



Natural Resources and Political Violence in Africa: Governance Failures, Legal Gaps, and Paths to Stability

الموارد الطبيعية والعنف السياسي في إفريقيا: إخفاقات الحوكمة والثغرات القانونية وآفاق تحقيق الاستقرار

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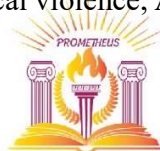
Abstract:

Natural resources have long occupied a central place in debates on political violence in Africa. Conventional explanations, particularly those associated with the resource curse thesis, often suggest that the abundance of valuable commodities inevitably increases the likelihood of conflict. While this perspective offers important insights, it pays insufficient attention to the legal and institutional environments through which natural resources are governed. This article argues that resource wealth does not, in itself, produce political violence. Rather, instability emerges when governance structures fail to regulate access to resources, ensure transparent revenue management, and provide equitable mechanisms for participation and benefit-sharing.

The study adopts a qualitative comparative approach based on three African case studies: the eastern Democratic Republic of the Congo, the Niger Delta in Nigeria, and Mali's artisanal gold sector. Drawing on legal sources, academic scholarship, and reports issued by international organizations, it examines how institutional weakness, fragmented regulatory frameworks, and limited accountability create conditions that enable armed actors to capture resource revenues and weaken state authority. The comparative analysis highlights both the diversity of local contexts and the common governance failures that sustain resource-related conflicts.

The findings demonstrate that political violence is shaped less by the existence of natural resources than by the institutional arrangements governing their exploitation and distribution. By moving beyond deterministic interpretations of the resource curse, the article emphasizes the importance of strengthening domestic institutions, improving legal coherence, and reinforcing accountability mechanisms. It concludes that effective and inclusive resource governance constitutes an essential condition for reducing political violence and promoting long-term stability in resource-rich African states.

Keywords: Resource governance; Political violence; Africa; Legal frameworks; Accountability.





المخلص:

تحتل الموارد الطبيعية مكانة محورية في النقاشات المتعلقة بالعنف السياسي في إفريقيا، حيث تربط التفسيرات التقليدية، ولا سيما أطروحة "لعنة الموارد"، بين وفرة الثروات الطبيعية وارتفاع احتمالات اندلاع النزاعات. غير أن هذه المقاربة، رغم أهميتها، لا تمنح الاهتمام الكافي للأبعاد القانونية والمؤسسية التي توطر إدارة الموارد الطبيعية. وتنطلق هذه الدراسة من فرضية مفادها أن الموارد الطبيعية لا تنتج العنف السياسي في حد ذاتها، وإنما ينشأ هذا الأخير عندما تعجز منظومات الحوكمة عن تنظيم استغلال الموارد، وضمان الشفافية في إدارة عائداتها، وتوفير آليات عادلة للمشاركة وتقاسم المنافع.

تعتمد الدراسة منهجاً نوعياً مقارناً يستند إلى ثلاث دراسات حالة، تشمل شرق جمهورية الكونغو الديمقراطية، ودلتا النيجر في نيجيريا، وقطاع تعدين الذهب الحرفي في مالي. وبالاستناد إلى النصوص القانونية، والأدبيات الأكاديمية، وتقارير المنظمات الدولية، تحلل الدراسة أثر ضعف المؤسسات، وتشتت الأطر التنظيمية، ومحدودية آليات المساءلة في تمكين الجماعات المسلحة من السيطرة على عائدات الموارد الطبيعية، بما يؤدي إلى تقويض سلطة الدولة واستدامة النزاعات. كما تُبرز المقارنة بين الحالات الثلاث اختلاف السياقات المحلية، مقابل تشابه أوجه القصور في الحوكمة التي تغذي العنف المرتبط بالموارد.

وتخلص الدراسة إلى أن العنف السياسي يرتبط بدرجة أكبر بطبيعة الترتيبات القانونية والمؤسسية التي تحكم استغلال الموارد وتوزيع عائداتها، وليس بمجرد وجود الموارد الطبيعية. وانطلاقاً من تجاوز التفسيرات الحتمية لأطروحة "لعنة الموارد"، تؤكد الدراسة أن تعزيز المؤسسات الوطنية، وتحقيق الاتساق بين الأطر القانونية، وتطوير آليات فعالة للمساءلة والشفافية، تمثل مرتكزات أساسية للحد من العنف السياسي. كما تبرز أن بناء منظومة شاملة لحوكمة الموارد الطبيعية يشكل شرطاً ضرورياً لتعزيز الاستقرار المستدام في الدول الإفريقية الغنية بالموارد.

الكلمات المفتاحية: حوكمة الموارد؛ العنف السياسي؛ إفريقيا؛ الأطر القانونية؛ المساءلة.





"Africa is a paradox which illustrates and highlights neo-colonialism. Her earth is rich, yet the products that come from above and below the soil continue to enrich, not Africans predominantly, but groups and individuals who operate to Africa's impoverishment."¹⁷¹

Introduction

Africa occupies a distinctive position in the global political economy of natural resources. The continent possesses some of the world's largest reserves of oil, natural gas, strategic minerals, fertile land, and freshwater resources, all of which have become increasingly important in the context of the global energy transition and intensifying geopolitical competition. Yet this remarkable resource wealth has not consistently translated into political stability or sustainable development. On the contrary, many of Africa's most resource-rich regions continue to experience persistent violence, weak institutions, and recurrent governance crises. This apparent contradiction raises a fundamental question: why does resource abundance contribute to prosperity in some contexts while reinforcing instability in others?¹⁷²

Within this context, several African regions have become critical arenas where global demand intersects with local political fragility, often generating conditions conducive to conflict rather than development. This evolving reality reveals a structural imbalance that may be understood as a gap between resource value and governance capacity. While the economic and strategic importance of natural resources continues to expand, the legal and institutional frameworks designed to regulate them frequently remain fragmented, inconsistently applied, or insufficiently enforced. Under such conditions, control over resources tends to become a source of competition, enabling both state and non-state actors to mobilize them as instruments of influence, financing, or coercion.

The present study addresses this tension by examining how deficiencies in governance and law shape the relationship between natural resources and political violence in Africa. It seeks to move beyond explanations based solely on abundance or scarcity, and instead focuses on the regulatory environments that structure access, allocation, and accountability. Particular attention is given to the

¹⁷¹ - Kwame Nkrumah, *Neo-Colonialism: The Last Stage of Imperialism* (London: Nelson, 1965), p.13.

¹⁷² -Segun Joshua and Faith Olanrewaju, "The AU's Progress and Achievements in the Realm of Peace and Security," *India Quarterly: A Journal of International Affairs* 73, no. 4, December 2017, 454–471.





ways in which institutional weaknesses and normative gaps contribute to the persistence or escalation of conflict.

Methodology

Given the complexity of the relationship between natural resources and political violence, this article adopts a qualitative comparative research design. A quantitative approach can identify broad correlations between resource abundance and conflict, but it is less effective in explaining the institutional and legal processes through which natural resources become sources of political instability. A comparative qualitative analysis, by contrast, allows greater attention to the political, legal, and historical contexts that shape resource governance in different African settings.

The analysis focuses on three case studies: the eastern Democratic Republic of the Congo, the Niger Delta in Nigeria, and Mali's artisanal gold sector. These cases were selected because they illustrate distinct manifestations of the resource–conflict nexus while sharing several comparable characteristics. Each involves strategically valuable natural resources, persistent political violence, and significant weaknesses in governance and regulatory oversight. At the same time, the three cases differ in their historical trajectories, institutional arrangements, and patterns of resource exploitation, making it possible to explore how similar governance deficiencies generate different forms of conflict.

The analytical process was carried out in two stages. Each case was first examined independently in order to identify the institutional weaknesses, legal inconsistencies, and governance failures that shaped the relationship between resource exploitation and political violence. The findings were then compared to determine whether similar governance patterns could be identified across different political and geographical contexts. Rather than treating natural resources as an independent cause of conflict, the analysis evaluates how legal institutions, regulatory capacity, and systems of accountability influence the political consequences of resource extraction.

Axis I: Natural Resources as Political Assets: Power, Contestation, and Structural Vulnerability in Africa

Natural resources in Africa constitute central political assets that, while theoretically capable of driving economic growth and social development, often produce contrary outcomes marked by persistent poverty, entrenched corruption, and recurrent instability. This paradox is commonly

conceptualized through the lens of the “**resource curse**”, which refers to a situation whereby a country has an export-driven natural resources sector that generates large revenues for government but leads paradoxically to economic stagnation and political instability.¹⁷³

¹⁷³ - Overseas Development Institute (ODI) (2006).





Natural resources are traditionally examined within the disciplines of geography and economics, where they constitute a fundamental variable in analyses of production, trade, and development. Despite their recognized importance, the mere availability of resource wealth does not automatically translate into economic progress, nor can it be considered a sufficient indicator of development.¹⁷⁴

Many African countries constitutionally vest the ownership of natural resources in the state, making the government both the legal custodian of these assets and the primary recipient of revenues generated from their extraction. While this framework is often justified in terms of national sovereignty and collective ownership, it raises important governance challenges. In contexts where institutional capacity is limited and oversight mechanisms remain weak, such concentration of authority tends to centralize economic and political power within state structures. This configuration often constrains transparency, weakens accountability mechanisms, and shapes how resource revenues are managed and allocated. Consequently, the state's role in controlling and distributing resource wealth becomes a central element in understanding broader dynamics of authority, inclusion, and contestation within resource-rich settings.¹⁷⁵

➤ *The Resource Curse and the Limits of Resource-Based Development*

The concept of the 'resource curse' or 'paradox of plenty'; has framed debates on resource-driven conflict for three decades. In its economic variant, the thesis holds that commodity dependence generates Dutch disease effects, crowding out the development of more diversified and productive sectors. In its political variant, resource rents allow governments to avoid taxation and the associated accountability mechanisms, fostering authoritarian consolidation and institutional decay. In its security variant, resource wealth particularly the presence of obstructable or lootable commodities significantly raises the probability of civil conflict onset and duration.¹⁷⁶

These claims, while empirically grounded in cross-national statistical analyses, suffer from important limitations. This approach systematically obscures the role of agency — the decisions of state elites, corporate actors, international financial institutions, and armed groups — in translating resource wealth into violence or stability. Norway and Botswana are standard counter-examples, demonstrating that well-institutionalized states can manage resource wealth constructively. But these

¹⁷⁴ - Abdelhak Bassou, Africa's Natural Resources and Geopolitical Realities, OCP Policy Center, Policy Brief, 2017, p.1. <https://www.policycenter.ma/publications/africa%E2%80%99s-natural-resources-and-geopolitical-realities>

¹⁷⁵ - C. Mlambo, "Politics and the Natural Resource Curse: Evidence from Selected African States," Cogent Social Sciences 8, no. 1, 2022, <https://doi.org/10.1080/23311886.2022.2035911> .p.2.

¹⁷⁶ - Richard M Auty, Auty, Sustaining Development in Mineral Economies: The Resource Curse Thesis. 1st ed. London: Routledge, 1993. <https://doi.org/10.4324/9780203422595> .





cases also illustrate that institutional quality is not exogenous to resource endowment; it is itself a product of historical trajectories, colonial legacies, and political struggles.

A second limitation is the relative neglect of the international dimension. The resource curse literature tends to situate the problem within the domestic domain framed as a failure of African states and their institutions. This framing, critics argue, reproduces an implicitly Eurocentric analytical stance that attributes Africa's resource conflicts to internal deficiencies while obscuring the structural role of international markets, corporate actors, and the failures of international law in enabling resource looting and conflict financing. Le Billon's work on 'resource geographies' and Morten Bøås and Kevin Dunn's scholarship on the political economy of African conflicts have usefully redirected attention toward the external drivers of resource-conflict dynamics.¹⁷⁷

Axis II: Governance Failures and Legal Fragmentation: Explaining the Nexus between Resources and Political Violence

Political violence in resource-rich African states cannot be explained by the mere existence of natural resources. Rather, it reflects the inability of governance systems to regulate access to, and distribution of, resource wealth in ways that are transparent, accountable, and equitable. Where public institutions lack autonomy, regulatory agencies operate under political influence, and oversight mechanisms remain weak, extractive industries become vulnerable to corruption, elite capture, and selective law enforcement. Instead of financing development and strengthening state institutions, resource revenues are frequently diverted into patronage networks or used to consolidate political power, creating conditions that intensify competition and instability.

In Africa, natural resource-related conflicts frequently emerge in contexts characterised by weak governance and state control, mismanagement, exclusion, and corruption, often intensified by the discovery of high-value resources such as oil, minerals, precious metals, and land. This dynamic has contributed to the emergence of armed and militant groups contesting control over natural resources in countries including Mozambique, Nigeria, Liberia, Sierra Leone, and Côte d'Ivoire.¹⁷⁸

The Niger Delta in Nigeria illustrates this dynamic with particular clarity. Despite decades of intensive oil extraction and substantial petroleum revenues, the region has remained marked by underdevelopment, environmental destruction, and weak public infrastructure. The inability of federal

¹⁷⁷ - Morten Bøås and Kevin C. Dunn, eds., *African Guerrillas: Raging Against the Machine* (Boulder, CO: Lynne Rienner Publishers, 2007).

¹⁷⁸ - African Journal on Terrorism. Special Edition on Countering the Financing of Terrorism (CFT) in Africa. Algiers: African Union Counter-Terrorism Centre (AUCTC), December 2025. Edited by Isaac Olawale Albert. Managing Editor: Idriss Mounir Lallali. Journal Manager: Moise Lazare Emery Leckiby, p.36.





institutions to ensure equitable revenue distribution and corporate accountability contributed to the emergence of militant groups targeting both state authorities and multinational oil companies. In this regard, violence was not solely rooted in the existence of oil wealth, but in the governance structures that organized its exploitation and allocation.¹⁷⁹

Legal fragmentation is one of the main reasons why resource-rich African states struggle to regulate extractive industries effectively. Across many African states, extractive governance is regulated through overlapping and often contradictory normative systems involving domestic legislation, customary land tenure arrangements, bilateral investment treaties, regional economic agreements, and international commercial norms. The coexistence of these multiple legal orders generates significant uncertainty regarding ownership rights, jurisdictional authority, environmental responsibility, and mechanisms of dispute resolution. Such fragmentation weakens the coherence of state regulation and creates spaces within which political and economic actors can strategically exploit normative ambiguities.

This fragmentation is particularly evident in disputes concerning land and territorial sovereignty. In numerous extractive regions, local communities rely upon customary systems of land ownership that are insufficiently recognized within formal state legal frameworks. Governments may therefore allocate concessions to multinational corporations without meaningful consultation or consent from affected populations, thereby intensifying tensions between state legality and local legitimacy. Where legal systems fail to reconcile these competing normative orders, resource extraction becomes a catalyst for social unrest, communal conflict, and resistance movements.

Natural resource governance no longer depends solely on domestic institutions; it is increasingly shaped by international markets and legal regimes. While countries such as Norway, Australia, and Botswana have successfully used resource revenues to promote economic and social development, many fragile or conflict-affected states have experienced instability and conflict. In these contexts, strategic resources are integrated into global supply chains governed by international investment and arbitration frameworks that often prioritize investor protections over social and environmental accountability. Consequently, African states may face legal and financial constraints when seeking to strengthen regulation or assert sovereignty over natural resources, reinforcing perceptions of weak state authority, deepening political grievances, and contributing to instability rather than development.¹⁸⁰

¹⁷⁹ - C. Nwapi, "An Examination of the Petroleum Industry Act 2021: Prospects, Challenges, and the Way Forward," *Heliyon* 9, no. 8, 2023.

¹⁸⁰ - S. K. Medase, A. Y. Ahali, and M. Belitski, "Natural Resources, Quality of Institutions and Entrepreneurship Activity," *Resources Policy* 83, 2023, <https://doi.org/10.1016/j.resourpol.2023.103592>.





Natural resources should not be viewed as an automatic cause of political violence. Rather, political violence emerges where institutions fail to regulate competition over resources in legitimate, transparent, and inclusive ways. Resource abundance becomes destabilizing primarily when combined with fragile governance structures, unequal revenue distribution, weak rule of law, and fragmented legal systems incapable of managing competing political and economic interests.¹⁸¹

In several African regions, militant networks have exploited illicit trade in commodities such as oil, timber, diamonds, and minerals to sustain their operations, consolidate territorial influence, and undermine state legitimacy. The capacity of these groups to integrate resource trafficking into broader criminal and transnational financial networks not only prolongs instability but also complicates counterterrorism and peacebuilding efforts. Similar dynamics have been observed beyond the African continent, notably in the exploitation of charcoal by Al-Shabaab in Somalia and the smuggling of oil by ISIS in Iraq and Syria, illustrating how resource wealth, when insufficiently regulated, can reinforce violent non-state actors and deepen institutional fragility.¹⁸²

Axis III: Comparative Case Studies: Resource Governance and Political Violence in Three African Contexts

Africa enters 2026 at a moment of dangerous convergence. Democratic retreat, protracted armed conflicts, climate-related shocks, and unsustainable debt burdens are intersecting with the profound restructuring of the international order. Increasingly, geopolitical competition and power politics, rather than stable normative frameworks, shape global governance dynamics. Simultaneously, Africa occupies an ever more strategic position within the global economy. The continent possesses approximately 60 per cent of the world's most favorable solar resources, alongside a substantial share of the critical minerals required for the global energy transition. Yet this growing strategic centrality coexists with a persistent structural paradox: Africa remains globally indispensable while continuing to occupy a comparatively weak position within the political and economic architecture of global governance.¹⁸³

¹⁸¹- Ian Bannon and Paul Collier, Natural Resources and Violent Conflict: options and actions, THE WORLD BANK Washington, D.C, 2003, p.2.

¹⁸² - United Nations Security Council Counter-Terrorism Committee Executive Directorate (CTED), Trends Alert: Concerns over the Use of Proceeds from the Exploitation, Trade, and Trafficking of Natural Resources for the Purposes of Terrorism Financing (2022).

¹⁸³ - Serena Li, Joel Jaeger, Neelam Singh, and Jennifer Layke, "Global Energy Trends: Clean Energy Growth and Rising Demand," World Resources Institute, December 10, 2025, <https://www.wri.org/insights/state-clean-energy-charted>.





The relationship between natural resources and armed conflict must be approached with analytical caution, as it cannot be reduced to a linear or deterministic causal explanation. The mere existence of resource endowments does not inevitably generate violence, just as armed conflict cannot be systematically attributed to competition over natural wealth alone. As Roland Pourtier argues in his study *Natural Resources and Conflicts in Sub-Saharan Africa* (2012), the historical record of conflicts demonstrates their fundamentally multidimensional character, even if the resource dimension remains significant.¹⁸⁴

Drawing on a 2009 United Nations Environment Programme report, he notes that at least 60 per cent of intra-state conflicts over the past six decades have been associated, in one form or another, with natural resources. Africa, accounting for approximately one-third of recorded global conflicts, offers particularly illustrative cases, including Nigeria, Liberia, Sierra Leone, Angola, the Democratic Republic of Congo, and Sudan, where extractive economies have intersected with patterns of violence. Widely used expressions such as the “oil curse” or “blood diamonds”, often mobilized in NGO and policy discourse, reflect this perceived connection, although Pourtier emphasizes that such causal interpretations must be carefully relativized in light of broader political, institutional, and socio-economic determinants.

Moreover, many African economies remain heavily dependent on the export of primary commodities, which reinforces the centrality of natural resources within their economic structures. In several cases, these resources constitute a critical source of fiscal revenue and external income, making them particularly sensitive to governance failures and distributional tensions. This structural dependence may significantly heighten the stakes of resource competition and increase the risk of conflict when institutional mechanisms for regulation and redistribution are weak or contested.¹⁸⁵

Taken together, these cases illuminate the multi-scalar governance failures that continue to reproduce the resource-conflict nexus across diverse political and geographical contexts.

- **Eastern Democratic Republic of Congo: Minerals, Armed Groups, and the Limits of Certification**

On paper, the Congolese Mining Code establishes licensing procedures, environmental obligations, and revenue-sharing mechanisms. In practice, however, these rules are rarely enforced in conflict-affected eastern provinces. The Mining Code, most recently revised in 2018, provides for licensing, environmental assessment, and revenue sharing with sub-national authorities. In practice, however, the state's regulatory institutions have negligible operational reach across the conflict-

¹⁸⁴ - Abdelhak Bassou, *Africa's Natural Resources and Geopolitical Realities*, op.cit, p.2.

¹⁸⁵ - OECD Critical Minerals Forum, Background Paper: Regional Note on Critical Minerals in Africa, 2026, <https://www.oecd.org/content/dam/oecd/en/events/2026/04/critical-minerals-forum/oecd-critical-minerals-regional-note-africa.pdf>





affected east. Mining sites are controlled de facto by armed factions that levy taxation on artisanal miners and trading activity, employ forced labour, and use mineral revenues to finance weapons procurement and fighter salaries. The result is a parallel system of resource governance operating entirely outside the formal legal framework, sustained by the opacity of artisanal supply chains and the absence of meaningful enforcement capacity.¹⁸⁶

International responses most notably the conflict minerals provisions of the US Dodd-Frank Act of 2010 and the EU Conflict Minerals Regulation of 2017 sought to introduce supply chain due diligence obligations for companies sourcing the four principal conflict minerals from the DRC and adjoining countries. These instruments generated measurable compliance activity among major manufacturers and prompted the development of regional certification mechanisms under the International Conference on the Great Lakes Region. Their practical impact on armed group financing has, however, been limited. Systematic fraud in the certification process including the laundering of conflict-produced minerals through 'clean' supply chains via Rwanda and Uganda has substantially undermined these schemes. The assumption of meaningful traceability embedded in due diligence frameworks does not hold in a governance environment characterized by institutional absence and armed group control.¹⁸⁷

From 2023 to 2025, the Democratic Republic of the Congo (DRC) faced significant challenges in its efforts toward democratic consolidation and economic transformation. The DRC case thus illustrates with particular clarity the limits of an international regulatory architecture premised on state capacity: where domestic governance has effectively collapsed in resource-producing territories, the external frameworks designed to discipline supply chains lack the institutional foundation necessary for their operation.¹⁸⁸

According to a 2025 state audit, mining companies operating in the Democratic Republic of Congo failed to report approximately US\$16.8 billion in revenues between 2018 and 2023, highlighting persistent problems of financial opacity, weak regulatory oversight, and corruption within the extractive sector. The findings further illustrate how ineffective resource governance continues to

¹⁸⁶ - Autesserre S, *The Trouble with the Congo: Local Violence and the Failure of International Peacebuilding* (Cambridge University Press 2010); see also: Raeymaekers T, *Violent Capitalism and Hybrid Identity in the Eastern Congo* (Cambridge University Press 2014).

¹⁸⁷ - OECD, *Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* (3rd edn, OECD Publishing 2016); Parker D and Vadheim B, "Resource Cursed or Policy Cursed? US Regulation of Conflict Minerals and Violence in the Congo" (2017) 123 *Journal of Development Economics* 1; Regulation (EU) 2017/821 of the European Parliament and of the Council [2017] OJ L 130/1.

¹⁸⁸ - Bertelsmann Stiftung, *BTI 2026 Country Report — Congo, DR*. Gütersloh: Bertelsmann Stiftung, 2026. Congo, DR Country Report 2026, <https://bti-project.org/en/reports/country-report/COD>.





deprive the state of critical revenues while reinforcing instability and institutional fragility in resource-rich regions.¹⁸⁹

- **The Niger Delta, Nigeria: Petroleum, Corporate Complicity, and the Limits of Federal Governance**

The governance of petroleum revenues in Nigeria has been structured by a federal allocation formula that transfers the bulk of oil receipts to the federal government, with producing states and communities receiving a constitutionally mandated derivation share that has historically been insufficient to compensate for the social and environmental costs of extraction. Successive institutional mechanisms designed to channel development resources to the Delta including the Niger Delta Development Commission and the Ministry of Niger Delta Affairs have been characterized by chronic misappropriation, political capture, and ineffective implementation. The formal governance architecture of petroleum revenue distribution has thus functioned more as a mechanism of elite rent distribution than as a system of equitable resource sharing.¹⁹⁰

The failure of formal governance mechanisms to address the legitimate grievances of Delta communities contributed to the rise of armed militancy. Between 2006 and 2009, the Movement for the Emancipation of the Niger Delta (MEND) attacked oil infrastructure and kidnapped oil workers, demanding resource sovereignty, environmental remediation, and equitable revenue sharing. Although the 2009 Amnesty Programme temporarily reduced violence through reintegration and financial incentives, it failed to address the underlying governance deficiencies. The later emergence of groups such as the Niger Delta Avengers illustrates the persistence of conflict when structural governance failures remain unresolved.¹⁹¹

The corporate accountability dimension of the Delta conflict has been partially addressed through transnational litigation. The Dutch Supreme Court's 2021 ruling in the proceedings brought by four Nigerian farmers against Shell's Nigerian subsidiary established parental company liability for

¹⁸⁹ - MSN, Audit reveals 17bn revenue underreporting in Congo's mining firms, 2025. <https://www.msn.com/en-gb/money/other/audit-reveals-17bnrevenue-underreporting-in-congo-s-mining-firms/ar-AA1O9cTN?ocid=e%20%20ntnewsntp&pc=U531&cvid=68e7bec90af74626a4d1c729328ed4ba&ei=24> .

¹⁹⁰ - Ikubaje, J., and Onuoha, F. C., "Natural Resource Endowment, Resource Governance and Insecurity in the Niger Delta Region of Nigeria," African Journal of Peace and Conflict Studies, 12, no. 1, 2023. P.1; also see: Publish What You Pay (PWYP), "Transparency in Nigeria's Oil Sector: A Critical Assessment", 2021.

¹⁹¹ -Israel Oluwale and Oluwasanmi, "Militancy and Forced Displacement in Nigeria: A Study of the Niger Delta" International Journal of Innovative Social Sciences & Humanities Research, 11, (no .4),2024.





environmental harm caused by the subsidiary's pipeline operations, representing a landmark development in the jurisprudence of transnational corporate accountability. Amnesty International's extensive documentation of Shell's alleged awareness of and contribution to human rights violations committed by Nigerian security forces protecting its installations has raised questions of corporate complicity that have yet to be fully resolved by any judicial forum.¹⁹²

• **Mali and the Sahel: Artisanal Gold, Jihadist Governance, and State Collapse**

Following the 2012 coup and the seizure of northern Mali by Tuareg separatist forces and Al-Qaeda in the Islamic Maghreb, jihadist organizations including Ansar Dine, the Macina Liberation Front, and subsequently the Group to Support Islam and Muslims progressively extended territorial control across large portions of central and northern Mali. This territorial consolidation has been accompanied by the systematic taxation of artisanal mining operations, the imposition of protection arrangements on mineral trading routes, and, in some documented instances, the direct operation of mining sites. United Nations Panel of Experts reporting and investigative journalism have documented the integration of Malian artisanal gold into international trading networks, with mineral proceeds transiting through West African intermediary markets before entering the supply chains of international refiners.¹⁹³

The governance implications are significant. The formal regulatory framework applicable to Mali's artisanal sector - including the 2019 Mining Code and the nascent West African regional frameworks for artisanal mining governance presupposes a state with sufficient territorial reach to register, inspect, and certify artisanal operations. In a context where the state has lost effective control of the majority of its national territory, these presuppositions do not hold. The transitional authorities' decisions to expel French forces, terminate the UN MINUSMA mission, and engage the Russian private military contractor group (now operating as Africa Corps) have further complicated the governance landscape, with credible documentation of that group's own involvement in artisanal gold extraction as partial compensation for its security services. The Malian case thus exposes the foundational limits of a regulatory architecture premised on the existence of a state capable of implementing it.¹⁹⁴

¹⁹² -Richard Meeran et al., "Transnational Experts Wanted: Nigerian Oil Spills before the Dutch Courts," *Journal of Environmental Law* 33, no. 2, 2021, p.423.

¹⁹³ -United Nations Panel of Experts on Mali, Final Report, UN Doc S/2023/228 (2023).

¹⁹⁴ -United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), Report of the Secretary-General, UN Doc S/2023/367 (2023).





Paths to Stability: Legal Reform and Governance Reconstruction

This section identifies some interconnected directions of reform through which the resource-conflict nexus may be most effectively disrupted. These are not presented as a sequential programme but as mutually reinforcing priorities whose relative urgency varies across contexts. In settings where domestic institutional collapse is the primary governance failure as in eastern DRC - international regulatory frameworks must carry a greater share of the accountability burden. Where institutions exist but are captured as in Nigeria's petroleum sector - the priority is accountability reform rather than capacity building in a purely technical sense. Where legal pluralism is the central governance problem - as across much of the artisanal mining sector reforms that clarify and substantively protect customary rights may be more immediately effective than comprehensive legislative revision. Context-sensitivity is not a counsel of relativism; it is a condition of effective reform design.

- **Resolving Legal Fragmentation: Community Rights, Customary Tenure, and Contractual Transparency**

Reducing the governance pathologies generated by legal pluralism requires both technical legal reform and a political commitment to redesigning the hierarchy of rights so that community entitlements are substantively protected rather than formally acknowledged and practically overridden. Although robust institutional and legal provisions to protect the environment and communities are not lacking, corruption, negligence, and the absence of genuine political will on the part of governments have often rendered such interventions ineffective.¹⁹⁵

The structural separation of sub-surface mineral rights - vested in the state from surface and customary land rights has been a consistent driver of community dispossession and conflict-generative grievance across African extractive contexts. Reforming this architecture does not require the abolition of state mineral sovereignty; it requires the legal embedding of meaningful protections for customary land and resource use rights that can coexist with, rather than be systematically subordinated to, state-issued extraction licenses.

The principle of free, prior and informed consent, established under the UN Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169, provides the normative foundation for this reform. Its implementation in African domestic legal frameworks has been partial and inconsistent; what is needed is not merely formal legislative recognition but the creation of accessible procedural mechanisms through which communities can genuinely exercise consent rights, supported

¹⁹⁵ - Dr. Ukiyedeikimie Ugo Moses, "Natural Resources and Intra-State Conflicts in West Africa after the Cold War," *Wu-kari International Studies Journal* 9, no. 2, June 2025, p.225.





by independent legal assistance and backed by effective judicial remedies for violations. Where FPIC processes are established without these supporting elements, they function as legitimization procedures rather than genuine safeguards.

At the contractual level, greater transparency should become a central principle of resource governance. The terms of production-sharing agreements, mining concessions, and investment contracts should be publicly accessible, particularly those relating to fiscal obligations, environmental protection, stabilization clauses, and community development commitments. Greater transparency would strengthen public oversight, reduce opportunities for corruption, and improve accountability in the management of natural resources. Existing guidance developed by institutions such as the Natural Resource Governance Institute and the Columbia Center on Sustainable Investment provides practical models for designing contracts that protect legitimate investor interests while preserving states' regulatory authority in matters of environmental protection, human rights, and sustainable development.¹⁹⁶

As global demand for critical minerals continues to grow, improving governance should remain the primary objective of resource policy. The long-term benefits of Africa's natural wealth will depend not only on favorable market conditions but also on the capacity of governments to negotiate equitable contracts, enforce regulatory standards, and ensure that resource revenues contribute to sustainable development, institutional resilience, and social stability. Effective governance, rather than resource abundance alone, will ultimately determine whether extractive industries become drivers of development or sources of continued political instability.

Conclusion

The comparative analysis presented in this article demonstrates that natural resource wealth does not inevitably generate political violence. Rather, the three case studies show that conflict emerges where governance institutions fail to regulate resource extraction effectively, reconcile competing legal claims, and ensure that the benefits of natural resources are distributed in a transparent and equitable manner. Although the Democratic Republic of the Congo, the Niger Delta, and Mali differ considerably in their political histories, institutional structures, and patterns of resource exploitation, they reveal a common reality: the political consequences of resource abundance are determined less by the resources themselves than by the quality of the legal and institutional frameworks that govern them.

The findings challenge deterministic interpretations of the resource curse by placing governance at the center of the analysis. Across the cases examined, institutional weakness, fragmented legal

¹⁹⁶ - EITI, "The power of open data: Strengthening governance in Africa's extractive industries," EITI Blog, May 2025. <https://eiti.org/blog-post/power-open-data-strengthening-governance-africas-extractive-industries>





systems, unequal revenue distribution, and limited accountability create mutually reinforcing conditions that allow political elites, armed groups, and transnational economic actors to exploit strategic resources for private or political gain. Resource-related violence should therefore be understood not as an inevitable consequence of mineral or hydrocarbon wealth, but as the outcome of governance failures that weaken state legitimacy and undermine the rule of law.

The comparative perspective also suggests that no single governance model can address the diversity of African resource-producing contexts. While the underlying challenges are broadly similar, the priorities for reform differ according to local political and institutional realities. In the eastern Democratic Republic of the Congo, rebuilding state authority and strengthening regulatory enforcement remain essential. In the Niger Delta, improving accountability, environmental governance, and equitable revenue management is of greater importance. In Mali, where legal pluralism and weak territorial control shape the extractive sector, reforms must give greater recognition to customary rights while strengthening state oversight. Effective resource governance therefore requires context-sensitive solutions rather than uniform policy prescriptions.

This study has several limitations. It relies exclusively on secondary sources and examines only three case studies, which limits the extent to which its findings can be generalized across the African

continent. Nevertheless, the comparative framework provides a useful basis for understanding how similar governance failures produce different forms of political violence under varying institutional conditions. Future research could broaden this analysis by incorporating additional African cases, particularly countries such as Angola and Mozambique, where recent developments in the extractive sector present valuable opportunities for comparative investigation. Further attention should also be given to the growing interaction between critical mineral extraction, geopolitical competition, and the global energy transition, all of which are reshaping Africa's strategic position within the international political economy.

Ultimately, the future of Africa's resource wealth will depend less on the quantity of minerals, hydrocarbons, or other strategic commodities than on the capacity of states to build effective institutions, coherent legal frameworks, and accountable systems of governance. As global demand for critical resources continues to grow, the central challenge is no longer whether Africa possesses abundant natural wealth, but whether that wealth can be governed in ways that promote inclusive development, strengthen state legitimacy, and reduce the structural conditions that give rise to political violence.





**"Ce travail est soutenu par le CNRST dans le cadre du Programme
 « PhD-Associate Scholarship – PASS »"**

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