

# ENVIRONMENTAL SUSTAINABILITY IN THE NIGERIA'S OIL AND GAS INDUSTRY AS A MIRAGE

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## **Abstract**

This paper examined the operational attitudes of the international Oil companies (IOCs) in the petroleum industry in Nigeria that do not augur well for attaining environmental sustainability. It adopted the doctrinal method of research while collection of relevant data such as primary and secondary sources of law was by visiting law chambers, law libraries and reference to Newspapers among others. It examined the effect of such attitudes by the IOCs, drew a conclusion and made recommendations towards reversing the trend by urging immediate practical steps in implementing the UNEP Report on Ogoni land, prompt action towards ending gas flaring, compliance with NOSARA directives and regulations by the oil majors.

**Key words:** Oil and Gas, Environment, Gas flaring and sustainability

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## **1.1 Introduction**

The environment comprising essentially of land, air, water and the vegetation is the support base of all life on earth. A healthy and sustainable environment of any area is therefore very pivotal to the well-being of the inhabitants of the area both mankind and other species of creation. It is therefore imperative that whatever human activity on the environment ought to be carried out in such a manner so as not to harm the environment but to sustain and enhance its quality as a vital component of life on earth.

However, in this work, it will be shown that by the operations and attitudes of the international oil companies (IOCs) in the Nigeria's oil and gas industry, the much desired environmental sustainability is but a mirage. This paper will also point out the effect of such attitudes/operations, draw a conclusion and proffer recommendations on the path to achieving environmental sustainability in the industry.

## **2.1 International Oil Companies (IOCs) in the Nigeria's oil and gas industry and Attitudinal Operations**

### **Blackmails/Intimidation of Federal Government**

The international oil companies have formed it as a habit to engage the Federal Government in subtle blackmails or acts of intimidation as a bargaining tactics in relation to their obligations to the Federal Government in complying with international best practices in their operations. The Government being the weaker partner often cowers and

withdraws to its shell as a result of the technical expertise of the dominant multinationals' personnel in keeping the oil and gas industry a going concern.

This situation is manifest in the following areas on the part of the oil majors *vis-à-vis* their obligations to both the government and to the environment as the support base to life generally.

## **2.2 Refusal to end Gas Flaring**

The continuing gas flaring in our oil and gas industry is not of recent origin, but a practice that even predated Nigeria's political independence.

Even at that point in time, Nigerians expressed misgivings and resentment over the practice. This much has been noted elsewhere thus:

Historically, the flaring of gas in Nigeria is contemporaneous with the production of crude oil and date backs to the late 50's. Available records according to the Climate Justice Programme report on "Gas Flaring in Nigeria" indicates that unacceptability of gas flaring was expressed as far back as the run up to the country's independence.<sup>1</sup>

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Consequently, when the Secretary of State for the Colonies was asked to address the flaring of gas resulting from the activities

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<sup>1</sup> Aladeitan, 'Gas Flaring and Nigeria's Legal Framework for Elimination' (2010) 3 NSULJ 46 citing Gas flaring in Nigeria: A Human Rights, Environmental and Economic Monstrosity, published in June 2005 by the Climate Justice Programme of the Friends of the Earth International.

of crude oil production, the official response to this concern was that:

Until there is this worthwhile market and until there are facilities (e.g. pipelines and storage tanks) to use the gas, it is normal practice to burn off this by-products from the oil wells.<sup>2</sup>

Well after Nigeria's political independence, gas flaring continued unabated with the Nigerian Government calling upon the Multinational Oil Corporations, through laws and policies, to end gas flaring because of its obvious negative impacts both economically, environmentally and humanly without much success. On several occasions Nigerian government has set unmet targets by the oil majors in ending gas flaring while the latter continues to dribble and maneuver such deadlines, which clearly demonstrates unwillingness to achieve zero-gas flaring as they adjudge it a costly venture businesswise. A glance at gas flaring practice in Nigeria and the latter's efforts at prevailing on the International Oil Companies at ending gas flaring shows a kind of hide-and-seek scenario, a situation that portrays Nigeria's uneasiness and resentment of the continuation of flare activities as recorded below:

The country's unsuccessful attempts to end the menace, despite numerous legislation and deadlines, dates back to 1969 when the military junta led by General Yakubu Gowon ordered Oil

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<sup>2</sup> Ibid. Citing Nigeria Oil and Natural Gas Industry. File DO 177/33, UKJ National Archives.

companies operating in the oil rich Niger-Delta to work towards ending gas flaring by 1974 ... Indications that the country's dream of effective utilization of its gas resources may ensure long gestation period emerged when the multinational oil firms also failed to meet the 1979 dateline, thus, forcing the civilian administration led by Alhaji Shehu Shagari to defer the zero gas flaring deadline to 1984. To ensure the realization of the target, an Associated Gas Re-injection Act of 1979. No. 99 was introduced demanding that Oil Corporations operating in Nigeria should produce detailed plans for gas utilization as well as guarantee zero flares by January 1, 1984, unless they had a case-by-case exemption obtainable from the relevant Ministry.<sup>3</sup>

Further attempts by the Nigerian government in setting unmet deadlines for achieving zero-gas flaring included General Sani Abacha (1995) and President Olusegun Obasanja (2003). However, the oil majors would take none of that as they set their own likely target date purely to truncate government efforts and continue to perpetuate gas flare.

In responding to the 2003 deadline by President Olusegun Obasanjo in ending gas flares, the following source reported about the multinationals thus:

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<sup>3</sup> A Yusuf 'Gas Revolution: How multi-million dollars go up in flames daily', Daily Independent, Tuesday January 14, 2014, p.25.

But the oil firms preferred 2006 as the most realistic date to end the flare. Though, both parties later reached an agreement to end flaring by the end of 2004, the presidency later pushed the date further by two years (2006). However, when the 2006 zero gas flaring deadline failed to materialize, a new date of 2008 was quickly agreed. Bowing to mounting local and international pressure, Abuja again pledged to halt gas flare in Nigeria by January 1, 2008 as the new zero flare date. It also threatened punitive action for any breach. Again, on December 17, 2007, yet another shift was announced, this time with a deadline fixed for 31 December, 2008. In 2009, the Senate passed the Gas flaring Bill, making it illegal for operators to flare gas in Nigeria beyond December 31, 2010. Even this deadline was not met, forcing the House of Representatives to propose December 2012 and later December 31, 2013 as the new zero gas flaring dates as well as impose a fine \$500,000 on any company which fails to report, within 24 hours, any emergency flaring on account of equipment failure.<sup>4</sup>

The above account demonstrates government efforts at ending flares in Nigeria's oil and gas industry and the multinational corporations' determined and subtle will to stick to flaring which is still the practice to date.

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<sup>4</sup> A Yusuf, 'Gas revolution: How multi-million dollars go up in flames daily', Daily Independent, Tuesday, January 21, 2014, p. 35.

### **3.1 International Oil Companies (IOCs), Federal Government of Nigeria and non-protection of Oil Installations**

Quite frequently, the Oil majors indulge in accusation of the Federal Government of not effectively protecting their oil installations, thus making them prone to vandalization by unknown third parties.

In consequence, the oil majors always insist that cases of oil spillage and pollution encountered was as a result of the non-commitment of the government in this regard, and perhaps, that underlines why the oil majors don't always respond rapidly to spill and pollution cases. Suffice to say that this position is just an escape route for the oil majors to cover up their atrocious and unprofessional attitude in spill cases, as salvaging and containing the situation should have been their first step followed by restoration of the area; and later on take up the issue of cause and cost with the appropriate government agency.

This point is evident in a written reaction by the Managing Director of Shell Petroleum Development Company of Nigeria, Mr. Mutu Sunmonu,<sup>5</sup> absolving SPDC over oil pollution in Ogoni land generally and specifically on the two specific spills in Bodo community in 2008; which shell

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<sup>5</sup> C Okocha and O Ohabu, 'Shell Defends Self over Oil Pollution in Ogoni land', Thisday, Sunday, August 6, 2011, p.1 at 6 made available to This Day in Warri, entitled "An open letter on oil spills from the Managing Director of the Shell Petroleum Development Company of Nigeria Limited," and dated August 4, 2011.

nevertheless acknowledged as arising due to operational failure.

Part of Sunmonu's letter reads, which is a clear indictment of the Federal Government of Nigeria:

Concerted effort is needed on the part of the Nigeria government (which itself owns a majority interest in the assets operated by SPDC under a joint operating agreement with the NNPC), working with oil companies and others, to end the blight of illegal refining and oil theft in the Niger Delta, both of which perpetuate poverty. This is the major cause of the environment damage which a media report has so graphically illustrated<sup>6</sup>.

### **3.2 Constant threat of leaving the Industry**

The International Oil Companies have also found, perhaps, as a bargaining weapon, resort to constant threats of quitting the industry whenever government holds them to ensure international best practices in their operational activities as well as operating in conformity with the relevant laws of the land in the industry. This appears so, even just as it is succeeding because of the fact that the oil majors have the technical and expert knowledge under the Joint Venture Partnership with the Federal Government in keeping the oil and gas industry a going concern.

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<sup>6</sup> Ibid



Thus faced with the possibility of the technically superior foreign partners exiting the industry, and thus render the industry moribund, government quakes and shrinks back into its shell from insisting and enforcing the relevant laws applicable to the industry towards ensuring environmental sustainability in the course of economic development. The result is the ubiquitous environmental dislocation and despoliation especially across the oil rich Niger Delta region; even while the oil majors are not doing enough to prevent the conditions (like pipeline vandalism) that precipitate environmental pollution, and expects the government and the host communities to virtually undertake these responsibilities alone.

Chairman of Shell companies in Nigeria, Mutiu Sunmonu once insisted that government must take swift action in combating oil theft in the Niger Delta in the following words:

Preventing theft still depends on the prompt response of government security agencies. Over the last year, SPDC has shut down production on a number of occasions to make repairs to damaged pipelines. But no sooner do we work on one area, than the thieves shift their focus elsewhere... we urgently need more assistance from the Nigerian government and its security forces, other governments and other organizations.<sup>7</sup>

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<sup>7</sup> R Okere and S Salau, 'Shell generates N6.7 trillion revenue for government in four years', *The Guardian*, Friday, April 12, 2013 p.15 at16. Subsequently it began its exit programme from Ogoni land.

As if responding to the above statement from the Shell BP Chief on behalf of the government, the Chief of Navy Staff, Vice Admiral Dele Ezeoba was reported to have,

Challenged oil exploration companies to provide first line security that would ensure the integrity of their pipelines... The provision of the first line security would help deter would be intruders. “The fight against the hydra-headed problem of pipeline vandalization is the collective responsibility of all. The oil majors have a role to play. We, as security operatives, are the enforcement agencies that have the responsibility for prosecution to ensure that these culprits who being caught are charged to court, prosecuted and jailed. That would serve as a major deterrent to would be perpetrators. What we find today is that there is more of surveillance and response and that of enforcement is negligible. Nobody does anything and it is frustrating the efforts of the officers and men who put their lives on the line on daily basis to fight this menace.<sup>8</sup>

The Naval Chief after making the preceding categorical statement of fact, concluded thus:

Having said that, I advocate that whatever we do, they (oil majors) must provide us with proactive capacity that is sustainable. What we do, as it is

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<sup>8</sup> S Oyadonga, ‘CNS tasks oil firms on pipelines Security’, Vanguard Monday, April 1, 2013, p.12.

today, is because of the lack of commitment by the Oil Companies. They should put in place state of the art, 21<sup>st</sup> Century security apparatus that will make our efforts proactive and preventive rather than being reactionary as it is today.<sup>9</sup>

There is no doubt that the resort to threats, whether overt or covert, of leaving the industry by the Oil majors in the face of their own delinquency in certain critical areas, especially when demanded to adopt best global practices amounts to cheap bargaining option.

#### **4.1 Nigerian Government and Neglect or Refusal to Positively Implement UNEP Report on Ogoni Land**

A general environmental degradation and despoliation pervades the entire Niger Delta region resulting from crude oil exploitation and production, but that of Ogoni community in particular reached a height and degree that offended every conscientious and fair-minded individual.

Following sustained resentment and opposition to the inhuman degradation of their environment by the multinational Oil companies, the Ogoni led by such environment activists as Ken Saro-Wiwa, Ledum Mitee together with a few academics like Professor Ben Naanen among others under the auspices of the Movement for the Survival of the Ogoni People (MOSOP), through different fora like rallies, meetings and nonviolent

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<sup>9</sup> Ibid

demonstrations both locally and internationally brought out this act of man's inhumanity to man to international limelight.

Consequently, the United Nations in 1999 sent its special rapporteur to Nigeria, whose report recommended an environmental audit of Ogoni land. The outcome is what is today commonly referred to as the 'UNEP Report on Ogoni land.' The report was released in August, 2011.

Highlights of the report is given below:

An independent scientific assessment by UNEP has shown that pollution from over 50 years of oil operations in Ogoni has penetrated further and deeper than many had thought. The assessment, which is unprecedented and which took over a 14-month period to carry out, had UNEP team examining more than 200 locations, and surveyed 122 kilometers of pipeline rights of way, while reviewing more than 5,000 medical records. UNEP said detailed soil and ground water contamination investigations were conducted at 69 sites, which range in size from 1,300 square metres (Barabeedom-K.dere, Gokana Local Government Area (LGA) to 79 hectares in Ajeokpori-Akpajo, Eleme Local Government Area of Rivers State. Altogether, more than 4,000 samples were analyzed, including water taken from 142 groundwater, as well as monitoring wells drilled

specifically for the study and soil extracted from 780 boreholes.<sup>10</sup>

On the impact of the pollution on both the environment and the people the report revealed:

UNEP said its key findings revealed that in at least 10 Ogoni communities drinking water was contaminated with high levels of hydrocarbons. For instance, in a community at Nsisioken Ogale, it was discovered that families had been drinking water from wells that is contaminated with benzenes – a known carcinogen – at levels over 900 times above World Health Organization guidelines. The site where this was discovered is close to an NNPC Pipeline.<sup>11</sup>

The report urges emergency action in the following terms:

While the report provides clear operational recommendations for addressing the wide-spread oil pollution across Ogoni land, UNEP recommends that the contamination in Nsisioken Ogale warrants emergency action ahead of all other remediation efforts. While some on-the-ground results could be immediate, over all the report estimates that countering and cleaning up

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<sup>10</sup> K Ebiri, 'Flicker of Hope for Environmental Justice in Ogoniland', *The Guardian*, Sunday, August 23, 2015 p.22.

<sup>11</sup> *Ibid.*

the pollution and catalyzing a sustainable recovery of Ogoni land could take 25-30years.<sup>12</sup>

In addition to the official UNEP report, the then UN Under-Secretary General and UNEP Executive Director, Achim Steiner noted as follows:

Ogoni clean up would require the deployment of modern technology to clean up contaminated land and water, improved environmental monitoring and regulation and collaborative action between the government, the Ogoni People and the oil industry. "It is UNEP's hope that the findings would break the decades of deadlock in the region and provide the foundation upon which trust can be built and action undertaken to remedy the multiple health and sustainable development issues facing people in Ogoni land."<sup>13</sup>

Perhaps, in what would pass as a lambasting of Shell practices in the oil industry which significantly contributed in the present sordid state of environmental status in Ogoni land, the UNEP report observed thus:

In addition, it (the report) offers a blue print for how the oil industry and public regulatory authorities might operate more responsibly in Africa and beyond at a time of increasing production and exploration across many parts of

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<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

the continent... UNEP observed that control and maintenance of oil field infrastructure in Ogoni land has been and remains inadequate: Shell's own procedures have not been applied, creating public health and safety issues. It added that the impact of oil on mangrove vegetation has been disastrous. Oil pollution in many intertidal creeks has left mangroves-nurseries for fish and natural pollution filters denuded of leaves and stems with roots coated in a layer of bitumen-type substance sometimes one centimeter or more thick.<sup>14</sup>

In the face of this alarming global body report demanding an urgent action, Shell Petroleum Development Company Nigeria Limited, the major player involved in this ugly affairs has shown no demonstrable commitment at implementing the UNEP report even five years after. This is not only callous and regrettable but shows the level of levity with which Shell treats issues of environmental pollution and human lives of the indigenous people of Nigeria.

Even as President Muhammad Buhari has exhibited the political will to kick-start the cleanup process, Amnesty International has warned that such effort would dovetail to nothing if Shell does not change its characteristics shoddiness and perfunctory habit in clean up cases, when the body noted as stated hereunder:

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<sup>14</sup> *Ibid.*

It is scandalous that Shell-which now wants the world to trust it to drill in the Arctic-has failed to properly implement the UN's expert advice on oil spill response after so long. President Buhari's initiative will fail, and the Ogoni people will continue to suffer, as long as Shell fails to make significant changes to the way it approaches oil spill clean-up.<sup>15</sup>

Dummett further stated, exposing Shell's substandard clean-up habit thus:

Ogoni land has been devastated by years of oil spills and Shell's clean up operations have been utterly ineffective, despite the UNEP report on the issue.<sup>16</sup>

The above represents Shell's response and habit in relation to the UNEP report that directly found it culpable and liable as a causative force, and under obligation to effect immediate clean-up operation but has so far remained a lame duck and quite passive towards that even to date. This unarguably amounts to refusal to act.

### **5.1 Refusal to Submit to Regulatory Authority**

It has become the norm for the IOCs to challenge the powers and authority of regulatory agencies in supervising and

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<sup>15</sup> E Amaizeet *al*, 'Reps, Peterside, CEPEJ laud Buhari over clean-up of Ogoniland', Vanguard, Friday, August 7, 2015, p.3. Per Mark Dummett, Amnesty International's Researcher on Business and Human Rights.

<sup>16</sup> Ibid



regulating their activities, *a fortiori* when fines/sanctions are imposed on them. The IOCs rebuff such idea or action and insist that Oil companies can only be controlled or supervised by the Federal High Court, thus they see government regulatory agencies as interlopers.

This mentality was demonstrated in Shell Nigeria Exploration and Production Company Limited V National Oil Spill Detection and Response Agency (NOSDRA)<sup>17</sup>. The plaintiff in the course of its oil and gas exploration activities, the export line linking their Float Production Storage and Offloading (FPSO) vessel at its Bonga field deep offshore, which was supplying crude oil to a tanker ruptured and thereby spewed out about 40,000 barrels of crude oil into the sea.

The plaintiff in compliance with the enabling statute<sup>18</sup> of the defendant, reported the incident to the defendant promptly on the same day of December 20<sup>th</sup>, 2011. Consequent upon this notification by the plaintiff, the defendant in carrying out its statutory duties, notified other relevant governmental agencies and also appointed some of its officers to investigate it.

The plaintiff was not forthcoming in carrying out investigation with other relevant agencies as directed by the defendant, and the investigation including the Post Impact Assessment (PIA)

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<sup>17</sup> SUIT NO: FHC/L/CS/576/2016 Judgment delivered by the Honorable Justice C.M.A Olatoregun of the Federal High Court, Lagos, on Thursday, 24<sup>th</sup> May, 2018.

<sup>18</sup> National Oil Spill Detection and Response Agency (Establishment) Act, No. 15 of 2006

was carried out without effective participation of the plaintiff that was dilly-dallying over the issue. The investigation showed that about 350 shoreline communities and satellite villages were affected by the plaintiff's spillage and harmful chemical pollutants utilized by the plaintiff in the clean-up operation.

Flowing from the Post Assessment Report, the defendant in exercising its statutory powers, wrote the plaintiff informing it of the fine she is liable to pay vide a letter dated 19<sup>th</sup> December, 2014 titled 'A Notification of Sanction in Respect of the Bonga Oil Spill.' Thus, the defendant found the plaintiff liable for damages alleged caused by the Bonga Oil Spill and concluded as follows:

In the light of the foregoing, you are hereby notified that your company has been levied to pay the sum of \$1,800,095,603.00 Billion as compensation for the damages done to natural resources and consequently loss of income by the affected shoreline communities in line with the Damage Assessment Report conducted by the Agency through an Independent Consultant of Estate Surveyors and Values. The Agency has also imposed a punitive damage in the like sum to be paid to the Federal High Court, both totaling \$3,600,191, 206.00 Billion.”

Upon being served with this sanction by the defendant, the plaintiff objected to it and challenged the constitutionality and authority of the defendant to act as such. The plaintiff

contended that the defendant lacked the powers to sanction her, the plaintiff. The plaintiff further contended that the duty to sanction her is that of the court, to *wit* the Federal High Court, pursuant to its mandate under section 251 (1)(n) of the 1999 constitution as amended.

The plaintiff argued further that within the provisions of sections 1(3),4,5,6,36(1)(2)(12), 43, 44 and 318(4) of the 1999 constitution, the court or Tribunal is the only body that can adjudge the plaintiff liable and award compensation or fine or damages. It was further submitted on behalf of the plaintiff that sections 5,6,7,19 (1) b,c,d,q, 3d, 26 of the NOSDRA Act are *ultra vires* the constitution while regulations 25, 26 and 27 are inconsistent with the power given to the Agency under the NOSDRA Act.

The court after reviewing the relevant provisions of the Constitution as well as the NOSDRA Act, approved all that the defendant did and dismissed the suit as unmeritorious in the following words:

I have no reason to set both letters aside as well as the sums ordered as parties did not make evaluation of the assessed damage an issue for consideration in the questions raised for determination. No evidence, upon which an evaluation could be made was also preferred. In the final analysis all the questions raised by the plaintiff are resolved in favour of the defendant. The only thing left to do is make an order dismissing the suit. Same is dismissed.

## The Effect of these Operational Attitudes on Environmental Sustainability

The cumulative effect of the operational attitudes of the international oil companies is that it has left the environment seriously blighted, impoverished, despoiled, contaminated and a continuing pollution that is detrimental to all forms of life, especially around the point of impact and operation.

### **6.1 Conclusion and Recommendations**

It is evident from the preceding discourse that the IOCs are not fully committed towards adopting prudent and best practices in their activities which inevitably has contributed to the suffocation and pollution of the environment with industrial pollutants. The effect is that the environmental sustainability aspirations of the federal government and the masses of this country would continue to be elusive as the environment would continue to suffer degradation and pollution from the environmental-unfriendly and unprofessional practices of the IOCs in the oil and gas industry in Nigeria. There is need to make Environmental Sustainability a Reality in the Oil and Gas Industry. This will be demonstrated through Serious Commitment towards ending gas flaring. The International Oil Companies (IOCs) must demonstrate serious commitment in ending gas flaring by taking concrete steps in this direction. Issues like gas utilization and harnessing must be vigorously pursued by investing in the appropriate machinery. The somewhat hide-and-seeK-game between the federal government and the IOCs on setting date to end gas flaring is childish and a manifestation of unseriousness to, indeed, end

the flare of gas in the sector; and a preference to continue to exhibit unprofessional and non-best practices in their operations. The IOCs should manifestly show commitment in this respect and thus pave the way towards achieving environmental sustainability. Oil Companies must take Responsibility in Safeguarding their infrastructure. Indulgence in accusing the federal government of not doing enough to protect their infrastructure from vandalism by unauthorized persons as controlling factor in hampering integrity of production machinery and equipment, and consequently attainment of environmental sustainability amounts to shirking of core obligations of the oil companies. While government ought to play its part, the IOCs must not use that as an escape route in not ensuring clean-up and remedial measures in spill situations to achieving healthy environment. There has to be full Compliance with Best Oilfield Practices. The International Oil Companies should as a matter of professional ethics manifest and demonstrate best oilfield practices as such would create the basis for environmental sustainability in the sector. Subtle and veiled threats of quitting the industry when demanded to comply with best practices in their operations should no longer be tolerated. Appropriate regulatory authorities must not be cowed by such subtle arm-twisting tactics in not observing the best professional procedures and practices. The IOCs must be made to adopt manifest best practices or quit the industry if it comes to that. The life of the people must not be traded with the desire to make money. There is also need for immediate implementation of the UNEP Report on Ogoni land. There is the need for immediate practical steps to be taken on the part of both the IOCs and the

federal government towards fully implementing the UNEP Report on Ogoni land. In this case, the federal government must demonstrate readiness by paying whatever share of her counterpart funding of the operation if not already paid; while the IOCs should equally demonstrate sincerity by taking up their obligations in this regard.

The non-implementation of that report since 2011 it was made, with certain portions recommending urgent measures, seriously undermines real efforts towards achieving environmental sustainability in the industry.

#### Recognition of and Submission to Regulatory Authorities

The IOCs must be prepared not only to recognize the existence of regulatory authorities in the industry but as well submit to their supervising authority by complying with all lawful directives, fines and compensation demanded by such regulators. Among such regulators are the National Oil Spill Detection and Response Agency (NOSDRA), Department of Petroleum Resources (DPR) and Ministry of Environment. This point is evident in the case of *Shell v NOSDRA* earlier discussed.

However, the problem is that the IOCs find it difficult submitting to government regulators in the industry unlike what they do in their home countries where they readily comply. Thus attainment of the much touted environmental sustainability would receive a boost when the IOCs begin to fully comply with instructions and directives issued by these regulatory agencies regarding their operations. The Need to

Establish a Specialist Environment Court cannot be over emphasized.

Finally, there is the need to establish a specialist court known as ‘National Court for Petroleum and Environment’ (NCPE) to be vested with exclusive jurisdiction to try all cases involving or arising from the operations in the oil and gas industry. This specialist court should be composed of a judicial officer with bias for the petroleum industry and environmental issues and as well as two other experts from the ecological and other sciences. It is believed that such a court would quite appreciate the scientific and technical aspect of issues arising in order to render substantial justice in the matter without technical hitches. This would augur well for achieving environmental sustainability in the foreseeable future. The preceding recommendations among others, when put in action in the petroleum industry would put on a path towards making environmental sustainability a reality and no longer a mirage.