

MULTINATIONAL OIL COMPANIES AND INTERNATIONAL CONVENTIONS ON OIL DRILLING IN THE NIGER DELTA OF NIGERIA, 1956-2016

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ABSTRACT

The Niger Delta Region of Nigeria, known for its oil production. It's significance to the Nigerian economy is not to be overemphasized or down-played. The region's boom as an economic hub predates the discovery of oil, thus it's pre-colonial and colonial attractiveness in palm oil trade, it's ever flourishing coastal estuaries that facilitate early contact with European merchants and colonial administrators is still fresh in history. Oil drilling began in the region in 1956, and the region has since become one of the most important oil-producing regions in Africa. The activities of multinational oil companies haven't been a palatable experience to the indigenous communities and residents with events relating to unending human, economic and development consequences. Over the years, there have been several international conventions and agreements related to oil drilling in the Niger Delta. Some of these include the United Nation's Convention on the Law of the Sea (UNCLOS), the Paris Agreement on Climate change and the Kyoto Protocol. These conventions have set standards for oil drilling including regulations. This research paper is geared towards unraveling the issues surrounding oil drilling, activities of oil multinational corporations and the impacts of their activities on the livelihood of the people.

Keywords: *Niger Delta, Multinational Oil Companies*

INTRODUCTION

Oil has been central to the nation-building process in Nigeria, and the political economy of its distribution has shaped the style and quality of governance in the country. Although multinational oil companies have found the Niger Delta a fertile ground for business, the region remains backward, poor and underdeveloped. The host communities have been frustrated by the effects of oil production on the environment which include oil spillages, the reduction of arable land and the destruction of wildlife and fish reserves.

The oil sector has brought many employment opportunities and a huge amount of revenue to Nigeria as a whole, but, the Niger Delta where this is tapped from does not show the same. Oil extraction and drilling has led to the people feeling that:

Oil foils everything in Southern Nigeria. It spills from the pipelines, poisoning soil and water. It stains the hands of politicians and generals, who siphon off its profits. It taints the ambitions of the young, who will try anything to scoop up a share of the liquid riches- fire a gun, sabotage a pipeline, kidnap a foreigner.¹

Several international conventions have been made to alleviate the economic conditions of the Niger Delta region of Nigeria and for the people and protect the environment.

Defining the Niger Delta Region

The name, Niger-Delta was derived from its position at the mouth of the River Niger.² The Niger Delta region was formed by the River Niger, West Africa's largest river, which flattens out in the Nigeria's South-Eastern coast into a tangle of creeks and mangrove swamps suffused with fresh and brackish water. It has abundant oil and gas deposits, both onshore and offshore, and includes

¹O'Neil *Curse of the Black Gold*. National Geographic. <http://ngmnationalgeographical.com> 2007/02/Nigerian-oil/oniel-text Accessed and Retrieved 06 January, 2024).

²E. Etekpe, *The Politics and Conflicts over Oil and Gas in the Niger Delta Region*. The Bayelsa Experience, (Port Harcourt: Harey Publications Company, 2007), p.16.

those oil and gas deposits located at Agbami, Bonga, Usan and Amenam/Kpono field, a region occupied by over 20 million people. The uniqueness of Nigeria's Niger Delta region is not only due to its abundant oil deposits, it is also characterized by the existence of coastal low lands and waters – marshland, creeks, tributaries and lagoons.³

The region has a warm humid sub-tropical climate with a long dry season and short rainy season. The region has also expanded due to General Sani Abacha's concept of the South-South geopolitical zone, which made the Niger Delta synonymous with oil producing states. For example, Abia, Imo and Ondo states, though historically are outside the area, now form part of the Niger Delta, do not possess the characteristics of a delta. Chief Olusegun Obasanjo's administration further confused the region with its creation of the Niger Delta Development Commission (NDDC) Act of 2000, which redefined the Niger Delta region to be inclusive of the nine oil and gas producing states in Nigeria. Jaja, commenting on the lack of unanimity among scholars and the indigenous people on the actual boundary of the Niger Delta suggests that:

'There are several views about the Niger Delta. The most popular ones refer to areas comprising the lower parts of the River Niger nearer the waistline.... Another variant distinguishes the core Niger Delta from the New Niger Delta of the Niger Delta Development Commission (NDDC). The later covers the nine oil producing states, namely, Abia, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and River State.⁴

Thus the Niger Delta can be defined in three ways: geographically, economically and politically. Economically, the Niger Delta can be defined in terms of its resources which make the region the economic hub of Nigeria during both the oil palm era and in the current petroleum oil era. Politically, in consensus with the Niger Delta Development Commission (NDDC) Act 2000, the region is expressed as synonymous with oil production.⁵

Evolution of Multinational Companies in Nigeria

Multinational company/corporation is a corporation that has its facilities and other assets in at least one country other than its home country. Such companies have offices and/or factories in different countries and usually have a centralized head office where they coordinate global management.

The operations of multinational companies in Nigeria dates back to the pre-colonial era, when the Royal Niger Company first appeared in Nigeria and started business with the traditional societies that existed in the area. Nigeria was and is still known for her rich oil deposits from palm oil to crude oil and these companies engaged in business alliances with indigenous petty traders and their British traders Calabar and Lagos which became the major trade centres of these business transactions. In the early nineteenth century, there were series of these contacts.

When oil was discovered in Nigeria, the first multinational company that came prospecting for it was Shell Petroleum D'Archy, a British and German consortium. The company began exploratory work in 1937. The association was granted license to explore oil all over the territory of Nigeria but, the acreage allotted to the company in the original license was reduced in 1951 and then between 1955 and 1957. Drilling activities started in 1951 with the first test well drilled in

³Osaghae *et al.* 2007 p.6 cited in Beloved Nwankwo "Conflict in the Niger Delta and Corporate Responsibility of Multinational Oil Companies" Thesis, University of Derby 2017 p. 4.

⁴S. O. Jaja, "The Collapse and Ultimate Survival of Traditional Rulers, Traditional System and Leadership in the Niger Delta since Nigeria's Independence (1960)" in Derefaka A. A. & Okorobia, A. M. (eds) *The Future of the Niger Delta: the Search for a Relevant Narrative*: (Port Harcourt: Onyoma Research Publication. 2008), pp. 140-1.

⁵R. T. Ako, Nigeria's Land Use Act: An Antithesis to Environmental Justice, *Journal of African Law*. 53(2)2009, pp. 289-304.

Owerri area. Oil was discovered in non-commercial quantities at Akata, near Eket in 1953.⁶ Prior to the Akata find, the company had spent around £6 million on exploratory activities in the country. In pursuit of commercially available petroleum, Shell-BP found oil in Oloribiri, Nigeria in 1956. Other important oil wells discovered during the period were Afam and Bomu in Ogoni territory. Production of petroleum oil began in 1957, and in 1960, a total of 847, 000 tonnes of crude oil was exported. Towards the end of the 1950s, non-British firms were granted license to explore for oil: Mobile in 1955, Tenneco in 1960, Gulf Oil, later Chevron in 1962 and Elf in 1962. The oil boom of the 1970s and early 1980s attracted other companies such as Texaco, Nexen etc. The first oil field began production in 1958.⁷

Exploration and Production

Oil "drilling" involves the process of exploring for and extracting crude oil from underground reservoirs or deposits. The drilling process typically involves the following steps:

Exploration: Identifying potential oil-bearing formations using seismic surveys, geological studies, and other exploration techniques.

Site preparation: Clearing and preparing the drilling site, including constructing access roads, building drilling pads, and installing necessary equipment.

Drilling: Using a drilling rig to create a wellbore (a hole) into the earth's surface, typically several thousand feet deep.

Casing and cementing: Installing steel casing pipes and cementing them in place to line the wellbore and prevent collapse.

Drilling and completion: Drilling through the oil-bearing formation, and then completing the well by installing production equipment, such as pipes and valves.

Production: Extracting crude oil from the well, which is then transported to refineries for processing into various petroleum products.

Enhanced oil recovery (EOR): Implementing techniques to increase oil extraction, such as water injection, gas injection, or chemical injection.

Well maintenance: Regularly monitoring and maintaining the well to ensure optimal production and extend its lifespan.

Keep in mind that modern drilling operations often incorporate advanced technologies, such as horizontal drilling, hydraulic fracturing, and digital monitoring systems, to improve efficiency and minimize environmental impact.

Nigeria has a total of 159 oil fields and 1481 wells in operation according to the Department of Petroleum Resources.⁸ The most productive region is the coastal Niger Delta basin in the Niger Delta or "South-South" region, which encompasses 78 of the 159 fields. Most of these fields are small and scattered, and in 1990, they accounted for 62.1% of all Nigerian production. This contrasts with the sixteen largest fields, which produced 37.9% of Nigeria's petroleum at that time.⁹ An extensive and well developed pipeline has been developed to link these small fields and networked to transport the crude.

Nigeria's petroleum is classified mostly as "light" and "sweet", as it is largely free of sulphur and is the largest producer of the sweet oil in OPEC. The sweet oil is similar in composition to the petroleum extracted from the North sea. It is known as "Bonny light". Names of other Nigerian

⁶J. G. Frynas, *Oil in Nigeria: Conflict and Litigation between Oil Companies and Village Communities*. Munster. Lit. Verlag.1999.

⁷History of the Oil Industry. *Lubcon International*. Archived from the original on 10 April 2012. Retrieved 4, December 2023.

⁸Environmental Resources Managers Ltd, Niger Delta Environmental Survey Final Report Phase 1, Volume 1: *Environmental and Socio-Economic Characteristic* (Lagos: Niger Delta Environmental Survey), September 1997.

⁹Khan, Ahmad, Nigeria. *The Political Economy of Oil* ISBN 0-19-730014-6.

crudes, all of which are named according to export terminal, are Qua Ibo, Escravos blend, Brass River, Forcados and Pennington Afan.

There are six petroleum exportation terminals in the country. Shell owns two, while Mobil, Chevron, Texaco and Agip own one each. Shell also owns the Forcados Terminal, which is capable of storing 13million barrels of crude oil in conjunction with the nearby Bonny Terminal. Mobil operates primarily out of the Qua Iboe Terminal in Akwa Ibom State, while Chevron owns the Escravos Terminal located in Delta State and has a storage capacity of 3.6 million barrels. Agip operates the Brass Terminal, a town 113 kilometres Southwest of Port Harcourt and has a storage capacity of 3,558,000 barrels. Texaco operates the Pennington Terminal.¹⁰

Onshore

The onshore oil prospecting began as far back as 1908, with Nigeria Bitumen Corporation in Araromi, Ondo state. Due to lack of technological and financial resources of small oil companies, large and strong companies took over the exploration of commercial oil in the country. The onset of the First World War in 1914 ended the operations. Thereafter, activities resumed and after a few years of concerted efforts, oil was discovered in commercial quantities. The emergence of petroleum on the Nigerian economic scene inevitably resulted in government reorganization to accommodate the industry. The Federal Ministry of Mines and Power was created in 1962 for monitoring, control and regulation of the oil industry. The Department of Petroleum Resources (DPR) undertook professional analysis of the unfolding discoveries and sub-divided the Niger delta into oil blocks for further exploration and production and awarded same to the companies.

Offshore

After independence in 1960, offshore licenses were granted to Shell BP, Gulf, Mobil and Texaco in 1961. Since then, various exploration discoveries and production of oil and gas have taken place beyond Nigeria's coastline in the Niger Delta. The Department of Petroleum Resources (DPR) contracted the professional studies and analysis and sub-divided the shallow offshore below 200 metre water depth into oil concessions and awarded same to oil companies.

As of 2005, oil companies investigated offshore production as an alternative area of production. Deep water production mainly involved underwater drilling that exists 400 metres (1,300ft) or more below the surface of the water to expand the possible sources for finding new oil reserves. Deep water production is less vulnerable to disturbance by local militant attacks and seizures, due to civil conflicts, and sabotage.¹¹ These advancements offer more resources and alternatives to extract the oil from the Niger Delta with less exposure to conflict versus the operations on land.

About 131 companies work in the Niger Delta's oil industry including drilling and survey contractors. Many oil companies (international and local) have entered and quit Nigeria's oil industry over the years due to high levels of insecurity, corruption, government policies, stiff competition and other reasons. A few of the following top ten companies with their head offices and year of formation.

S/N	OIL COMPANY	HEADQUARTERS	FOUNDED
1.	Exon Mobil	Irving Texas, USA	1999
2.	Chevron Nigeria Ltd (CNL)	San Ramon California USA	1879
3.	Equinox ASA	Stavanger, Norway	1992
4.	Shell Energy, Nigeria	Rivers, Nigeria	1993
5.	Nigerian Agip Oil (NAOC)	Rome, Italy	1962
6.	Nexen Petroleum Nigeria Ltd	Calgary, Alberta, Canada	1971
7.	Total Energies	Courbevoie, France	1924

¹⁰Nigerian Crude and Gas Industry (Nigeria BusinessInfo.com).

¹¹J. McLennan, S. Williams, "Department Africa reaches turning point" *Oil and Gas Journal*, 103 (6): 18, 2005.

8.	Hardy Plc	London, United Kingdom	1997
9.	South Atlantic (SAPETRO)	Lagos	1995
10.	Addax Petroleum	Beijing, China	1994

Figure 1: Legit (2022)¹²**Impact of Oil Operations**

Ecological and environmental degradation through gas flaring, oil spillage, coastal erosion and floods, change in vegetation, leaking pipelines and gas flaring harm the environment and wildlife. Poverty Amidst Wealth: With the large number of Multinational Oil Companies in operation in the Niger Delta region, it is expected that this region which produces the greatest revenue of the country should be rich and vibrant in technological progress but this is not the case. The people of the region unfortunately are suffering despite the rich oil wealth. Top jobs that are meant for the Niger Delta people are given to the local chiefs who trade them off for money. Poverty has also been increased as a result of environmental degradations caused by oil production in the area. Oil spills in the region has caused vast damages to farming and fishing.¹³ Also soot from gas flares has caused many to have lung infections and other health issues. The people are reported to be among those with the lowest living standards in the whole of Nigeria, because they are subjected to live without good roads, lack of electricity and hospitals without basic amenities, etc.

Social impacts such as loss of self-esteem, loss of land and resources.

In-migration: Over the years, studies have shown that mining projects attract population to the region of operation. In the Niger Delta, there is abundant evidence to suggest that the drilling for oil has resulted in the influx of people from different parts of the country and abroad as oil company workers etc. This has led to large number of people in slums around the cities. One common feature of these slums is lack of social amenities like electricity, pipe-borne water, good roads, hospitals and schools.¹⁴

Some necessary legislations were made to protect the place at each stage of oil and gas activities for effective environmental protection, planning, pollution prevention and control and generally including responsible attitudes and behaviours towards the environment. Some of these statutes are:

Oil and Navigable Water Act

This was concerned with the discharge of oil from ships. In particular, section 3 makes it an offence for a ship master, occupier of land or operator of apparatus for transferring oil to discharge oil into Nigeria waters.

Petroleum Act 1969

The petroleum Act and its Regulations remain the primary legislation on oil and gas activities in Nigeria. The Act provides for regulations to be made for safe working of petroleum operations, prevention of pollution of water-courses and the conservation of petroleum resources, among others.

¹² Legit – Paris Walubengo, Adrianna Sinmwa Legit. Tuesday Aug. 30, 2022.

¹³Destiny Apuke, Exploring the Issues in oil Production in the Niger Delta Region of Nigeria. Security challenges & Suggested Solutions, *Arabian Journal of Business*, 2017, p. 68.

¹⁴P. E. Ateboh and R. M. Olalekan, Corporate Civil Liability and Compensation Regime for Environmental Pollution in the Niger Delta. *International Journal of Recent Advances in Multidisciplinary research*. Vol. 5. Iss. 6. June 2018, p. 3881

Petroleum Drilling and Production Regulations

Paragraph 25 of the Regulations provides; "The licensee or lessee shall adopt all practicable precautions including the provision of up-to-date equipment approved by the Director of Petroleum resources to prevent the pollution of inland waters, rivers, water courses, the territorial waters of Nigeria, or the high seas by oil, mud or other fluids or substances which might contaminate the water, banks or shore line or which might cause harm or destruction to fresh water or marine life, and where any such pollution has occurred, shall take prompt steps to control and possibly, end it.¹⁵

Petroleum Refining Regulation

Section 43(3) requires the manager of a refinery to take measures to prevent and control pollution of the environment and prescribes punishment for contravention.

Oil Pipeline Act

Section 17(4) of the Oil Pipelines Act establishes that grant of licenses are subject to regulations concerning public safety and prevention of land and water pollution. The Act creates a civil liability on the person who owns or is in charge of an oil pipeline of a break or leak in his pipelines. In **Shell Petroleum Development Company of Nigeria Ltd vs Abel Isaiah and Ors**, the court held that installation of pipelines, producing, treating and transmitting of crude oil to the storage tanks is part of petroleum mining operations. Therefore, if an accident happens during the transmission of petroleum to storage tanks, it can be explained as having arisen from or connected with or pertaining to mines, and minerals including oil fields, and oil mining.

International Conventions on Oil Drilling

On the international scene, many conventions have been adopted. Some are:

The Geneva Convention on the High Seas

This was adopted in 1958. The convention established the rules for the conservation and management of marine resources, including fish stocks and other living resources. While the convention did not specifically address oil drilling, it did set the rules for protecting the marine environment and avoiding pollution from ships. These rules have since been expanded upon by other international convention and agreements.

United Nations Convention on the Law of the Sea (UNCLOS)

It was adopted in 1982 and entered into force in 1994. This convention sets out the legal framework for the use of the world's oceans, including for activities such as oil drilling. It also provides for the protection of the marine environment and the conservation of living resources and maritime activities. As of May 2023, 168 countries and the European Union are parties. There were actually three conventions: (i) UNCLOS I (1958) which was considered a success though it left open the important issue of breadth of territorial waters. (ii) UNCLOS II (1960) No new arrangements reached as Third World Countries participated only as clients, allies or dependents of the United States or the Soviet Union with no voice of their own.¹⁶ (iii) UNCLOS III (1973). Introduced a number of provisions.

Most significant were setting of limits, navigation, archipelagic status and transit regimes, exclusive economic zones (EEZ), continental shelf jurisdiction, deep seabed mining, the exploitation regime, protection of the marine environment, scientific research and settlement issues. The conventions resulted from the third UNCLOS which took place between 1973 and 1982. The convention was opened for signature on December 10, 1982 and entered into force on November 16, 1994 upon deposition of the 60th instrument of ratification.¹⁷

¹⁵*Ibid.*, p. 3884.

¹⁶Three Mile Limit www.offshoreradiomuseum.co.uk. Archived from the original 4 Nov. 2020. Retrieved 30 Mar 2024

¹⁷Capt. V. Enchev. *Fundamentals of Maritime Law*. 2012 ISBN 978-954-8991-69-8

The significance of UNCLOS stems from the fact that it systemizes and codifies the standards and principles of international maritime law, which are based on centuries of maritime experience and are expressed to a greater extent on the United Nations charter and current international maritime law norms such as the Geneva Conventions of 1958. A large portion of these requirements were further strengthened and expanded. So in 1994 a year after Guyana became the 60th nation to ratify the treaty, UNCLOS came into force.¹⁸ In 2023, agreement was reached on a high seas treaty to be added as an instrument of the convention to protect ocean life in international waters (this included the Law of the Sea-International law concerning maritime environments; International seabed authority-intergovernmental body to regulate mineral related activities on the sea bed).

The Kyoto Protocol

This was another important international convention related to oil drilling. It was adopted in 1997 and entered into force in 2005. The protocol established binding emission reduction targets for developed countries, which included some of the world's largest oil-producing countries. However the protocol did not cover developing countries. This international treaty commits state parties to reduce greenhouse gas emissions based on the scientific consensus that human made CO₂ emissions are the driving force behind global warming. The protocol was adopted in Kyoto, Japan on December 11, 1997 and entered into force on 16 February 2005 with 192 parties¹⁹. Six categories of greenhouse gas emissions are given notably:

- i. Carbon dioxide (CO₂)
- ii. Methane (CH₄)
- iii. Nitrousoxide (N₂O)
- iv. Hydroflocarbons (HFLs)
- v. Perflourocarbons (PFLs)
- vi. Sulphurhexaflouride (SF₆)

Parties are required to prepare policies and measures for the reduction of these gases in their respective countries, increase the absorption of these gases and utilize all mechanism available. Fossil fuels are the main driver for climate change as they act for 89% of all CO₂ emissions and 68% of all GHG emissions.²⁰ They basically used three mechanisms:

- a. Clean Development Mechanism (CDM)
- b. Joint Implementation (JI)
- c. Emissions Trading (ET)

The Kyoto protocol was criticized for not addressing the emissions of developing countries, which were a growing source of greenhouse gas emissions. This led to the development of the Paris Agreement which covers all countries and calls for global action on climate change.

Paris Agreement on Climate Change (Accord de Paris)

Adopted 2015 to keep the rise in mean global temperature to well below 2⁰C (3.6⁰F) above pre-industrial levels to reduce the effects of climate change and to pursue efforts to limit it to 1.5 degrees. It aims to increase the ability of countries to deal with the impacts of climate change, such as sea level rise and extreme weather events. In relation to oil drilling, the agreement calls for countries to phase out the use of fossil fuels, including oil, and to transition to cleaner energy sources. The Paris Agreement has been successfully used in climate litigation forcing countries and

¹⁸The United Nation's Convention on the Law of the Sea (A Historical Perspective) United Nations Division for Ocean Affairs and the Law of the sea. Archived 15 September, 2022. Accessed and Retrieved 30 April 2024.

¹⁹Kyoto Protocol to the United Nations Framework convention on climate change" UN Treaty Database. Archived 8 October 2018 Retrieved 27 November 2023.

²⁰J. G. J. Olivier, Peters, J. A. H. W., Trends in Global CO₂ and other greenhouse gas emissions (2020). The Hague; PBL Netherlands, Environmental Assessment Agency, 2020.

oil companies to strengthen climate action.²¹ Flare operations in the Niger Delta are the world's second largest after Russia, accounting for at least 10% of the world total. More greenhouse gases are emitted in Nigeria than from all other sources in Sub-Saharan Africa combined. It is widely accepted that these pollutants are linked to significant health and environmental problems throughout the Niger Delta.²²

The UN Convention to Combat Desertification (UNCCD) is another important convention related to the Niger Delta Region. It was adopted in 1994 and entered into force in 1996. The convention aims to combat desertification and drought by helping countries develop strategies to manage their land and water resources in a sustainable manner.

International Convention on Gas Flaring

The international convention on gas flaring is the Zero Routine Flaring by 2030 (ZRF) initiative, launched in 2015. This initiative aims to end routine gas flaring at oil production sites across the world and reduce methane emissions from the oil and gas sector to near zero by 2030. The initiative is led by the Global Flaring and Methane Reduction Partnership (GFMR), a multi-donor trust fund composed of governments, oil companies, and multilateral organizations.

The International Convention for the prevention of pollution of the sea by oil, 1954 (amended severally from 1958 through 1982 to 1992)

This treaty was assented to by Nigeria on April 22, 1968. The regulation covers the obligation of the state as it relates to the pollution of the marine environment from polluting sources such as oil, nuclear related activities, etc. All ships covered by this convention are to carry an oil record book in a form specified in the annex to be completed whenever certain operations take place.²³

In addition to the International Conventions mentioned above, there have also been regional initiatives to address oil drilling in the Niger Delta. For example, the African Commission on Human and Peoples' Rights has issued a resolution calling for the protection of rights of the Ogoni people and the protection of their environment. The Economic Community of West African States (ECOWAS) has also adopted protocols addressing environmental protection and sustainable development. These regional initiatives have helped to raise awareness of the impacts of oil drilling on the environment and people of the Niger Delta.

Reactions

The major oil companies have responded in part by fostering relationships with both the Federal and State governments. For example, much of their security is provided by off-duty officers of the Nigerian Police Force. In addition, they have developed and cultivated technical intelligence networks and have also attempted to win support from regional communities by building schools and hospitals and providing much of the funding for the NDDC. Oil companies make "customary and statutory payments" to host communities or to those who ostensibly hold the land and fishing grounds where oil exploration or drilling might take place.²⁴

Ogoni Bill of Rights (OBR): This was adopted by the Ogoni people in 1990. The Bill called for the right to a clean environment, including a halt to oil drilling and the clean-up of oil spills and to

²¹Boffrey Daniel, Court Orders Royal Dutch Shell to cut Carbon emissions by 45% by 2030", *The Guardian*, 26 May 2021. Archived 26 May 2021 Retrieved 26 May 2023.

²²Paul Francis, Dei dre Lapin, Paula Rossiasco, Securing Development and peace in the Niger Delta. A social and conflict Analysis change. USA, Woodrow Wilson International Centre for Scholars, 2011, p. 42.

²³Hart Lawrence, Orupabo Silca, Applicable International Environmental Impact Assessment Laws for the Niger Delta Area of Nigeria. *African Journal of Environmental Science and Technology*, Vol. 10, No. 11, November 2016, p. 390.

²⁴John Campbell, *Nigeria, Dancing on the Brink*, (Plymouth: Rowman and Littlefield Publishers, 2011), p.75.

protect the environment from further degradation. It also called for the right to self-determination and control over the regions natural resources. The Bill was not officially recognized by the Nigerian government, but it drew international attention to the Ogoni people's struggle for environmental human rights.²⁵

Lack of compensations and clean ups. Oil companies take advantage of weak laws and tax enforcement to avoid responsibility for the environmental damage caused by their operations. Even when the oil companies do provide compensation for the damage caused by spills and leaks, their system of assessment and payment are often very unsatisfactory. In January 1998, 40,000 barrels of light crude oil (or 1.6 million gallons) were spilled into the Atlantic Ocean near Mobil's primary facility in Eket, Akwa Ibom State. It was the biggest spill in Nigerian history. Mobil's reaction to the oil was so slow that the oil reached the shores of Lagos, nearly 500km to the West. Mobil agreed to pay compensation to residents of oil producing communities but only to those individuals who were able to submit claims which in many cases required potential claimants to make a long and costly journey to Eket. This proved impossible for many who could not afford to rent vehicles or bicycles. Moreover compensation was only granted to oil-producing communities, whereas, many non-oil producing communities were affected just as much.²⁶ In some cases, oil companies, for example Shell alleged sabotage as the cause of the spills even before carrying out inspection to avoid payment.²⁷ Other reactions were broken promises and the policy of divide and rule where the companies paid others to disrupt the activities of legitimate protesters.

CONCLUSION

The search for oil nicknamed the "Black Gold" ended in the mid 1950s when oil was discovered in Oloibiri. This discovery led to the influx of multinational oil companies. Shell BP as it was known started its oil exploration in 1921 and this presence attracted others including Mobil, Agip and Chevron to the region. Even though there is evidence of concern and interest shown by multinational corporations in ameliorating the plights of the people as regards the adverse effects of their activities in the form of spillage that pollutes the environment, destruction of means of survival such as fishes, crops, gas flaring causing several unending militarization of the region causing tension, human rights abuses, etc. Global concern has heightened over the unbridled manner in which the deleterious activities harmful to the earth are being carried out by these multinational companies. Generally, the benefits of adopting practices that protect the environment are widely recognized by regulators and operators. This has led to the development of a variety of international regional and national regulatory instruments and guidelines as discussed in this paper.

BIBLIOGRAPHY

- Ako, R. Nigeria's Land Use Act: An Antithesis to Environmental Justice. *Journal of African Law*. 53(2): 2009.
- Apuke, D., Exploring the Issues in oil Production in the Niger Delta region of Nigeria security challenges & suggested solutions. *Arabian Journal of Business*, 2017.
- Ateboh P.T and R. M. Olalekan, Corporate Civil Liability and Compensation Regime for Environmental Pollution in the Niger Delta. *International Journal of Recent Advances in Multidisciplinary Research*. Vol. 5. Iss 6. June 2018.

²⁵Andrew Rowell; Stephen Kretzmann "All for Shell, The Ogoni Struggle – A Project Underground Report" Lawenstein Nigeria Project, Yale Law School. Nov. 1, 1996, Priceofoil.org.

²⁶Gibert Da Costa, "Mobil apologies for Nigeria's Spill, Pledge Payouts to Villagers", Associated Press, Jan 14, 1999.

²⁷Oil for Nothing: Multinational Corporations, Environmental Destruction and Impurity in the Niger Delta" US. NGO Delegation Trip Report September 6 – 20, 1999.

- Campbell, J., Nigeria, *Dancing on the Brink*, Plymouth, Rowman and Littlefield Publishers, 2011.
- Da Costa, Gibert "Mobil apologies for Nigeria's Spill, Pledge Payouts to Villagers", Associated Press, Jan 14, 1999.
- Daniel, B., Court Orders Royal Dutch Shell to cut Carbon emissions by 45% by 2030". *The Guardian*, 26 May 2021. Archived 26 May 2021 Retrieved 26 May 2021.
- Enchev, C. V. *Fundamentals of Maritime Law*. 2012 ISBN 978-954-8991-69-8.
- Environmental Resources Managers Ltd, Niger Delta Environmental Survey Final Report Phase 1, Volume 1: *Environmental and Socio-Economic Characteristic* (Lagos: Niger Delta Environmental Survey, September 1997).
- Etekpe, The Politics and Conflicts over Oil and Gas in the Niger Delta Region. *The Bayelsa Experience*, (Port Harcourt: Harey Publications Company), 2007.
- Francis, P. Deidre Lapin, Paula Rossiasco, Securing Development and peace in the Niger Delta. A social and conflict Analysis change. USA, Woodrow Wilson International Centre for Scholars, 2011, p. 42.
- Frynas, J. G. *Oil in Nigeria: Conflict and Litigation between Oil Companies and Village Communities*. Munster. Lit. Verlag.1999.
- History of the Oil Industry. *Lubcon International*. Archived from the original on 10 April 2012. Retrieved 4, December 2012.
- Ibaba, S. I., *Understanding the Niger Delta Crisis* Port Harcourt Anethyst and Colleagues Publishers, 2005.
- Jaja, S. O. "The Collapse and Ultimate Survival of Traditional Rulers, Traditional System and Leadership in the Niger Delta since Nigeria's Independence (1960)" in Derefaka A. A. & Okorobia, A. M. (eds) *The Future of the Niger Delta: the Search for a Relevant Narrative*: (Port Harcourt: Onyoma Research Publication), 2008.
- Khan, A., Nigeria. *The Political Economy of Oil* ISBN 0-19-730014-6.
- Kyoto Protocol to the United Nations Framework convention on climate change" UN Treaty Database. Achieved 8 October 2018 Retrieved 27 November 2014.
- Lawrence, H.; Silca, Orupabo Applicable International Environmental Impact Assessment Laws for the Niger Delta Area of Nigeria. *African Journal of Environmental Science and Technology*, Vol. 10, No. 11, November 2016.
- Mclennan, J. and Williams, S. "Department Africa reaches turning point" *Oil and Gas Journal* 103 (6): 18, 2005.
- Nigerian Crude and Gas Industry* (Nigeria BusinessInfo.com)
- O'Neil *Curse of the Black Gold*. *National Geographic*. <http://ngmnationalgeographical.com> 2007/02/Nigerian-oil/oniel-text (Retrieved 06-01-16)

- Oil for Nothing: Multinational Corporations, Environmental Destruction and Impurity in the Niger Delta" US. NGO Delegation Trip Report September 6 – 20, 1999.
- Olivier, J. G. J. Peters, J. A. H. W., Trends in Global CO₂ and other greenhouse gas emissions (2020). The Hague; PBL Netherlands, Environmental Assessment Agency, 2020.
- Osaghae *et al.* 2007 p.6 cited in Beloved Nwankwo "Conflict in the Niger Delta and Corporate Responsibility of Multinational Oil Companies" Thesis, University of Derby 2017.
- Rowell, A., Stephen, K. "All for Shell, The Ogoni Struggle – A Project Underground Report" Lawenstein Nigeria Project, Yale Law School. Nov. 1, 1996, priceofoil.org.
- The United Nation's Convention on the Law of the Sea (A Historical Perspective) United Nations Division for Ocean Affairs and the Law of the sea. Achieved 15 September, 2022. Retrieved 30 April 2009.
- Three Mile Limit www.offshoreradiomuseum.co.uk. Archived from the original 4 Nov. 2020. Retrieved 30 May 2020.
- Ukpong E.A. and M. U., Ikoh Institutionally Generated Crises and the Challenge of Economic Integration in South-South Nigeria. *Journal of Social Science for Policy Implications*, 2013.