

# How Indigenous People Revolted Against Gas Flaring in the Niger Delta

## **GAS FLARING**

Gas flaring by oil companies in the Niger Delta constitutes one of the worst forms of environmental degradation. The practice has continued primarily due to the lack of political will on the part of our governments which acts as both regulator and partner to the oil companies exploiting crude oil.

A recent report by U.S State Energy Information Administration (EIA) tried to exonerate Nigeria by ranking Nigeria top five among gas flaring countries in 2015 from the second position in the world and the first position in Africa it has enjoyed over the past 20 years and this is not because there is an improvement in harnessing the gas but because of the recent militancy attack on oil facilities in the Niger Delta. EIA puts the cost of the country's associated gas production flared in 2015 at 379 billion cubic feet, bcf, about 12 % of its gross production.

According to EIA, a significant amount of Nigeria's gross natural gas production is flared (burnt off) because some of the country's oil fields lack the infrastructure needed to capture the natural gas produced with oil,

known as associated gas.

Gas flaring in Nigeria has become an over flogged issue, but the interesting path in the struggle against gas flaring is that even the Oil Companies flaring the gas are aware that it is a criminal offence to flare gas in Nigeria.

This is to say all Oil prospecting companies in Nigeria are guilty of gas flaring, but the biggest culprits are the likes of Shell Petroleum Development Company (SPDC), Exxon Mobil and Chevron. It will amaze you to note that the federal government of Nigeria had, in 1984, prohibited gas flaring, some oil firms were allowed to flare, having received ministerial consent. Others found their way around the law by paying fines. Then in 2005, a Benin High Court, following the suit by Jonah Gbemre on behalf of Iwhrerekan community of Delta State against Shell, declared gas flaring illegal and a violation of the peoples' right. Because the political will to end gas flaring by the Nigerian Government is not there, gas flaring still continued unabated.



Oil and gas flaring produce a variety of consequences or costs but the broadest and most important of these costs are environmental in nature. By environmental costs we mean those consequences of oil and gas flaring that negatively impact upon human, animal and plant life and therefore general state of the ecosystem.

The impacts of gas flaring are numerous as the flares deprive citizens the right to a safe environment and to life as stated in Article 24 of the African charter of human and people's rights which state that "All people shall have the rights to generally satisfactory environment favourable to their development". Gas flaring as noted by Nnimmo

Bassey is sources of extreme heat, noise and glare, depriving communities of dark and quiet nights.

"They cause many health problems, including asthma, bronchitis, leukemia, cancers, eye problems and skin diseases. The flares also cause acid rain. This results from the mixture of sulfur and nitrogen oxides in the gas with moisture in the atmosphere.

There are economic losses from metal roofing that readily get rusty from the acid. Additionally, gas flares affect crop yield, thereby, greatly compromising the harvests of the poor farmers in the oil field communities. The impacts are felt several kilometers away from the flare stacks. Some

community folks process their food by the intense heat from the toxic flares. Suffice to say that this act of ignorance creates and exports disease to communities and individuals far from the flare stacks."

### **THE PETROLEUM INDUSTRY GOVERNANCE AND INSTITUTIONAL FRAMEWORK BILL 2015: A DASHED HOPE**

The petroleum Industry Governance and Institutional Framework Bill 2015, which is referred to as the new Petroleum Industry Bill which has four main objectives and listed as follows: creates efficient and effective governing institutions with clear and separate roles

for the petroleum industry, establish a framework for the creation of commercially oriented and profit driven petroleum entities that ensures value addition and internationalization of the petroleum industry, promote transparency and accountability in the administration, of the petroleum resources of Nigeria and create a conducive business environment for petroleum industry operations in Nigeria. The bill is set to fulfill just one objective which is to create a conducive business environment for petroleum industry operations in Nigeria where petroleum industries and government officials smiles to the bank with bags load of money while members of the host communities groans to bed with the grunt of oil spills and air pollution. The current bill has no accommodation for host communities. It does not identify the place of the oil bearing, land, water and air owning communities. The proposed 10% for the development of oil bearing communities have been thrown out because some cronies in the government don't want any of such benefits to go to the resource owners. This assertion sparked up lots of arguments and CODAF reacted by stating that the removal of the host communities fund would reawaken crisis in the Niger Delta. The removal of the

host communities development fund from the proposed PIGB is not surprising, considering the array of vested interests and corrupt practices for which the petroleum sector in Nigeria has been notoriously known."

The bill does not have an environmental component that seeks to protect the environment. The only place where the word environment was mentioned was in Section 6(7) where the power of the Commission was stated as thus: "that the Federal Ministry of Environment shall have overriding authority in environmental matters". Going by this section it is very clear that gas flaring and oil pollution will continue in our communities.

### **THE NESREA PENALTIES FOR GAS FLARING IS A CALCULATED EFFORT TO CROWN CORPORATIONS FOR POLLUTION**

The setting up of NESREA Act 2007 automatically repealed the FEPA Act of 1989. The Agency, is saddled with the responsibility of protection and development of the environment, biodiversity conservation and sustainable development of Nigeria's natural resources in general and environmental technology, including coordination and liaison with relevant stakeholders within and outside Nigeria on matters of enforcement of

environmental standards, regulations, rules, laws, policies and guidelines.

The hope of Nigerians to see an end to gas flaring were very high when NESREA made regulations setting specifications and standards to protect and enhance the quality of Nigeria's air resources, so as to promote the public health or welfare and the natural development and productive capacity of the nations' human, animal, marine or plant life including, in particular, control of atmospheric pollution originating from energy sources, including that produced by aircraft and other self-propelled vehicles, industries, factories and power generating situations or facilities (Section 20 sub 1-4).

Section 20(4) of the NESREA Act, which states that "where an offence under subsection (1) of this section is committed by a body corporate, it shall on conviction be liable to a fine not exceeding N2, 000,000 and, an additional fine of N50,000 for every day the offence subsists".

The hope of Nigerians was dashed going by the fine for flaring gas. This is because the fine cannot be quantified for the damages done to the lives and livelihood of the people who lives around gas flare sites

not even to compensate for the environmental cost.

On this note we call on the Federal Government to review section 20(4) if they are willing to put an end to gas flaring. This will yield results because if Oil Companies uses all their profit in the payment of fines they would avoid wastage and put off their poison fire.

### **Divestment and Decommissioning of oil Facilities from Communities: SHELL's New Tricks to Run away from Responsibilities**

Divestment stands to demand the total removal of public funds and subsidies from the extractive industries and reinvest such monies into renewable energies and environmental friendly development projects. On the other hands Ayaode 2011, noted that decommissioning, or abandonment refers to the process by which options for the physical removal and disposal of obsolete installations at the end of their working life are assessed; a plan of action is formulated by the operator; the operators plan is reviewed and approved by government; and the decommissioning plan is implemented.

These terms as used in Nigeria by oil companies are abused to mean sales or abandonment of oil facilities from areas of environmental hotspots and a drop in productivity and move away from onshore to offshore. It is worthy to note that these terms in the oil and gas industry in Nigeria are poorly understood. These approaches are not based in any sense or consideration of moral responsibility to protect the environment, the climate and the people in the communities were oil fields are located.

Many local community people are yet to fully comprehend the concepts in relation to interests such as those of joint venture partners and local community people, how decades of environmental degradations will be addressed and who takes responsibility. In these processes the people of the local communities are marginalized and it's a key

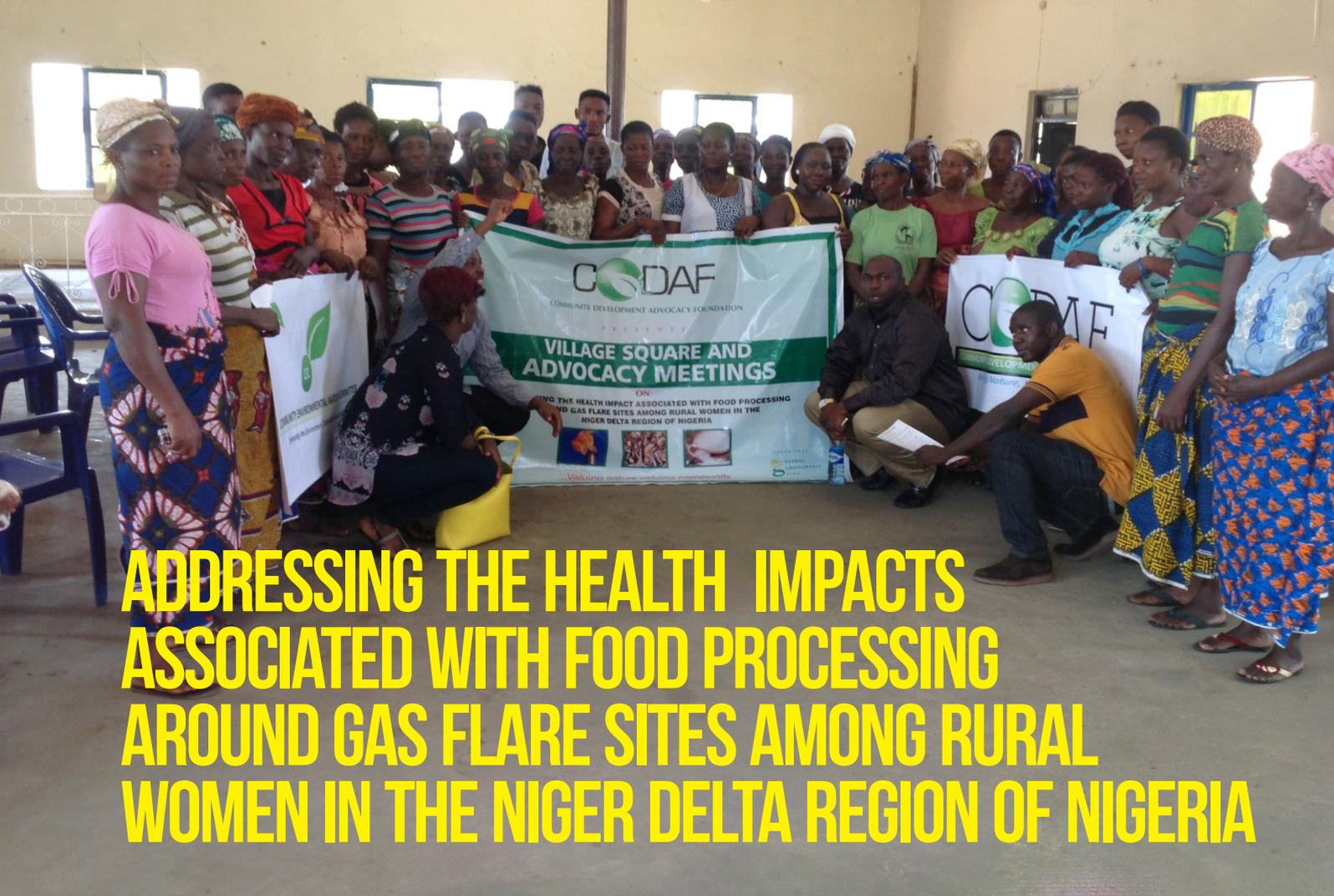
grievance in the struggle for environmental protection and resource among people from the oil producing communities.

Divestment and decommissioning are basically an economic decision by International Oil Companies to avoid liability for the pollution of local communities' environment. These processes are illegal in the sense that local communities are not aware of it and the Companies don't carry them along.

### **Our Contract with Host Communities**

CODAF have been working with Oil producing communities in Isoko Delta State. These comprises of Igbide, Uzere, Olomoro, Oleh, Otor-Owhe, Irri and Idheze communities. The women in these communities are on a daily basis exposed to the hazardous and obnoxious nature of gas flare-flame and gases which they use to process local food. These activities has negative impact on the health of these women. The women use the heat from gas flare to dry their fish and kpokpo garri (a delicacy from Cassava). The health impact comes from the inhalation of the toxic gas produced by the flares and through the consumption of the processed food items.

CODAF has organized meetings and workshops for the Isoko people to enlighten them further on the health impacts and proffered solutions by distributing manuals to them to help them to deal with the gas flare situation in their respective communities. We have also trained over one hundred and fifty (150) women and young people on how to adequately utilize the energy from the sun in drying their food items to enhance the capacity of the women to process their food without going close to the flare sites. We have partnered with the media, indigenous networks and other NGOs to support the global campaign against gas flaring and climate change and also influenced a Nigerian government policy to embrace transition from fossil fuel to renewable energies as an agenda to support the global campaign against climate change.



# ADDRESSING THE HEALTH IMPACTS ASSOCIATED WITH FOOD PROCESSING AROUND GAS FLARE SITES AMONG RURAL WOMEN IN THE NIGER DELTA REGION OF NIGERIA

Community Development Advocacy Foundation (CODAF) has been supported by Global Greengrant Funds in the USA to address the health impact associated with food processing around gas flare sites among rural women in the Niger Delta Region of Nigeria. To this effect selected communities which include Okpaille (Ozoro Kingdom), Igbide, Uzere, Olomoro/Oleh, and Irri/Idheze communities were mobilized to address the environmental cost of gas flaring.

This project was aimed at meeting the following objectives:

1. Enlightenment of Rural women and young people on the impact of gas flaring and oil related activities on their health, food and the environment.
2. Building community resilience against gas flaring.
3. Inauguration of Community Environmental-Watch Committee.

Between January and June 2016 several investigations and advocacy campaigns have

been done to get first hand information about the havoc caused by gas flaring and oil related activities. CODAF also organized advocacy meeting, workshop/training of members of the host communities and press briefing for Journalists.

From 26th- 28th of February 2016, the Field Officers of Community Development Advocacy Foundation (CODAF) made a historic visit to some oil producing communities Okpaille (Ozoro Kingdom), Igbide, Uzere, Olomoro/Oleh, and Irri/Idheze) in Isoko South and North Local Government Areas of Delta State, Niger Delta Region of Nigeria for fact findings.

The team's first place of call was at the residence of Mr. Udugba White at Okpaille Community. At the Udugba's resident we met about twenty (20) indigenes of the Okpaille community gathering as if they were waiting for the arrival of a bride, though most of them were busy gathering palm fruits for the processing of local palm oil.

Emmanuel Bioku who is the acting community leader welcomed our team comprising Benin Richard, Iwheri Mudiaga, Oghoro Sandra and Etolor Oyindoubra. The Field Officers told the people that the intension of CODAF was to enlighten rural women and young people on the impact of gas flaring and oil related activities on their health, food and the environment and also to build their resilience against the activities of oil exploration.

Some key members of the communities who were there spoke to us and narrated their ordeals with a very strong passion and commitment to support the struggles against oil exploration activities in their communities. At the end of the village square meeting, the Field Officers gathered that the people's sources of livelihoods have been negatively impacted, this also include their crops which are doing poorly, poor health status, lack of infrastructures such as health centres, pipe borne water, electricity and road networks.

Other communities visited within this period are Igbide, Uzere, Olomoro/Oleh, and Irri/Idheze. At these communities CODAF Field Officers interacted with few persons that granted audience to them. At Igbide, Olomoro/Oleh, and Irri/Idheze we gathered that the people's level of awareness on the impact of gas flaring is low, especially women. A lot of sensitization was needed at Igbide, Olomoro and Oleh to raise their awareness and concerns about gas flaring, though they had not attempted the usage of the gas flare sites for the processing of food items, but they perceived that their health challenges and poor agricultural yield could be attributed to gas flaring. Irri and Idheze where AGIP NAOC is operating, the gas flaring stack is placed vertical in a well fenced environment, therefore the people do not access to the gas flaring sites.

This does not mean that the people have not been impact, because they complained about the stunted growths of their crops, pollution

of water sources, corrosion of roofing sheets and elevated temperature in the community. Just like Okpaille Community, the level of impact, awareness and resistance against gas flaring is very high at Uzere. The people were still utilizing the heat from the gas flare site to process their food items as at the time of our visits, but the people changed their attitude after holding series of meetings with them.

At Uzere we observed various health challenges, environmental challenges and social dislocation of the people as a result of gas flaring. Our work was smooth because the Uzere people were ready to embrace new approaches to resist oil exploration activities in their community and the divide and rules tactics normally used on them by Shell and its cohorts.

As a follow up to the field investigation an advocacy/ village square meeting was held on the 9th of March 2016 at Uzere Community Town Hall with the presence of about seventy (70) participants were drawn from Okpaille (Ozoro Kingdom), Igbide, Uzere, Olomoro/Oleh, and Irri/Idheze communities. At this meeting, explanation to the reasons why oil companies preferred to flare gas and why the gas flaring has continued unabated over the years despite global resistance against the activity was given. CODAF provided reasons why the gas flaring is bad to human health and the environment. Other issues discussed was the link between climate change and gas flaring and the need for the establishment of Community Environmental-watch Committee to serve as watch dogs of the environment so that they can build strong resistance against oil activities.

On the 12th of June 2016, Community Development Advocacy Foundation (CODAF) organized a stakeholders' workshop as part of the follow up of the village square/advocacy meeting held on the 9th of March 2016.



At the workshop we expected and prepared for a total number of seventy (70) participants drawn from Okpaille, Igbide, Uzere, Olomoro, Oleh, Irri and Idheze communities but about two hundred (200) participants turned up for the workshop, though the majority of the participants were drawn from the host community (Uzere). Copies of training manuals were provided for participants at the workshop.

The content of the manual addressed issues like the meaning and kinds of gas flares, gas flares and health, gas flares and agriculture, gas flares and environment, gas flares and culture, food drying and processing, and strategies for community mobilization against gas flaring. Sixty percent (60%) of the participants at the workshop were youths while the remaining forty percent (40%) were adults.

In his opening remark, the Executive Director, Benin Richard noted that the whole world is going to hear of all the negative implications of the oil companies on the oil producing communities and this can happen when the people of the communities fight against the oil companies which is going to bring changes to the communities and this is so because the majority will always have their way but the minority will have their say.

The technical session commenced as soon the Executive Director was through with his address. The training procedures outlined in the manual was not followed due to the numbers of persons at the meeting, hence a

new method was adopted, which is the interactive methods. In the course of this interaction all the questions provided in each module in the manual were made reference to and the participants responded to them accordingly, based on their community experiences (see CODAF training manual on gas flaring).

Representatives from the Isoko Oil bearing communities were mobilized for a press briefing at Ughelli Delta on the 13th of June 2016 at about 10. 00am. A total of fifteen (15) participants which made up of five (5) Journalists drawn from both prints and electronic media, five (5) selected members of the communities and five (5) CODAF project staff attended the press briefing. The briefing created an avenue for the communities to interact with Journalists so that the whole world can hear their ordeals through the Journalists. CODAF made this commitment so that the interest of the community people can be represented in briefing the whole world about the havoc already created by the Multinational Oil Corporations in Nigeria.

### **Inauguration of Community Environmental-watch Committee and closing formalities**

As part of the drawn up agenda for the project, CODAF inaugurated members of the Community Environmental-watch Committee (CEC), all the participants were interested in being part of the group but a larger number were young people who are willing to cause the change in their respective communities. During the inauguration the Executive Director of CODAF urged the members of the CEC to elect and nominate their leaders, that CODAF will not interfere into their leadership affairs but provide expert support to them so that they can effectively meet up with the objective of the group.



## Observation Made in Course of the Project

In the course of the project CODAF staff made the following observations:

- The people without mincing word subscribed to the total shut down of gas flare sites in their communities due to the negative effect it has on their HEALTH, CROPS and the ENVIRONMENT at large.
- The companies use divide and rule tactics at the detriment of the community women
- There is food crisis in the land due to poor agricultural yield as a result of gas flaring activities
- The people are indebted due to low farm production and income.
- The people are experiencing severe weather conditions and changes in the pattern of rain fall which is causing confusion among the people.
- People no longer make use of their only source of water supply (well waters) in their community due to the presence of oil and sooth in the water.
- At the moment there is absolutely no source of pipe borne water to the people of the community, no presence of Schools for the children, proper health care facilities and electricity as observed at Okpaille Community.
- Some of the men of the community

are being employed as security guards to the facilities, as earlier reported these men are being neglected and their right to own their salaries. And a guard mentioned that they are being owed their salaries since January.

At Okpaille community it was observed that more oil wells are being drilled in the community, to be specific about 5 new wells and this resulted to series of unreported oil spills which led to the destruction of farm lands, swamps and forests in 2015 resulting to fire outbreak. Till date the oil companies (NPDC/FHN) in the community did not live up to their responsibility of cleaning up and compensating the people for the loss of their food produce.

- Because of the poor quality of their crops such as groundnut, pepper, cassava and yams, the prices offered by buyers for these items are far below what they expected.
- Divide and rule tactics are still being used by the oil companies.

## Our Recommendations

We made the following recommendations to address the impact that have been created by the activities of oil exploration.

- Outright shut down of all gas flare sites in the communities
- SHELL/NPDC should build alternative sustainable facilities for the Uzere women to process their farm produce.
- The members of the host communities should be compensated by the oil companies adequately for all they have lost to the activities of oil exploration in the community.
- The environment needs to be remediated and the community needs to be compensated for their destroyed crops.

- .. The community need to know how many barrels of oil is being gotten from the land daily.
- The environment has been destroyed, and further impoverished the people and there is no basis for their children to be the leaders of tomorrow (school).
- The Ministry of Women Affairs need to look into why children should walk 5 kilometers to school in this era, and also why a community that produces oil for the nation will not have primary health care services, electricity and other basic needs.
- A new MOU should be drafted and signed.
- Seedlings and food crops should be provided for the members of the communities with adequate compensation for all the hardship that the people have made to suffer.
- The process of Divestment of oil facilities by oil companies from communities should be opened and transparent.
- Scholarship for young people at the Tertiary institutions should be prioritize instead of wasting time and effort in providing support for only primary and secondary education because there are

many youths that cannot further their education in the communities.

- Young graduates from the communities should be employed by the oil companies into managerial and supervisory positions to compensate them for being impacted by the activities of the oil majors.

## The Agonies of the People

### Mr. Udugba White

The Company don't have any relationship with us and we don't have any relationship with them too, we have noticed that since the start of the gas flaring activities differences have shown up in our cultivations, wells for fetching water, swamps for fishing because oil floats on top of the water which has killed all our fishes.

The workers at the fields don't give us clean water to drink or use, rather they tell us to drink from the water wells polluted with oil and as a result of that I personally drilled my own pipe borne water which we use. We have made a lot of complaints to SPDC and we have not been given attention.



our leaders do not fight for us but once a decision has been made amongst them they don't care about what anyone has to say, and these decisions are to the detriment of the community.

### **Mrs. Utu Patience**

We are no longer interested in complaining to anybody because all our complaints, demands and our cries have been paid with deaf ears. We have so many oil wells in this community (Uzere) which provides good money for the oil companies and government yet the people of the host community still suffer. We suffer poor agricultural yields, our bush animals have ran far away from our forest and even fish is now scarce in our waters. All the promises the oil companies, government and even civil society groups made to us when I was a child, I have become a grandmother and they are yet to be fulfilled. We are tired of complaining and hope to go into full action to save ourselves.

### **Mrs Ewhofiye Charity**

What CODAF Executive Director has said is the truth. We have been victimized by gas flaring and the activities of the oil companies generally. The oil companies have succeeded in using their divide and rule tactics to cause division in our community. We have complained before that we cannot live with the fire and we don't want the fire because we have our own fire. Our women are prone to different ailments, most especially those that dry their food items around the gas flare sites, when they return from the site they suffer depression, respiratory illness and high blood pressure.

We have accused Shell before that their activities are responsible for the poor agricultural yields and the hunger in the community.

We are still accusing them that the negative impact of their activities still lingers. I repeat " we want Shell and other oil companies that have anything to do with our oil to put off the fire and pay for the havoc they have caused to us. I accuse the oil companies again that they

are responsible for the debt burden on the Uzere women, the poor agricultural yields and for the fact that we cannot buy crops and seedlings Shell and their cronies must compensate us heavily for polluting us.

### **Mrs Roseline Ogri**

I can't see how Uzere people have benefited from the oil reign. Shell felt they were doing to us a very big favour because of the ignorance of our people towards the danger of the Shell fire, I would say they used us, played on our intelligence by allowing our women to expose themselves and their food to the toxic flare. I had concluded within myself that we don't need the fire because sickness is what I got from it each time I tried utilizing the facilities.

Before 1958, I was already processing Kpokpo arri, Groundnut and fish with my locally made oven. It was more productive, risk free and healthier. I came back to use the local oven and that is what I am still using today because I love my life. When our people first cried out because of the health challenges they suffered, Shell did an oven for the women that turned out to be worse than the gas flare site and the women chose the flare site to the oven. In our experiences in the community and what we have suffered in the community I would say the oil companies are evil, they used us, abused us and violate our rights. They must come back to put off the fire and compensate us for all these sufferings meted at us.

### **Mrs. Paulina America**

Shell has abandoned their responsibility, duped Uzere women and ran away. No one can run away from its shadow. We will mobilize ,and go to their headquarters (which will be very soon) whenever we run out of patience, if they want to end our lives for us right there in their head office, so shall it be, but we are convinced that the gods of Uzere and Almighty God will rescue us from their hands.



SHUT DOWN GAS FLARE POINT AT UZERE , DELTA STATE FOLLOWING THE CRIES OF THE COMMUNITY

### **Comrade Onoriode America**

I thank CODAF for everything that they have done for pointing out the suffering that we are experiencing in this community. I can remember that about 10yrs ago before NPDC facilities was brought into the community, agriculture has always been the source of our livelihood but since the gas flaring activity and oil spillage around the community, our crops no longer produce what we expect from them and as a result of that our goods cannot be sold to buyers because they dictate how much they are to buy goods from us because of poor production.

The question now is how do our parents expect to pay for the children's school fees since we can no longer get money from the agricultural products that we used to have? NDPC is not helping matters at all because youths graduate from school and does not find a job to do, students are supposed to receive bursary from the oil companies but there is nothing that is being given to them. I pray that NPDC should try to acknowledge the fact that the community is suffering. I think NPDC should make the community a tourist centre for visitors of Nigeria.

### **George Eriega**

The biggest problem is that the top leaders who are being given funds for the development of the community always share it amongst themselves. It is said that the rich

are getting richer and the poor are getting poorer which is very true in this the case of this our community.

### **Indicator of Success in the project**

At the end of the project we recorded the following as sign of success.

1. The Uzere flare site has been temporarily shut down due to the agitation of the Uzere people to get NPDC and Shell for dialogue.
2. There is a greater commitment to shun the use of flare sites as an option for food processing.
3. The media are very much interested in working with the people.
4. Members of the community now owned the project, because they are already mobilizing themselves through the platform of the Community Environmental-watch Committee for environmental justice.
5. Members of the CEC have through the social media exposed the activities of the oil corporations in their respective communities.
6. Young people are playing active participation in the struggle for environmental justice in their respective communities.



CODAF is focused on environmental and community development advocacy work in Nigeria to bridge the communication gap between policy makers and the grassroots.

### **Thematic Areas**

Community Action

Agriculture

Environment

Gender And Youth Action

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## **CODAF chides SPDC over gas flaring**

On March 18, 2016 by Ochuko Akuopha

OLEH—COMMUNITY Development Advocacy Foundation, CODAF, a non-governmental organization, has condemned Shell Petroleum Development Company, SPDC, for transferring some of its facilities to Nigeria Petroleum Development Company, NPDC, without addressing issues of gas flaring and decades of environmental degradation in oil bearing communities where it had operated.

Speaking at an advocacy meeting with women of Uzere community, Isoko South Local Government Area, Delta State, Executive Director of CODAF, Mr. Richard Benin, however, told NDPC to accept responsibility for the lingering problems allegedly created by SPDC in the host communities.

Benin, who spoke on “Addressing the Health Impact Associated with Food Processing Around Gas Flare Sites Among Rural Women in the Niger Delta region,” noted that women and their farm produce were being exposed to gas flares on a daily basis, adding, “This activity impacts on their health negatively and also poisons their food.

“There is hardship in the communities because of poor agricultural yields as a result of soil infertility arising from the gas flaring activities.”

Speaking on behalf of Uzere women, Mrs. Justina Bishop said: “We have been victimized by gas flaring and the activities of SPDC generally.”

The oil company has succeeded in using its divide and rule tactics to cause division in our community. We have complained before that we cannot live with the fire.

“Our women are prone to different ailments, most especially those that dry their food items around the gas flare sites, when they return from the site they suffer depression, respiratory illness and high blood pressure.”

<http://www.vanguardngr.com/2016/03/codaf-chides-spdc-gas-flaring/>