting civilians as sound example). When taking in account the number of members of MEND which in the estimate could be around low thousands⁴¹ it speaks more for terrorist organization than for guerilla.⁴² There is also the power of analogy which favors MEND as terrorist organization because even more guerrilla-like organization as FARC or Sendero Luminoso are considered terrorist organization.⁴³ According to author some similarities which MEND poses with guerrillas are outweighed by characteristics which MEND has in common with terrorism, most of all, targeting civilians and not military forces and objects.

Many groups in the region have become or have been from the beginning just criminal organizations focusing on raising dividends from oil companies and collecting ransoms from relatives or superiors of hostages.⁴⁴ This activity could be labeled as criminal terrorism.⁴⁵ Is not MEND built on the same foundations? With closer look we can say it is not. Once again Bruce Hoffman offers some points for differencing the both types: „criminal act is not designed or intended to have consequences or create psychological repercussions beyond act itself...criminal is not affected with influencing or affecting public opinion.“⁴⁶ Both points do not correspond with the case of MEND – sending emails to different media or showing the photos of hostages clearly speaks in favor of MEND trying to affect wider audience then the primary victims. Also as Hoffman mentions⁴⁷ that terrorists (with the exception of religious terrorists⁴⁸) do seek to serve greater good than just for themselves – for the community and region in case of MEND. So although it is possible (but not confirmed) that MEND raises money from kidnapping, oil bunkering or smuggling – it is also quite common nowadays, most terrorist organizations as they are in need of assuring enough finance for its operations use criminal activities to raise sufficient funds.⁴⁹

In the author´s point of view it has been argued beyond doubt that when considering terrorism mainly as mean or tactic MEND should be labeled as terrorist organization, this was further confirmed by eliminating possibilities of guerrillas or criminal organization. One more point must be assured though. It should be also mentioned that government´s military and police forces have deliberately targeted civilians and government is responsible for more casualties than any other actor.⁵⁰ Instead of labeling the government as a terrorist too, which is usually reserved for non-state

actors, we should say for maintaining balance and objectivity, that it waged terror or committed crimes against humanity.⁵¹

Structure of MEND

After examining the tactics it can be useful for purpose of counter-terrorist strategy focus on MEND's structure. In academic sphere there is consensus that its structure is decentralized and that it works as an umbrella organization for other militant groups in region.⁵² That is probably exaggerated because on many occasion MEND tried to distinguish itself from other groups which are usually more concerned in profit than political goals. It is more than possible that MEND is not able to control other groups even though it has some strategic alliances with some.⁵³ More than an umbrella organization it became an umbrella term which other seek to use – similarly to the case of al-Qa'ida. What happened recently is splintering in lines of MEND. There are at least three organizations carrying its name: Authentic MEND, Baylesia Division of MEND, and Delta Division of MEND.⁵⁴ Some even consider MEND as broken up and degraded into bunch of criminal organizations.⁵⁵ This is probably not true. In author's opinion we are witnesses of the same process similar to what happened with Palestinian Islamic Jihad⁵⁶ – the organization covered itself with protective layers of similar names of other organization real or not and by this it gained elusive character – important obstacle in counter-terrorist strategy. No matter what reasons were behind this division today the remaining parts and other political groups using violence should be imagined as network connected to MEND which is another network itself,⁵⁷ held together by common political aims but usually operating independently.

ETHNIC TERRORISM

Daniel Byman is so far the most important author writing about ethnic terrorism as theoretical concept and we will heavily draw upon his *Logic of ethnic terrorism*. He defines ethnic terrorism as: „deliberate violence used by subnational ethnic group to advance its cause “. ⁵⁸ Every feature in this definition has its relevance to MEND.

First, we obviously have to deal with the ethnic aspect as a preliminary condition. As mentioned earlier MEND as most contemporary violent non-state actors in the area are formed by Ijaw ethnic and the ethnic aspect is used in its rhetoric – basically we can said that MEND is fighting for what it sees as the greater good of Ijaw community. Oliviera⁵⁹ makes a very interesting point about ethnicity in the states of Gulf of Guines, he argues that the ethnicity is mostly formed around the idea of oil or better to say around the right of having its share of oil revenues. This is very true in case of MEND. Now let's focus on more subtle features that accompany Byman's work.

Second, there is a process according to Byman attached to ethnic terrorism – a process of forging distinct ethnic identity and fostering ethnic mobilization which is usually connected with government persecution. It is necessary to say, that there really were some political activities aimed on raising awareness of Ijaw people and government responded with excessive force as for example in the case of Odi massacre, where 2000 civilians were killed.⁶⁰ These were not initiated by MEND and also it does not seem that MEND is trying to deepen the Ijaw identity at least not by psychological operations or propaganda. This is also in odds with Byman's proposition that influencing government decisions is only second in importance to fostering the ethnic identity. But once again we must emphasize the difficulty to fully separate ethnicity and demand about oil revenues, which is ethnic in its character.

Third, Byman understands the violence committed by ethnic terrorist also in the symbolic level – as long as the violence continues the ethnic identity lives on, this very well illustrates the importance of violence in Delta region, although some Ijaws reject terrorism, as long as the

violence continues the government is forced to seek solutions and even tries to negotiate with Ijaws. Also the victims of terrorism – foreign oil workers – pose a symbolic relevance – not only their kidnapping bring the media in or hinder the economy but also by that MEND symbolically protects what belongs to their community – oil reserves.

Fourth, Byman argues that ethnic terrorist will attack the identity of rival groups and state imposed identity. This does not happen much in MEND's case. MEND aims its activities mainly vis á vis the government and is not really concerned with other ethnic groups. Government itself does not in fact create any national identity as Byman anticipates – one of characteristic features of petro-states in Gulf of Guinea.⁶¹

Fifth, these who are not fully with case or makes too much compromise with government are labeled as traitors of the community – as happened with Dokubo Asari – the ex militant authority who laid down weapons in exchange for money compensation.⁶² This reinforces understanding MEND as ethnic terrorism.

As sixth – Byman argues that ethnic terrorism resembles in some aspects guerrilla – an idea which may explain the points made earlier about some features of guerrilla being in common with MEND.

Finally, academic Akcam⁶³ presents model of ethnic terrorism dynamics (see Appendix 2) – in some aspects corresponding very well to MEND behavior and capacities.

Points mentioned higher show that in some aspect MEND corresponds to Daniel Byman's concept of ethnic terrorism but is some it does not. Some of the difference can be counted for certain features of states in Africa and especially in the Gulf of Guinea. Let's now embrace more pragmatic approach – what do the concepts and labels – VNSA, terrorism, ethnic terrorism – tell us about the strategy of countering MEND?

COUNTERING MEND

Countering MEND as VNSA

What Thomas, Kiser and Casebeer⁶⁴ advice us when it comes to countering MEND? The genesis of MEND can not be prevented now even that it would have been the most effective way. From this point – considering MEND a mature VNSA – we basically have two options – to disrupt it or to transform it.

Disruption should be done in a complex way – where military action is only part of it. Attention should be paid to the life cycle of MEND, communication among parts of organization should be hampered, nodes of contact disrupted. Also the environment where MEND operates should be transformed to work against MEND – inputs should be prevented, transformation of energy hampered, outputs should be made of no use. Also entropy of MEND should be supported.⁶⁵

What does this mean in practice? Fighters of MEND should be selectively attacked (MEND seems to have degraded capacity to fight recently⁶⁶), but collateral damage to civilians prevented. The roots which formed MEND removed and assured that its recruiting capability decreased – for example by more careful implementation of the so called Niger Delta Development Master Plan.⁶⁷ The disintegration of MEND should be supported by negotiation with parts of the organization, even though that this strategy has its difficulties and can easily backfire. Energy (recruits and oil) should be secured – education heightened and jobs created, pipelines and facilities should be made safer. The transformation of inputs (training, smuggling and buying of weapons and equipment) should be disrupted by compliance with ECOWAS small arms moratorium and combating transnational criminal organizations which made Nigeria one of the bases for its operations in West Africa should be made priority.⁶⁸

This all would however require sincere effort to change the status quo, in which part of the elites has its interest – some of them are linked to organized crime, also corruption is well known both on state and federal level.⁶⁹

Transformation represents an option of government which relies on co-optation, negotiated settlement, but also deterrence. All of this encourages VNSA to transform into a non-violent actor.⁷⁰ Co-optation has produced many good results in history of conflicts, but usually only temporarily. The roots of the problem were not solved and soon another VNSA sprung up. Negotiation of settlement requires some cession concerning the oil revenue, which is quite unlikely because in Nigerian federation the oil revenues make around 80% of income and proposed 18% for local states is not going to appease the MEND or community.⁷¹ Deterrence – which considers MEND as a rational actor – would work if Nigeria increased its capabilities a lot and this is probably not going to happen, because Nigeria opposes future operations of AFRICOM in what it sees as its own domain.⁷² The window opportunity Umar Yar'Adua tried to use is over and cost of negotiation is higher than immediately after he was elected as president.⁷³

Countering MEND as terrorist organization

There is not a single counter-terrorist strategy as such, so we have to choose one of more which would be most convenient. Because of the structure of MEND which is very nebulous in its character and seems to resemble a network we will apply the Arquilla and Ronfeldt ideas about how to defeat a network – the swarm attack or swarming. Swarming is „seemingly amorphous, but it is a deliberately structured, coordinated, strategic way to strike from all directions, by means of a sustainable pulsing of force and/or fire, close-in as well as from stand-off positions“. ⁷⁴ This should not be taken literally and with accord with Arquilla's and Ronfeldt history of emphasizing role of informational warfare, the psychological level should not be neglected.⁷⁵

The essence of swarming is to attack continuously and on many places which when speaking about MEND means to bring down its legitimacy by it by psychological operations, emphasizing national idea or using concession to cut off MEND from popularity among Ijaws. Swarming should contain disrupting MEND's financial and smuggling activities preferably by international cooperation and legislative measures. Also the technological deficiency of Nigerian forces when compared to MEND's should be tackled.⁷⁶ Doctrinal capabilities and thinking of officers should be changed to be more convenient with swarming, its crucial because MEND seems to be using the very same swarm-based maneuver ⁷⁷ which fits very well to the environment of Niger Delta (rivers and creek allow swift maneuvers when using speedboats).

Resembling in many aspects the previously mentioned counter MEND strategy also poses similar weakness – mainly the unwillingness of Nigerian state and its certain parts (especially military) to act according to the outlined strategy. Doctrinal change or international cooperation in the author's opinion are very unlikely, more funds for equipment, training and wages for soldiers are not the priority of this government, so far only accomplished point is passing the law which elevates oil revenues for Delta states from 13% to 18%, but it did not come to force, which should not be understood as major concession because the money will still be channeled via local states and probably the locals will not get much of it.

Countering MEND as ethnic terrorism

When Daniel Byman was writing his article *Logic of Ethnic Terrorism* he did not forget to mention the counter-ethnic terrorism aspect and once again this will make the pillar around which we will draw our facts about MEND and Nigeria.

Important point is made by Byman – usual counter-terrorist strategy does not have to work in case of ethnic terrorism – different logic applies to it. Public campaign against ethnic terrorism only highlights its cause – trial gives the accused the opportunity to draw attention and perhaps to win

the minds of moderates.⁷⁸ The detention of Dokubo Asari, Dieprey Alamieyeseigh validates this point. Even that they were accused of money defraudation and tax dodges they were seen as heroes at least in some part of the Ijaw community.⁷⁹ Government should pay attention to this as another could-be-hero Henry Okah is detained, for weapons smuggling.⁸⁰ Also thin and blurred layer separates moderate movements from terrorist organizations and if a terrorist organization is disrupted it still could have very supportive effect to the cause among more moderate movements, especially if the counter-terrorism is publicized. Appeasing moderates on the other hand sends counter-productive message that terrorism pays. Byman's main idea is that „the ideal way to counter ethnic terrorism is through „in group“ policing, in which the ethnic group as whole identifies, ostracizes, and suppresses radicals“.⁸¹ Bearing in mind that this is not a panacea and can not be applied to all situations we will now examine the Ijaw community, especially moderate voices.

Oil money, unemployment and neglect of government have had negative effect on social fabric and influence of traditional authorities has been waning away. Their role in mediating negotiation in hostage situation has been sometimes seen as profit seeking.⁸² Broader and quite popular movements as Ijaw National Congress or Ijaw Youth Congress also support, sometimes actively, the idea of Ijaw struggle or insurgency against government. Vicious cycle of violence in opinion of author has had its toll on number of ethnic Ijaw rejecting violence as mean of struggle. For „in policing“ the trust in government or local government is important. The trust that abandoning the path of violence means more benefits reached. But so far the more damage was done and the more the oil economy was hurt, the government was more prone to negotiate or even make some concession. This inevitably leads to weakening the position of moderates rejecting violence and logically diminishes the relevance of Byman's model.

CONCLUSION

The article showed that MEND fulfils conditions to be labeled VNSA but also a terrorist organization and we can say that despite some discrepancy with the ethnic terrorism model MEND could be understood even as a case of ethnic terrorism. However bearing in mind political consequences of this label we hurry to add, that MEND should not be studied in isolation and that government not only seriously disobeyed the human rights of people in Niger Delta but also indirectly (according to the VNSA model) contributed to creation of VNSAs in general. And if Daniel Byman is correct and if government will use force against the community as whole, as it did in past, it will only support the cause and Ijaw determination to fight – Ijaw cause transcends MEND or any other organization and this should be held in mind.

By that we move on to the question of countering MEND. Unfortunately even after trying strategies which each model offers we did not produce satisfying results. There does not seem to be an easy solution to disrupting MEND or solving the problem of Niger Delta as whole. However the work was not entirely futile as we discovered that the government is a common denominator in each strategy – in a negative way. The government or regime seems to be the biggest obstacle to successful counter strategy. The regime in petro-state could be imagined as an entity which floats over the society but has no links to it and is almost only concerned with revenues from oil extracting,⁸³ which puts it in odds with people of Niger Delta who in majority feel deprived from what they see as their right – oil revenues. So the solution to successful removal of MEND probably leads through enhancing the legitimacy of regime which is connected with struggle against corruption and promotion of democracy, but inevitably some concession when it comes to oil revenue share must be made. When the legitimacy of government is strengthened by this approach it can start to negotiate with MEND with a better position in a dialogue. Most importantly, if MEND decided in the past to advance its cause with violence it could also be persuaded, given enough incentives, to abandon this approach.⁸⁴

To avoid excessive pessimism we should emphasize the role of today's president Umar Yar'Adua who at least to some extent is aware of complexity of the situation and willing to negotiate and solve the problem – unlike Olesegun Obasanjo, and was even able to negotiate a truce with the militants.⁸⁵ He even founded a ministry of the Niger Delta.⁸⁶ But as recent outbreak of violence caused by the Nigerian army shows some of the Nigerian elites are somehow resistant to Yar'Adua's approach and unwilling to change the share of oil in their disadvantage.⁸⁷ We should carefully observe the future of MEND, not only that their acts affect the prices of oil but also it could be emulated for example in Angolan oil rich enclave – Cabinda or Democratic Republic of Congo who have been witnesses of violence of non-state nature for long time.

NOTES

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² STRATFOR, *Nigeria: Maneuvering for Control in the Gulf of Guinea*; OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, p. 3.

³ THOMAS, Troy S., KISER, Stephen D., CASEBEER, William D. *Warlords Rising: Confronting Violent Non-State Actors*.

⁴ See for example WHITE, Jonathan R. *Terrorism and Homeland Security*, HOFFMAN, Bruce. *Inside Terrorism, Revised and Expanded Edition*, STRMISKA, Maxmilián. *Terorismus a demokracie: Pojetí a typologie subverzivního teroristického násilí v soudobých demokraciích*.

⁵ BYMAN, David. *The Logic of Ethnic Terrorism*.

⁶ In this article we will focus only on facts that are linked to our analytical question, for readers who are not that familiar with facts and situation in Nigerian Delta, please feel free to browse any publication concentrating on history and understanding of the conflict. For example CRISIS GROUP, *The Swamps of Insurgency: Niger Delta Unrest*; CRISIS GROUP, *Fuelling the Niger Delta Crisis* GHAZVINIAN, John. *Untapped, the Scramble for Africa's oil*, pp. 17-70, 75-80; HUMAN RIGHTS WATCH. *Rivers and Blood: Guns, Oil and Power in Nigeria's River State*; SHAXSON, Nicholas. *Poisoned Wells, the Dirty Politics of African Oil*, pp. 189-208; ZELINKA, Petr. *Současný konflikt v deltě Nigeru*.

⁷ THOMAS, Troy S., KISER, Stephen D., CASEBEER, William D. *Warlords Rising: Confronting Violent Non-State Actors*, p. 7.

⁸ *Ibid.*, p. 9-10.

⁹ HANSON, Stephanie. *MEND: The Niger Delta's Umbrella Militant Group*.

¹⁰ THOMAS, Troy S., KISER, Stephen D., CASEBEER, William D. *Warlords Rising: Confronting Violent Non-State Actors*, pp. 15, 55.

¹¹ ROWELL, Andy, MARRIOTT, James, STOCKMAN, Lorne. *The Next Gulf: London, Washington and Oil Conflict in Nigeria*, p. 10.

¹² KURTI, Daniel B. *New Militia Is Potent Force in Nigeria's Oil-Rich Delta*.

¹³ CRISIS GROUP. *Fuelling the Niger Delta Crisis*.

¹⁴ IKELEGBE, Augustine. *The Economy of Conflict in the Oil Rich Niger Delta Region of Nigeria*; GHAZVINIAN, John. *Untapped, the Scramble for Africa's oil*, pp. 45-57; CRISIS GROUP. *Fuelling the Niger Delta Crisis*.

¹⁵ BBC. *Nigerian oil fuels Delta conflict*.

¹⁶ CRISIS GROUP. *Fuelling the Niger Delta Crisis*.

¹⁷ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, pp. 49-51, 79-83.

¹⁸ ALUKO, M.A.O. *The Institutionalization of Corruption and Its Impact on Political Culture and Behaviour in Nigeria*; FOREST, James J.F., SOUSA, Matthew V. *Oil and Terrorism in the New Gulf: Framing U.S. Energy and Security Policies for the Gulf of Guinea*, pp. 8-9.

¹⁹ When speaking about incapacity, one could also consider the multinational corporations as an important actor in the dealings with the militants, but it seems that multinational companies are not as active as they were in 90's when it comes to dealing or negotiating with inhabitants and leave this task mainly to executive powers.

²⁰ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, pp. 87-103.

- ²¹ See ROWELL, Andy, MARRIOTT, James, STOCKMAN, Lorne. *The Next Gulf: London, Washington and Oil Conflict in Nigeria*, pp. 83-90.
- ²² Ibid., pp. 21-23; CRISIS GROUP. The Swamps of Insurgency: Niger Delta Unrest.
- ²³ See HOFFMAN, Bruce. *Inside Terrorism, Revised and Expanded Edition*, pp. 1-41; WHITE, Jonathan R. *Terrorism and Homeland Security*, pp. 2-4.
- ²⁴ GANOR, Boaz. Is One Man's Terrorist Another Man's Freedom Fighter?
- ²⁵ JENKINS, Brian M. The Study of Terrorism: Definitional Problems.
- ²⁶ GANOR, Boaz. Is One Man's Terrorist Another Man's Freedom Fighter?
- ²⁷ JENKINS, Brian cited in WHITE, Jonathan R. *Terrorism and Homeland Security*, p. 9
- ²⁸ HOFFMAN, Bruce. *Inside Terrorism, Revised and Expanded Edition*, pp. 35-40.
- ²⁹ See CRISIS GROUP. The Swamps of Insurgency: Niger Delta Unrest. International; CRISIS GROUP. Fuelling the Niger Delta Crisis. International Crisis Group; CRISIS GROUP. Nigeria: Ending Unrest in Niger Delta. International Crisis Group. Unfortunately we do not know whether it was intent of MEND in two cases not to hurt anyone or it was just lucky coincidence.
- ³⁰ HANSON, Stephanie. MEND: The Niger Delta's Umbrella Militant Group.
- ³¹ CRISIS GROUP. Fuelling the Niger Delta Crisis. International Crisis Group.
- ³² Violence does not mean that someone gets hurt – constraining a person of his own freedom in an illegal way for example is also violence.
- ³³ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, p. 245.
- ³⁴ KURTI, Daniel B. New Militia Is Potent Force in Nigeria's Oil-Rich Delta; CRISIS GROUP. Nigeria: Ending Unrest in Niger Delta.
- ³⁵ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, pp. 36-37, 55, 67-68.
- ³⁶ ROBB, John. Nigerian Evolution.
- ³⁷ KURTI, Daniel B. New Militia Is Potent Force in Nigeria's Oil-Rich Delta.
- ³⁸ Some sources deny this, see STRATFOR. Nigeria: The Splintering of MEND.
- ³⁹ HOFFMAN, Bruce. *Inside Terrorism, Revised and Expanded Edition*, p. 35.
- ⁴⁰ MAREŠ, Miroslav. Vymezení pojmů terorismus, válka a guerilla v soudobé bezpečnostní terminologii.
- ⁴¹ HANSON, Stephanie. MEND: The Niger Delta's Umbrella Militant Group.
- ⁴² For painting the picture terrorist organizations like Salafi Group For Preaching and Combat is estimated for having several hundred to several thousand operatives, Islamic Armed Group probably about 800 to 2000 operatives, on the other hand terrorist organizations which are more guerrilla type – Moro Islamic Liberation Front is estimated to have 10 000 to 15 000 operatives. MANNES, Aron. *Profiles in Terror: the Guide to Middle East Terrorism Organizations*. So from this aspect it seems better to label MEND as terrorist organization then guerrilla.
- ⁴³ HOFFMAN, Bruce. *Inside Terrorism, Revised and Expanded Edition*, p. 35.
- ⁴⁴ CRISIS GROUP. Nigeria: Ending Unrest in Niger Delta. ZELINKA, Petr. Současný konflikt v deltě Nigeru.
- ⁴⁵ STRMISKA, Maxmilián. *Terorismus a demokracie: Pojetí a typologie subverzivního teroristického násilí v soudobých demokraciích*, pp. 14-15.
- ⁴⁶ HOFFMAN, Bruce. *Inside Terrorism, Revised and Expanded Edition*, pp. 36-37.
- ⁴⁷ Ibid., p. 37.
- ⁴⁸ WHITE, Jonathan R. *Terrorism and Homeland Security*, pp. 49-51.
- ⁴⁹ NAÍM, Moses. *Illicit: How Smuggler, Traffickers and Copycats Are Hijacking the Global Economy*; NAPOLEONI, Loretta. *Teror, s.r.o.*
- ⁵⁰ HUMAN RIGHTS WATCH. Rivers and Blood: Guns, Oil and Power in Nigeria's River State; ROWELL, Andy, MARRIOTT, James, STOCKMAN, Lorne. *The Next Gulf: London, Washington and Oil Conflict in Nigeria*.
- ⁵¹ HOFFMAN, Bruce. *Inside Terrorism, Revised and Expanded Edition*, pp. 15-16, 28.
- ⁵² HANSON, Stephanie. MEND: The Niger Delta's Umbrella Militant Group.
- ⁵³ CRISIS GROUP. Fuelling the Niger Delta Crisis.
- ⁵⁴ CRISIS GROUP. Nigeria: Ending Unrest in Niger Delta; BBC. The Shadowy Militants in Nigeria's Delta.
- ⁵⁵ STRATFOR. Nigeria: The Splintering of MEND.
- ⁵⁶ WHITE, Jonathan R. *Terrorism and Homeland Security*, pp. 161-162.
- ⁵⁷ For network concept of terrorist organizations see ARQUILLA, John, RONFELDT, David, ZANINI, Michael. Networks, Netwar and Information Age Terrorism.
- ⁵⁸ BYMAN, David. The Logic of Ethnic Terrorism.

- ⁵⁹ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, p. 55.
- ⁶⁰ ROWELL, Andy, MARRIOTT, James, STOCKMAN, Lorne. *The Next Gulf: London, Washington and Oil Conflict in Nigeria*.
- ⁶¹ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, pp. 101-106.
- ⁶² CRISIS GROUP. Fuelling the Niger Delta Crisis.
- ⁶³ AKCAM, Bahadir K. *The Dynamics of Ethnic Terrorism*.
- ⁶⁴ THOMAS, Troy S., KISER, Stephen D., CASEBEER, William D. *Warlords Rising: Confronting Violent Non-State Actors*, pp. 185-224.
- ⁶⁵ Ibid.
- ⁶⁶ STRATFOR. Nigeria: The Splintering of MEND.
- ⁶⁷ CRISIS GROUP. Fuelling the Niger Delta Crisis.
- ⁶⁸ See BAH, Alhaji M.S. Micro-Disarmament In West Africa. The ECOWAS Moratorium on small arms and light weapons; WANNENBURG, Gail. Organized Crime in West Africa; MAZZITELLI, Antonio L. Transnational organized crime in West Africa: the additional challenge.
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- ⁷⁰ THOMAS, Troy S., KISER, Stephen D., CASEBEER, William D. *Warlords Rising: Confronting Violent Non-State Actors*, pp. 217-221.
- ⁷¹ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, p. 80.
- ⁷² STRATFOR. Nigeria: Maneuvering for Control in the Gulf of Guinea.
- ⁷³ THIS DAY. Nigeria: Militants Urged to Give Yar'Adua a Chance. THIS DAY. Nigeria: Yar'Adua and the Niger Delta Summit.
- ⁷⁴ ARQUILLA, John, RONFELDT, David. *Swarming and the Future of Conflict*, p. viii.
- ⁷⁵ ARQUILLA, John, RONFELDT, David. The Advent of Netwar (Revisited).
- ⁷⁶ See KURTI, Daniel B. New Militia Is Potent Force in Nigeria's Oil-Rich Delta.
- ⁷⁷ See ROBB, John. Nigerian Evolution.
- ⁷⁸ BYMAN, David. The Logic of Ethnic Terrorism.
- ⁷⁹ CRISIS GROUP. Fuelling the Niger Delta Crisis.
- ⁸⁰ CRISIS GROUP. Nigeria: Ending Unrest in Niger Delta.
- ⁸¹ BYMAN, David. *The Logic of Ethnic Terrorism*, p.162.
- ⁸² CRISIS GROUP. The Swamps of Insurgency: Niger Delta Unrest.
- ⁸³ OLIVIERA, Ricardo S. de. *Oil and Politics in the Gulf of Guinea*, pp. 49-62.
- ⁸⁴ For elaboration of terrorism as collective rational decision see CRENSHAW, Martha. The Logic of Terrorism: Terrorist behaviour as a product of rational choice.
- ⁸⁵ THIS DAY. Nigeria: Militants Urged to Give Yar'Adua a Chance.
- ⁸⁶ ADEDOJA, Tokunbo. Nigeria: Yar'Adua Reorganises Presidency.
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APPENDIX 1 – HISTORY OF MEND’S ATTACKS⁸⁸

January 10, 2006: Militants kidnap 4 foreign oil workers from Shell's offshore E.A. oilfield. Shell shuts 115,000 bpd E.A. platform. They also blow up crude oil pipelines, cutting supplies to Forcados export terminal by 100,000 bpd.

January 30, 2006: Militants free all hostages kidnapped January 10, but threaten wave of new attacks.

February 18, 2006: Militants attack a barge operated by US oil services company Willbros in speedboats and abduct 9 oil workers. The militants also blow up a Shell crude oil pipeline and a gas pipeline operated by Nigerian National Petroleum Corporation (NNPC), and bomb Shell's Forcados tanker loading platform, forcing the company to suspend exports from the 380,000 bpd facility. Closure of Forcados affects other companies, cutting further 100,000 bpd output. Shell shuts 115,000 bpd E.A. platform as precaution.

March 1, 2006: Militants release 6 of the hostages kidnapped February 18; they include 1 American, 2 Egyptians, 2 Thais and a Filipino.

March 18, 2006: Militants blow up oil pipeline operated by Italian oil company Agip, shutting down 75,000 bpd.

March 27, 2006: Militants release remaining three hostages kidnapped February 18 - 2 Americans and a Briton.

May 10, 2006: An oil executive of Baker Hughes (an American Co.) employee is killed by unidentified gunmen in Port Harcourt. MEND denies responsibility.

May 11, 2006: 3 workers of Italian oil contractor Saipem are kidnapped.

June 2, 2006: 6 Britons, 1 Canadian and an American are abducted from Bulford Dolphin oil rig owned by Norwegian oilfield services group Fred. Olsen Energy. Hostages are released two days later.

June 7, 2006: Militants attack a Shell-operated natural gas facility in the Niger Delta, killing 6 soldiers and kidnapping 5 South Korean contractors.

June 20, 2006: 2 Filipinos with Beaufort International kidnapped in Port Harcourt and freed 5 days later.

July 6, 2006: Gunmen kidnap Michael Los, a Dutch oil worker in Bayelsa State. He is released 4 days later.

July 25, 2006: Niger Delta mob seize Agip Ogbainbiri flow station, taking 24 workers hostage. Hostages released and flow station abandoned July 31 after paid-off by Nigerian government.

August 3, 2006: German oil worker, Guido Schiffarth, a 62-year-old employee of Bilfinger and Berger snatched from his car in Port Harcourt by armed men dressed as soldiers. .

August 4, 2006: Gunmen abduct 3 Filipino oil workers from a bus near Port Harcourt. They are released 10 days later.

August 9, 2006: 2 Norwegian and 2 Ukrainian oil workers kidnapped.

August 10, 2006: A Belgian and Moroccan contractors kidnapped in Port Harcourt. Both released on August 14.

August 13, 2006: 5 foreign oil workers (2 Britons, a German, an Irish and a Pole) kidnapped from a nightclub in Port Harcourt. An American also kidnapped earlier the same day.

August 15, 2006: 2 Norwegian and 2 Ukrainian oil workers kidnapped on August 9 freed.

August 16, 2006: Lebanese man kidnapped.

August 19, 2006: German oil worker, Guido Schiffarth is released. Nigerian army launch crackdown on militants. Soldiers fired in the air, sending men and women screaming through the streets of Port Harcourt.

August 24: An Italian oil worker employed by Saipem is kidnapped by gunmen in Port Harcourt. He is freed after five days.

October 2, 2006: 25 Nigerian employees of a Royal Dutch Shell contractor seized after an ambush of boats carrying supplies to Shell facilities in the Cawthorne Channel. They are released two days later.

October 3, 2006: 7 foreign oil workers(four Britons, one Indonesian, one Malaysian and a Romanian) kidnapped in a raid on a compound for expatriate contractors working for Exxon Mobil. The 3 British among the released 7 foreign oil workers arrived back in Scotland October 23, to tell of their hostage ordeal in the hands of Nigerian delta militants. One of the men, Graeme Buchan, revealed how he was beaten and forced to call the chief executive of his employers to falsely say that his colleague Paul Smith was dead. Speaking on behalf of his colleagues, Mr Buchan described how they were beaten with sticks, slapped with machetes and feared they might never see their families again.

October 21, 2006: 7 foreign oil workers kidnapped October 3 are released.

November 2, 2006: A British and an American employees of Petroleum Geo-Services (PGS) are kidnapped from a survey ship off the coast of Bayelsa.

November 7, 2006: British and American employees of Petroleum Geo-Services (PGS) kidnapped on November 2 freed.

November 22, 2006: A British oil worker is killed during an attempt by Nigerian soldiers to free 7 hostages abducted by militants earlier the same day.

December 7, 2006: Gunmen kidnap three Italians and one Lebanese from a residential facility. Movement for the Emancipation of the Niger Delta (MEND) claims responsibility.

December 14, 2006: Gunmen invade the Nun River logistics base in Bayelsa State operated by Royal Dutch Shell and hold 5 people hostage.

December 18, 2006: 2 car bombs explode in Port Harcourt, one near Agip compound and the other in Shell residential compound. There were no casualties.

December 21, 2006: Militants storm the Obagi field facility in Rivers State, operated by Total, killing 3 people.

January 5, 2007: Gunmen kidnapped 5 Chinese telecom workers. Militants plant a car bomb in the Shell residential compound in Port Harcourt. Shell evacuates some staff from compounds in Port Harcourt, Bonny Island and Warri.

January 10, 2007: Gunmen attacked a base operated by South Korea's Daewoo Engineering and Construction in the Bayelsa state kidnapping 9 South Korean and one Nigerian oil workers.

January 12, 2007: 9 South Korean workers and one Nigerian are freed after being kidnapped when gunmen attacked a base operated by South Korea's Daewoo Engineering and Construction in the Bayelsa state capital Yenagoa on Jan. 10.

January 16, 2007: 3 people including a Dutch oil worker are killed when their boat, operated by South Korean firm Hyundai, was attacked by gunmen on its way to the Bonny Island export terminal.

January 18, 2007: Gunmen free 5 Chinese telecom workers, kidnapped January 5. An Italian is also released in Bayelsa state. 3 foreign hostages remain in captivity.

January 20, 2007: Militants seize German shipping line Baco-Liner cargo ship on its way to Warri port taking all 24 Filipino crew members hostage.

January 23, 2007: Gunmen kidnap 2 engineers, an American and a Briton, in Port Harcourt, on their way to work.

January 25, 2007: 9 employees of Chinese National Petroleum Company (CNPC) working in Bayelsa state under contract with Shell are kidnapped.

