

**AN INVESTIGATION OF OIL AND GAS-INDUCED DISPLACEMENT AND  
RESETTLEMENT POLICIES IN  
THE SOUTH-SOUTH REGION OF NIGERIA  
(CASE STUDIES: FINIMA COMMUNITY AND OGONILAND)**

**MAGDALENE AWONGO IHEME**



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Thank you, Lord!

## **DEDICATION**

This thesis is dedicated to my family.

John, Jason, Jeana, Jessica, and Jodi Iheme

And to the memory of my late Mother, Boma Constance Brown who believed in me that I can achieve anything I set my heart to do.

## **DECLARATION**

This thesis is submitted under the University of Salford, United Kingdom as per its rules and regulations for the award of a PhD degree by research. During the time of the research, some findings were published in different conference papers prior to the submission of this thesis, (See Appendix A).

I also certify that to the best of my knowledge, all sources used in the research have been duly acknowledged and referenced.

---

Magdalene Awongo Iheme

## **LIST OF ABBREVIATIONS AND ACRONYMS**

AFDB	AFRICAN DEVELOPMENT BANK
AU	AFRICAN UNION
CID	CONFLICT-INDUCED DISPLACEMENT
CSR	COPORATE SOCIAL RESPONSIBILITY
CSO	CIVIL SOCIETY ORGANISATIONS
DFID	DEPARTMENT FOR INTERNATIONAL DEVELOPMENT
DIDR	DISASTER-INDUCED DISPLACEMENT AND RESETTLEMENT
IDP	INTERNALLY DISPLACED PERSONS
EIA	ENVIRONMENTAL IMPACT ASSESSMENT ACT
EITI	EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE
FEPA	FEDERAL ENVIRONMENTAL PROTECTION AGENCY
GMOU	GLOBAL MEMORANDUM OF UNDERSTANDING
IFC	FINANCE CORPORATION PERFORMANCE STANDARDS
MOSOP	MOVEMENT FOR THE SURVIVAL OF THE OGONI PEOPLE
MNOC	MULTI-NATIONAL COPORATIONS
NNPC	NIGERIAN NATIONAL PETROLEUM CORPORATION
NLNG	NIGERIA LIQUIFIED NATURAL GAS
IDP	INTERNALLY DISPLACEMENT PERSONS
IDMC	INTERNAL DISPLACEMENT AND MONITORING CENTRE
PIB	PETROLEUM INDUSTRY BILL
UNEP	UNITED NATIONS ENVIRONMENTAL PROJECT
UNDP	UNITED NATIONS DEVELOPMENT PROGRAM
UN	UNITED NATIONS
UNPO	UNREPRESENTED NATIONS AND PEOPLES ORGANIZATION
WBCSD	WORLD BUSINESS COUNCIL FOR SUSTAINABLE DEVELOPMENT
WBED	WORLD BANK ENVIRONMENT DEPARTMENT

## **WORKING DEFINITIONS OF KEY TERMS USED IN THE STUDY**

TERM	DEFINITION	SOURCES/HOW ACCOMPLISHED
Internal displacement	forcibly removed from original habitat due to induced projects	Internal Displacement Monitoring Centre (IDMC), (2022). Nations (U.N.) Guiding Principles on Internal Displacement (1998)
Oil and Gas-induced Displacement	Triggered by the extractive activities of the oil and gas industry	Terminski (2011), researcher (2022)
Involuntary resettlement	Placement of a people in a new land due to oil and gas projects without the full consent of a people .	African Development Bank, (AFDB, 2015), The Scudder- Colson diachronic framework (1982)
Impacted communities	A people that are undergoing the consequences of decisions made by a government or by the activities of oil and gas	
Theoretical examinations of Forced migration, internal Displacement and Resettlement.	Beneficial as they offer theoretical direction to understanding the movement of people from a wider viewpoint. It serves as a conceptual tool to guide further research on resettlement.	Cernea (1997), Scudder-Colson four stage Model (1982),
Land use and Eminent Domain	It is the power by which the state can ‘condemn private property and take title for public use’ .	This ‘ancient attribute of sovereignty’, as Jacoby (2004), The Cato Institute, (2002). Akpan (2005)
Resource Ownership and Control	Vest the total ownership and control of mineral resources in the federal government to the detriment of the states, local governments, and the local communities wherein the mineral resources are situated.	Land Use Act of 1978, Petroleum Act of (2021).
United Nations guiding principles	Is the core, albeit soft law for international framework on displacement within national borders are the core international framework identifies the rights and	The United Nations Guiding Principles on Business and Human Rights (1998)

## ABSTRACT

According to the United Nations Development Programme (UNDP) report in 2022, it is stated that there are more than 100 million people were forcible displaced in the year 2022, most of them

within their own countries. Thus, the extraction of oil and gas which has been identified by many authors as a mixed blessing for oil producing countries and this is because of the many impacts of pollution, oil spills, gas flares and hazards on the environment and the people. And because it requires massive infrastructures, it demands extensive land acquisition from communities around the project locations, like the Finima Community and Ogoniland.

International acknowledgement that development-induced displacement has many of the same effects upon the displaced as other groups forcibly displaced by natural disasters, conflict and development is rising and the argument is that environmental degradation, inadequate planning for rapid growth and overall dissatisfaction of the resettlement process is likely to increase internal displacements. It is thus, a governments responsibility to enforce relevant laws and regulations to protect, develop and sustain the displaced and resettled communities.

This study is guided by the Impoverishment and Risk and Reconstruction (IRR) Model by Cernea (1997) which presented eight key risks associated with displacement. And adopted the **interpretivist** philosophical stance and abductive approach with multiple-embedded case study design. which applied various data collection techniques as it examined existing policy documents from relevant oil and gas agencies and conducted semi-structured interviews with all stakeholders involved in the oil and gas industry. All information were thematically analysed using Nvivo 12. Findings revealed that oil and gas-induced displacement and resettlement ought to be treated equally as other induced displacements.

This thesis acknowledges that oil and gas-induced projects directly or indirectly impact and displaces people and communities in many forms just like other forms of induced displacement. And according to the United Nations (UN), guiding principle Seven (7) (1998) on IDPs, it stated that ‘prior to the decision requiring the displacement of persons, the authorities shall ensure that all feasible alternatives are explored to avoid displacement altogether. Where no alternative exists, all measures shall be taken to minimize displacement and its adverse effects. It should ensure to the greatest practicable extent, proper accommodation is provided, and that satisfactory conditions of safety, health, and family separation is minimized’. This study suggests that existing regulatory policies that underpins the protection and development of displacement and involuntary resettlement induced by oil and gas needs to be upgraded and thus proposed a framework to guide policymakers to improve oil and gas-induced displacement and resettlement policies in Nigeria.

## CHAPTER 1.

## INTRODUCTION

### 1.1. Research Background

Internal displacement is a major challenge to sustainable development. And by the end of 2021, more than 59 million people remained displaced in their own countries, the highest ever global figure and more than double the number recorded 10 years ago according to the published report by the Internal Displacement Monitoring Centre (IDMC), (2022).

Cernea et al, in his published work in (2000), explained that development-induced displacement spreads widespread social, environmental, and economic changes that usually follow a well-established pattern. These patterns vary in intensity but are most times consistent regardless of the type of project or industry responsible for the displacement. And failure to mitigate and avoid these risks may generate “new poverty”, as opposed to the “old poverty”, thus, poor people become even poorer, and more difficult is the extent to which displacement affects people’s lives which is not tangible and therefore cannot be measured. The writer further described that the extractive industry is not in the exception to community displacement, as oil and gas production has displaced communities, either directly through physical relocations and or indirectly by destroying their sources of livelihood and networks through which they derived a living, and often faced with landlessness, joblessness, food insecurity, loss of access to common property, marginalisation, increased morbidity, and social disarticulation.

This assertion is backed by evidence from the South-South region in Nigeria and in South Sudan, where oil and gas discoveries have resulted in unending conflict amidst its vast resources; thus, displacing millions and causing stunted economic growth and often amongst others caused environmental degradation as explained by Akpabio et al (2010). Terminski, (2011), writes that most discoveries have happened among marginalised poor communities around the world in countries such as Indonesia, Nigeria, Burma, Angola, Colombia, Ghana, and Uganda. And further reiterates that in general, oil-related displacement in different parts of the developing world have a parallel pattern. The common element therefore is the growing economic and social marginalisation, resulting from bad governance, ethnic domination by those in power, politicising benefits, and corruption tendencies thus making the resource curse theory a reality. Furthermore, Rajagopal in his published work in (2002), quoting Cernea (1996), it stated that:

*stated that ‘it is like becoming a refugee, being forcibly ousted from one’s land and habitat by a dam, reservoir or highway is not only immediately disruptive and painful, but also fraught with serious long-term risks of becoming poorer than before displacement, more vulnerable economically, and disintegrated socially.*

*Most large, forced dislocations of people do not occur in conditions of armed conflict or genocide but in routine, everyday evictions to make way for development projects. This “development cleansing” may well constitute ethnic cleansing in disguise, as the people dislocated so often turn out to be from minority ethnic and racial communities’.*

Whilst Dwivedi, (1999), reiterated that development-induced displacement is not a recent phenomenon. In Europe, after the 18th century, large scientific and technological advances sparked economic enlightenment in the growth and industrialisation. These huge societal transformations brought about various forms of displacement and during the colonial period and after independence, western modes of development became global models and many ‘developing’ countries started industrialising, modernising their agriculture, and developing their physical infrastructure like in the creation of large dams. The writer further restates that in 1970s to 1980s, there was a global boom in infrastructural development with highly disastrous levels of displacement.

And in an analysis by Vokes, (2012), it highlighted that the discovery of oil and gas in most nations are generally believed to bring happiness and an anticipation for accelerated economic growth, however, according to Asamoah (2012), this has not in most cases translated into a higher GDP and human development for majority of the developing countries. In addition, although extensive research has been carried out in induced displacements caused by disasters, conflict, large developmental projects and on the socio-economic impact of oil and gas extractive activities on impacted communities, no single study exists on oil and gas-induced displacement and involuntary resettlement induced and on effective policy implementation to reduce the impact experienced by these communities in Nigeria. According to Maldonado, (2012), based on the issues that deny the impacted communities the option to remain in their ancestral homes, internal displacement and resettlement are generally classified into three groups, which are: development-induced displacement and resettlement, conflict-induced displacement and resettlement, and environment-induced displacement and resettlement. An example of displacement subsequent the discovery of natural gas and various oil-related findings, people and community have been altered as in the case of the Finima community due to the citing of the natural gas plant and the extraction activities of the MNOC’s in Ogoniland located in the South-South region of Nigeria. These

communities have been physically, economically, occupationally, and mentally displaced. These communities have lost lands, and the people have been physically relocated because there was a need to lay gas pipelines which necessitated governments acquisition of lands for this natural gas projects and oil related extractions. In general, oil-related displacement in different parts of the developing world bear a similar pattern of denying the affected people the option to remain in their ancestral homes and to enjoy the benefits accrued because of these natural resources found in these communities.

## **1.2. Background of study**

The discovery of oil in Oloibiri changed Nigeria's economic status for the better as a flurry of activities: investments, tourism, oil exportation, all came to be. And with an initial production of 5,000 barrels of oil per day (which would later become as much as 2,000,000), Nigeria became the 6th largest oil producer on the chart of the Organization of petroleum Exporting Countries OPEC. Oloibiri oilfield was the first commercial oil field in Nigeria as well as West Africa. Nigeria exported its first crude oil in February 1958 from the Oloibiri oil field. Nigeria's first crude oil export came from Oloibiri field in February 1958. Nigeria's first crude oil pipeline was laid from oil field to Port Harcourt on the Bonny River (Bonny Export Terminal). Following these discoveries, different oil-related activities have since taken place. This has altered people's livelihoods in the communities where oil has been discovered, although most of the displacement has happened indirectly, where communities have lost pieces of land but have also been physically relocated, the need to lay gas pipelines necessitated government acquiring land from communities for this project. And according to Terminsky (2012), oil-related displacement and resettlement, observed in different parts of the world, are phenomena rather similar in nature, and the common element is the increasing economic, social, and cultural marginalization of indigenous people. These oil projects are usually located in the South-South region of Nigeria where communities like Finima Community were involuntarily displaced from their ancestral homes and resettled in a new built land.

The South-South region of Nigeria, which is situated within the Niger Delta region is at the apex of the Gulf of Guinea on the West Coast of Africa, it is home to over 31 million people and occupies a total mass land area of 75,000 square and makes up 7.5 percent of Nigeria's land mass, it consists of the nine oil producing states namely Abia, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo, and Rivers States. This region covers about 12% of the total surface area of the nation and is made up of 185 local government councils and over 800 oil producing communities

with an extensive network of 900 producing oil wells as reported by Ite et al (2013). The region is seen as one of the most fragile ecosystems in the world. It is Africa's largest delta and the third world largest mangrove forest. It is also one of the largest wetlands in the world, consisting of rivers, islands, creeks, mangrove forest and estuaries; the stagnant swamps cover 8,600sq/km and the coastline spanning over 450km. This area is bountifully endowed with natural resources. These include oil and natural gas, sand and gravel and rich biological diversity among others. As fragile as this area is, it has become the nucleus of extractive activity in Nigeria. It is the source of over 90 per cent of crude oil which is the base of the Nigerian economy.

According to Agbonifo, (2016), the petroleum industry being a complex combination of interdependent operations has generated a mixed blessing of wealth and fortune on the one hand, and environmental injustices and hopelessness on the other hand. And as Kadafa (2012), reported, that as of 2006, there were eleven (11) major oil companies operating one hundred and fifty- nine (159) oil fields and one thousand four hundred and eighty-one (1,481) wells in the Niger Delta South-South region of Nigeria. It is thus a known fact that oil exploration and exploitation has been ongoing for several decades in the region and has had disastrous impacts on the environment in the region and has adversely affected people inhabiting that region. In general, the assessment of other researchers into this issue acknowledges that the oil industry has undoubtedly brought economic benefit to the Nigerian state but has left visible physical destructions, internal displacement, and environmental pollution to the region.

### **1.2.1. The Discovery of Oil and Gas in South-South Nigeria**

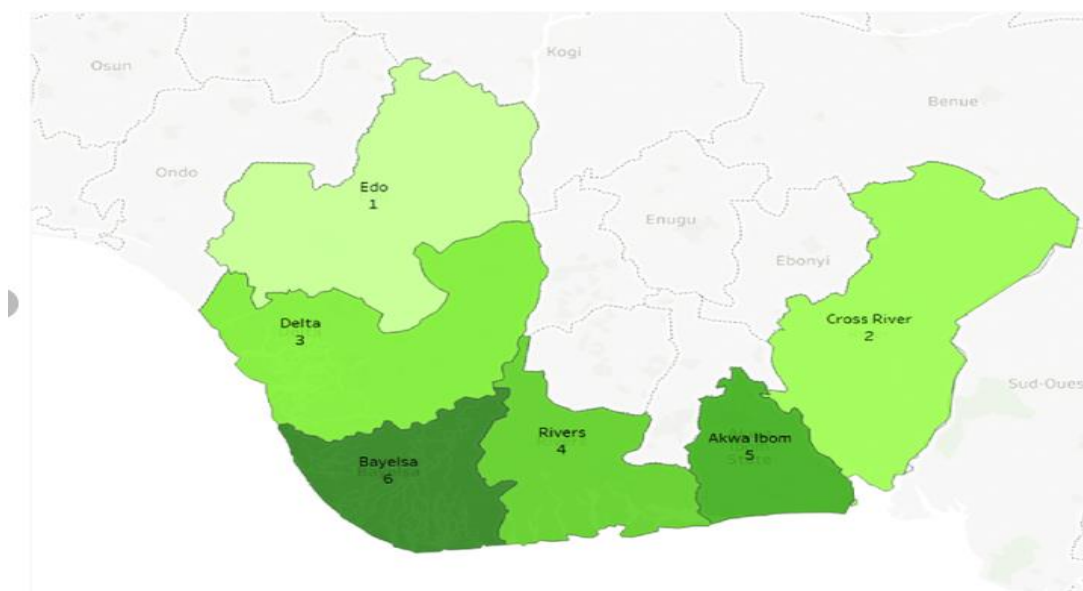
Opukiri et al (2008), stated that internal displacement has been linked to oil production in the South-South region, and the subsequent environmental degradation and lack of benefits from oil revenues have been a catalyst for many of the conflicts during the 1990's, and the transfer of money back to local communities which has become a reason for many violent clashes. One reason for this contradiction according to the writer, is that community development programmes funded by the oil Companies have made political positions increasingly attractive and the violence triggered by these disputes have often forced people in the oil producing states to flee their homes.

According to by Kadafa (2012), the south-south region located in the Niger Delta in Nigeria, has emerged as one of the most ecologically sensitive regions in Nigeria. Oil and gas from the region are the main source of revenue for the Nigerian state, accounting for about 97% of the country's total export. Since the discovery of oil in the region, oil has dominated the country's economy. The region is highly susceptible to adverse environmental changes, occasioned by climate changes because it is in the coastal region and is an extremely prolific hydrocarbon province. Conclusive

reports have stated that due to oil exploration and exploitation activities, the area has become an ecological wasteland.

Several studies on population displacement induced by other factors in Nigeria highlights poverty, unemployment, underemployment, and rural/ urban migration as the consequences of disasters, conflict, etc however, the literature appears not to have adequately addressed the potentials of internal population displacement arising from oil based environmental degradation, and the resulting losses in the region.

The argument in this study is that oil and gas extraction activities does not only have the potentials of deteriorating internal displacements in the region but is also in control of many of the impact of displacements and relocations experienced by the people. And to further highlight these issues, Akujuru (2014), stated that the discovery of oil in the region brought hope that modern infrastructure such as electricity, pipe borne water, primary and secondary schools, jobs, well-equipped hospitals will be readily available, and the MNOC's will implement the expectations embodied in its corporate social responsibilities (CSR) but in the setting of protracted denials and frustrations, neither the oil companies nor the government have been able to meet up with these prevalent social expectations. Below is a map showing six of the oil and gas producing South-South states within the Niger Delta region of Nigeria.



*Figure: 1 1: Map showing oil and gas states in the South-South region of Nigeria*

*Source: Ibok et al (2020)*

## **1.3. Overview of Global Policies and Guidelines on Displacement and Resettlement**

### **1.3.1. International Legislation and Policies**

Although there is a broad range of international policies surrounding internal displacements or development-induced resettlements in an array of documents, however the list is not exhaustive. An examination into some of these existing international policies describes the dominant characteristics that regulate resettlement practices from international to more specific instruments. And this will replicate global best practices that can be applied to the displacement and resettlement projects especially in the South-South region of Nigeria. Resettlements takes place in a multi-level regulatory context, often with competing and conflicting requirements. Resettlement is usually subject to requirements specified in national legislation, which vary by jurisdiction, national law will always be applicable whenever expropriation is applied. National law also tends to apply in situations where the government is a partner in the development project according to Vancaly (2017).

Some examples of such international legislations and global policies include:

- World Bank and Resettlement Policies
- African Development Bank Resettlement and Rehabilitation Policies
- The African Union Convention (Kampala Convention, 2009)
- The United Nations Guiding Principles

### **1.3.2. World Bank and Resettlement Policies**

International Financial Institutions such as the World Bank have become concerned with the displacement issue that arise out of the projects they finance. Consequently, in 1980, the World Bank adopted safeguard policies to provide a guiding framework for dealing with persons affected by the projects it funds (Clark, 2002). And in a study by Bugalski et al in (2013), the writers explained that the new World Bank Policy on Involuntary Resettlement, Operational Policy 4.12, which is aimed at reducing involuntary resettlement, promoting benefit sharing and consultation between project-affected communities and implementers is a key priority, which means that the livelihood destruction that comes with displacement is considered as important. The framework likewise recognises that persons affected by projects are not only those that are directly displaced, and provision must be made of other persons as well. Another key consideration in the framework is to enable displaced persons to reconstruct their lives to bring them to pre-resettlement levels or even higher. The consideration within the World Bank's mandate to alleviate poverty and uphold

people's economic and human rights, which is in tandem with good practices that enhance sustainable livelihoods. This approach is a big shift in the lending practices of the bank; nevertheless, there are calls for the bank to synchronize the provision with other international human rights instruments to, as a matter of law, include prior informed consent in the framework as stated by (Clark, 2002). According to Bugalski et al, (2013), the land grab phenomenon in the Global South has generated global discussion which should provide an opportunity for the World Bank to bring its involuntary resettlement guidelines to address the human right issues associated with project-induced land grabbing.

Götzmann et al (2016), explains that the growing awareness of human rights issues has arisen following the passing of the United Nations Guiding Principles on Business and Human Rights, this document specifies the human rights responsibilities of companies in all situations like environmental impact assessment (EIA) and social impact assessment (SIA). And according to Petz (2015), the United Nations (U.N.) Guiding Principles on Internal Displacement ("Guiding Principles" 1998), which is the core, albeit soft law for international framework on displacement within national borders are the core international framework identifies the rights and guarantees relevant protection of internally displaced persons (IDPs). It also extends to persons displaced by both man-made and natural disasters (which includes those displaced by the effects of climate change. the Guiding Principles are applicable for forced in-country planned relocations. state that "internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country," and they highlight that "national authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction, it also state, in strong terms, that arbitrary displacement should be prohibited, and forcible eviction should only be allowed when governments have compelling reasons.

### **1.3.3. African Development Bank Resettlement and Rehabilitation Policies**

According to reports by African Development Bank, (AFDB, 2015), In the last 10 years, the African Development Bank (AfDB) has supported about 97 projects that have resettlement components distributed across the African continent. Evidence from literature and databases points out that, globally, there are no precise figures and data of persons affected by development-induced displacement. The (AfDB), policy on Involuntary Resettlement has been designed to cover involuntary displacement and resettlement of bank projects' affected people and this deals with those within the project area that may lose shelter, assets and means of livelihood (AfDB, 2003). It is meant to assist the Bank and borrowers to address resettlement issues to mitigate the negative impacts of displacement and resettlement and establish sustainable economy and society.

The main goal of the involuntary resettlement policy is to safeguard the affected people and ensure that they are treated equitably and share in the benefits of the projects that affected them. The objectives of the policy are to ensure that the disruption of the livelihood of people in the project are minimized; to ensure that the displaced persons receive resettlement assistance to improve their living standards; and provide explicit guidance to Bank staff and to borrowers; and set up a mechanism for monitoring the performance of the resettlement programmes. Lessons learnt from the policy reveals that most member countries' expropriation laws and regulations are unclear on how to compensate for the land-based resources and economic activities affected because of involuntary resettlement.

#### **1.3.4. The African Union Convention (Kampala Convention, 2009)**

The African Union Convention for the Protection and Assistance of Internally Displaced Persons ("Kampala Convention 2009"), which is a binding regional treaty on internal displacement is the first legal framework on internal displacement that legally binds an entire region. It explicitly includes displacement from natural and manmade disasters, including climate change. The Convention's codification history reveals an attempt by the African Union and its Member States to complement the provisions of the Guiding Principles on Internal Displacement and cast them in the African context. It also uncovers a synergy between international actors, namely, the Representative of the Secretary-General on the Human Rights of Internally Displaced Persons, international organizations, and the African Union to address the legal challenge of internal displacement.

The Kampala Convention is based on the Guiding Principles so many provisions are similar. Firstly, it mentions that it shall devise early warning systems in areas of potential displacement and shall establish and implement disaster risk reduction strategies and that forced evacuations are arbitrary if they are not required for the safety and health of those affected. It also places emphasis on the protection of property left behind by displaced persons and finally deals with compensation and reparations in an innovative manner, whereby legal frameworks that will provide just and fair compensation and other forms of reparations to IDPs for any damages incurred as the result of displacement (in accordance with international standards). One of the articles mentioned in the Kampala Convention (2009) related to internal displaced persons in the context of this study is the: Obligations relating to durable solutions and compensation which states that:

*“In addition to the prevention of displacement and protection and assistance during displacement, the Kampala Convention commits States to promoting and creating satisfactory*

*conditions for durable solutions to displacement, including voluntary and sustainable return, local integration, or relocation in safety and in dignity (Article 11) as well as just and fair compensation and other forms of reparations (Article 12). States are responsible for consulting IDPs on their options for securing durable solutions to displacement to enable IDPs “to make a free and informed choice” on return, local integration, or relocation and for ensuring their participation in “sustainable solutions” (Article 11.2). States must take measures for the resolution of property disputes and recovery of property, including by establishing simplified property dispute resolution mechanism for IDPs (Article 11.4) and restoring the lands of communities with a special dependency and attachment to such lands upon communities’ return and reintegration (Article 11.5). States are further obliged to establish “an effective legal framework” for the provision of “just and fair compensation and other forms of reparations,” to IDPs “for damage incurred as a result of displacement, in accordance with international standards” (Article 12.2)’.*

#### **1.3.5. UN guiding principles on Internal Displacement (2004)**

According to the United Nation guiding principles on Internal Displacement (2004), it clearly states that ‘Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border’.

Of particular interest and in line within the context of this study, is principle 7 in the guiding principles which highlights that ‘prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored to avoid displacement altogether. Where no alternative exists, all measures shall be taken to minimize displacement and its adverse effects’. This suggest that authorities have the main responsibility of making decisions and placing conditions which allows displaced persons no matter the purpose of the project as in the case of the communities under review, to have a choice to be either resettled or foe for minimal risks to be applied during any project unless it will dangerously impact the people.

#### **1.4. The Problem Statement**

Several studies have focused on the environmental impact of oil and gas industries in the locations where they operate. And most literature on displacement frequently relate to development-induced, disaster-induced, or internal-induced displacements due to conflict and wars conflict but less is found in natural mineral-induced displacement or oil and gas-induced displacements and its

long-term effects on the host communities. Also, fewer discussions are found on the importance of government policies and laws that directs the progression of effective implementation of policies for displaced and resettled communities.

Therefore, the gap in the subject knowledge has defined the scope of this study in terms of empirical findings in oil and gas-induced resettlements and petroleum policies in South-South Nigeria. The aim is to develop a framework to improve the implementation of existing displacement and resettlement policies in Nigeria. Cernea (1996), in his published work supports the significance of this study, noting that displacement activities are large, very frequent, and consequential enough to merit research into its dynamics, types, and livelihood alterations, in other to understand its effects on the impacted communities.

And Akpomuvie (2011), further reiterated, that government's control and direct involvement in oil and gas exploration activities and environmental protection are limited because of passive partners like the multi-national companies operating in the area, this view has been further supported by several research studies which shows that weak enforcement and inadequate capacity is responsible for environmental degradation. This evidence paints a gloomy picture of serious failure of national and international environmental protection policies needed to address the problem of environmental degradation in the oil and gas producing communities which has led to several involuntary resettlements. More significantly, as Elenwo et al (2014), discussed, there is practical shortfall of knowledge of the workability of interdependent linkage between development processes and environmental factors, the deficit of environmental management and policy failure arise from the obvious absence of socio-economic development that impoverish the poor, which is a key challenge to the people of the region and could lead to further internal displacement in the researchers view.

This study also aligned with the view of the UNDP (2006) that social and economic deterioration, ignored by policy makers, undercuts enormous possibilities for development of the oil and gas producing communities. It is therefore imperative to acknowledge that the manifest and continuing oil-induced extractive problems in the South-South rural communities in Nigeria, point towards weaknesses in policy and regulation, or even policy failure caused by several factors including weak enforcement and over centralisation which provides a fertile ground for environmental degradation to persist as emphasized by Obi (2010). In a study by Kadafa (2012), the writer explained that oil exploration in Nigeria has had severe environmental and human consequences for the indigenous people who inhabit the area surrounding these oil and gas extractions. The writer further reiterated that social and environmental cost of oil production has been extensive and the destruction of wildlife and biodiversity, loss of fertile soil, pollution of air and drinking water,

degradation of farmland and damage to aquatic ecosystem, all of which have caused serious health problems for the inhabitants of the area surrounding oil production which has led to many internal displacements and migrations. Unfortunately, according to the human Rights report (2013), too much resettlement practice has only been concerned with providing cash compensation or addressing the need for replacement housing, without giving adequate attention to all the other dimensions of life that are affected by being resettled. Thus, given the rising industrial activities in Nigeria and in the south-south region this study highlighted the need for improved oil and gas legislations that will improve the conditions of the affected people to development opportunities, legal protection, and continuous growth within the context of an existing framework for involuntary resettlements and this will be through effective regulations and standards to better the lives of the resettled people.

### **1.5. Identification of Policy Gaps, Impact and Drawbacks for This Study**

The oil and gas industry in Nigeria has several laws regulating the industry and this is because it is a very critical section of the economy of the nation. The revenue accounts for a large chunk of total export earnings. Policy gaps as identified in the existing oil and gas industry document and bills showed that the present state which excludes specific laws and policies on oil and gas-induced displacement and resettlement issues. Findings as evidenced in chapter 4.3 shows that obsolete laws and regulations are some of the problems in the oil and gas industry amongst others according to Akujuru (2015). And some the example gaps identified from existing policies are:

**Land Use Act –(1978)**-obsolete and needs updated to reflect considerations for landowners and benefits accruable to them. The pattern of land ownership, utilization, and control is a critical factor in economic development and other livelihoods in the South-South region of Nigeria and this is because the terrain of the region which consists of a small area of developable dry land and a vast array of creeks, rivers, and rivulets, makes the importance attached to land more critical as explained by Akujuru (2015).

**Petroleum industry Act-1969**- needs to be updated as it vests ownership and control of oil found anywhere in Nigeria in the federal government, this needs to include a portion to be directly apportioned for the benefit of the community upon which oil is found. This needs a transformation. Although the petroleum industrial bill (PIB) has been updated in 2021, there is a further need to include acts or policies that are specific to oil and gas-induced displacement and resettlements. This will enhance, protect, and improve the conditions of the affected communities. It will give credence of community inclusion in the governance of the country by policy makers.

There is a need for policy improvement to include sustainable planning to community selection, discussion and adjustment of the selected communities to project implementation and final hand-over and resettlement. If the policy gaps recognised in this study is improved, it allows for community involvement and allows for development opportunities. This will lead to successful integration of the impacted communities and create long-term benefits for the people. According to Scudder et al (1982), studies have noted that almost universally, governments fail to pay proper attention to how people would make a living in resettlement zones as too much of scarce project funds were spent on social services and housing.

Government agencies specific to oil and gas displacements need to be created with adherence to the guiding principles to guide the activities of the industry, this will create sustainable development and avoid issues in the existing policies. Also, improvement of the Socio-economic impact which includes amongst others, compensation for agriculture lands, fishery and wildlife need to be sustainable. Laws and policies to conflict resolution, end violence and frustration on the impacted people reduces inter-relationship between communities and government if not handled effectively.

According to Adedeji et al (2016), there has been continuous debates in many developing oil-rich countries on the adoption of local content (LC) policy and the value-added created by LC policy within the domestic oil and gas industry. The dominant perspective on the regulatory role of LC policy is that the policy is a mechanism through which the benefits of a country's endowed resources on economic development could be increased and also for trickling the wealth generated to the country's people. Local value creation is considered to be a more important contribution of the extractive sector than its direct contribution to economic growth. For instance, countries such as Norway, Venezuela, and Malaysia have greatly benefited from their oil and gas wealth. These resources have been used to transform their economies, particularly in terms of local firms' increased participation, infrastructure development, job creation and backward linkage development. And Vanclay (2016), in quoting the World bank safeguard policies and International Finance Corporation Performance Standards (IFC) writes that. This need for land can result in the dislocation of the people living there (i.e., physical displacement) and that even in situations where people are not required to physically move, the project may still impact on their livelihoods or income-generating activities, either temporarily or permanently. Vanclay (2017), further restates that the requirements of international standards are not always observed when project-induced displacement and resettlement occurs, governments often invoke the power of eminent domain and implement expropriation procedures instead of building support for a public or private project by negotiating with project-affected peoples. Aboda et al (2019), also considered that

understanding social vulnerability could also act as the first line of action in minimizing vulnerability to the consequences of many projects as identified below.

IDENTIFIED POLICY GAPS	IMPACT FROM FINDINGS
Environmental Impact	Landlessness, oil spills, air pollution, Population Increase
Socio-Economic Impact	Joblessness, Impoverishment Risks, Loss of Culture
Legal Impact	Compliance, Policy-Implementation
Political Impact	Representation, community participation & Negotiation
Health Impact	Loss of lives, Asthma and Lung diseases, Heart Problems

Source: Researcher (2022)

### 1.6. Research Justification

The premise of the study is based on the argument that oil based environmental degradation has exacerbated poverty in the South-South region of Nigeria, and as such, has induced both voluntary and involuntary resettlements as reported by Fentiman et al (2019). According to the UNDP in 2006, it estimated that Nigeria flared about 75% of the gas it produces which is more than any other country in the world have done and this exacerbated health-related concerns amongst the host communities as the toxicity to humans have led to respiratory illness, kidney disease, neurological disease, and potential deaths.

Furthermore, it appeared as though government control and direct involvement in oil and gas exploration activities and environmental protection are limited due to its passive partnership with the oil companies, and as Ogbonnaya (2011), contends, comprehensive and effective regulatory commitment to environmental monitoring and enforcement of standards are the bedrock of sustainable development, unfortunately, the oil and gas protection agencies have inadequate capacity, weak enforcement, over centralisation as well as the political will to enforce relevant environmental laws to checkmate the activities of the MNOCs degrading the environment that leads to communities and people displacements.

And in citing Ibaba et al (2015), while environmental degradation and lack of benefits from oil revenues appear to have been a catalyst for many of the conflicts during the 1990's, more recently the transfer of money back to local communities has become a reason for violent clashes and community dissatisfaction. Agbonifo (2016), advocates that it is imperative to acknowledge that the manifest and continuing problems in the rural communities in the South-South region point

towards weaknesses in policy and regulation, or even policy failure and this is caused by several factors including weak enforcement and over centralisation which provides a fertile ground for negative impacts for displacement and resettlement to persist. Research Scope

The scope of the study is therefore focused on the South-South region of Nigeria, this is because it is the base region where oil and gas are discovered and has still been produced. This extractive activities of the oil and gas industries has led to environmental, social, economic displacements, physical displacement, and involuntary resettlement of some communities. The impact of existing policies as it concerns displaced and resettled communities needs to be improved. Studies show that that the effect of post-resettlement are extensive as the resettlement packages offered to the impacted communities are temporary and have no lasting effect. Government and industry operators have made promises and offered corporate social outcomes with no lasting value to the people.

Accordingly, the justification of this study is hinged on this intention that there is a need to improve the existing policies that will put into legal terms the responsibilities of agencies and MNC'S involved in oil and gas-induced displacement and resettlements to comprehend at the early enough the implications of the extractive activities, the impact of post-resettlement and to strengthen sustainable development for the affected people. And the case study approach applied for this study required data collection from persons with detailed knowledge of the realities of the displacement and resettlement caused by the establishing and citing of the gas plants in communities like Finima and the oil extractive activities in Ogoniland. The framework presented in this study is intended to guide policy makers to strategically improve the existing policies and to include specific policies for sustainability of oil and gas-induced displacement and resettlements in the South-South region of Nigeria.

### **1.7. Research Aim**

The aim of this study is to develop a framework by which oil and gas-induced displacement and resettlement policies in Nigeria can be improved.

### **1.8. Research Objectives**

This aim of this study can be achieved through the following objectives:

1. To explore the nature and characteristics of development-induced displacement and involuntary resettlements.
2. To evaluate the major impacts of oil and gas extraction activities on affected communities in the south-south region of Nigeria.

3. To identify the related policy gaps and review government structures in the management oil and gas-induced displacement and resettlements.
4. To examine the identified outcomes of the impact of oil and gas-induced displacements and resettlements on the selected affected communities.
5. To develop a framework that will guide policy makers to improve the identified policy gaps for sustainable displacement and resettlement policies.

### **1.9. Research Question**

Based on the contextual issues raised in this study, the following research questions were queried.

1. How should displacement and resettlement projects induced by oil and gas in communities be considered before implementation is carried out?
2. What are the developmental impacts of oil and gas policies on the displaced and resettled communities in South-South region of Nigeria?

### **1.10. Research Method**

This is an exploratory study, guided by the research objectives and questions. The philosophical perspective adopted for this research is the Interpretivism assumption driven by an abductive approach with qualitative method as the research strategy. This is adapted as it best suits, the aim of the study and will achieve the research purpose and answer the research questions. The axiological perspective of the study is value-laden, (see chapter 3, section 3.3.3). Thus, two case studies that have been displaced and resettled due to the impact of the extractive activities of the oil and gas industry in Nigeria are the unit of analysis, (see section chapter 4, section 4.5 and 4.6). The qualitative methodology employed the use of semi-structured interviews across a selection of stakeholders involved in the oil and gas industry and in community resettlements. The selection comprised of members of the impacted communities, government officials responsible for institutional policies and representatives from the multi-national corporations whose oil and gas activities are active within the selected communities.

### **1.11. Research scope and Limitation**

The South-South region is a very tough territory to access and with the limitations on travel bans caused by security issues because of the Covid-19 pandemic, access to fieldwork was severely impacted. Also, this affected the possibility of respondents not been able to share their true feelings

before the researcher or provide exhaustive information during the data collection process because of the impact and which limited travel. Then to address this situation, this study explored a wide range of relevant existing literature, oil and gas documents from government and agency websites, journals, and publications from other scholars that relevant to displacement impact as well as to oil and gas-induced resettlement and policies in Nigeria. Semi-structured interviews with key stakeholders in the oil and gas industry in Nigeria was thus conducted through telephone calls, emails, and WhatsApp.

### **1.12. Research Structure**

This thesis is structured into Seven chapters which are outlined as follows:

#### Chapter One: Introduction

This chapter presented the background of the study which highlighted the discovery of oil and gas in the South-South region of Nigeria. It also highlighted the research problem and the need for this study and presented critical elements like the research questions, aim, objectives, scope, research justification, contribution to knowledge, research structure and Research Limitation

#### Chapter Two: Literature Review

The chapter introduced other academic works on displacement and resettlement. And included a review of global and Nigerian oil and gas policies on displacement. This chapter also highlighted the international policies and guidelines on displacements and involuntary resettlements. And introduced the study areas, the challenges faced during the period of resettlement, the process of oil and gas policy implementation and the various sustainable development programs planned for the resettled communities. . In addition, this chapter also presented the selected global theories that guide involuntary displacement, resettlements, and development.

#### Chapter Three: Research Methodology

This chapter introduces the philosophical stance for this study and explains the methods and design selected for this study. It also discussed the research approach, the choice, strategy, time, and horizon and provided the rationale and justification for the selected method for this study. It also presented the ethical considerations in accordance with the University's policy.

#### Chapter Four: Legal and Institutional Framework of Existing Policies

This chapter examined existing oil and gas policies in Nigeria and complements the document analysis with expert interviews from key players in the government and from the oil industry. It cross-referenced the actions and current procedures of the various government agencies and

legislations in the handling of displacement and resettlement projects in the communities impacted by oil and gas activities in the South-South region of Nigeria.

#### Chapter Five: Qualitative Analysis of findings, presentation, and Discussion

This chapter presented the results from findings and discusses on the qualitative information collected during semi-structure interviews with key stakeholders in the oil and gas industry. It further discussed the findings on the individual cases

#### Chapter Six: Cross-case Analysis and Discussion

This chapter discussed on the cross-case analysis of the case studies. It also presented and explained the refined developed framework proposed for this study.

#### Chapter Seven: Conclusion and Recommendation

This chapter provides the findings, conclusions, and recommendations for the study by linking the research objectives. It outlined the proposed framework which is a recommendation for policymakers in Nigeria to use as a guide for policy improvement and effective implementation when oil and gas-induced disclaimants and resettlement occurs in the South-South region and in Nigeria as a whole. This section also It also included the limitations encountered during this study and the recommendation for future research.

### **1.13. Discussion and Summary**

This chapter presented the background of the study which highlighted the discovery of oil and gas in the South-South region of Nigeria. It also emphasised on the research problems and the need for this study and presented critical elements like the research questions, aim, objectives, scope, research justification, contribution to knowledge, research structure and Research limitation. In addition, this chapter also presented the selected global theories that guide involuntary displacement, resettlements, and development and placed more emphasis on the plethora of oil, gas and petroleum laws and acts that serve to protect the extractive activities of the oil and gas industries which has led to induced-displacement and resettlements in the South-South region of Nigeria. The next chapter reviewed the existing literature on the various concepts of development, displacement, types of development induced displacement and involuntary resettlements. It also examined and presented an overview of global and Nigerian petroleum policies, guidelines on internal displacement and involuntary resettlements as it pertained to the aspects of sustainable development for impacted communities.

## **CHAPTER 2.**

## **LITERATURE REVIEW**

### **2.1. Introduction**

This chapter reviewed the literature on the activities of oil and gas industries in Nigeria and looked at the concept of development, displacement, and various types of resettlements. It also highlighted on international policies and guidelines on displacements and involuntary resettlements. In addition, it examined oil and gas-induced displacement and resettlements policies globally, in Africa and specifically in Nigeria. This section also introduced the case study areas located in the South-South region of Nigeria and discussed the effects of the discovery of oil and gas, the relocation projects, the challenges faced during the period of resettlement, the process of oil and gas policy implementation and the various sustainable development programs planned for the resettled in the selected case studies and presented the selected theories that guided this study.

#### **2.1.1. Theories of Displacement and Resettlement that inform this study**

Theoretical examinations of migration have focused their attention either on the process of movement or on the settlement process. They are beneficial as they offer theoretical direction to understanding the movement of people from a wider viewpoint. This may be related to economic, social, legal, political, cultural, ethnic, or other phenomena. Many sociologists have defined displacement theories guided by socio-economic backgrounds and the foundations related to displacement entrenched in development and welfare of the impacted.

In reviewing the major theories on development, displacement and resettlement, the main distinction in the approach is not on the differences in the definitions on displacement but rather in the understanding of the process from the initial displacement, through the journey by the displaced and the eventual resettlement process. The review of the theories thus shows that displacement and resettlement are complex and challenging and hence requires a structure by governments that will enable planned successful resettlement to be in place to protect communities before considering and implementing major projects of displacements.

Therefore, this study is guided by two major theories, namely, the Impoverishment and Risk and Reconstruction (IRR) Model of Cernea (1997), which presents eight key risks associated with displacement, and the Scudder-Colson four stage Model (1982), theoretical model of settlement processes distinguishing four, stages: recruitment, transition, development, and

incorporation/handing over, this is because the breakdown by global oil extraction activities result in scarcity on the impacted people have powered violent resistance in Nigeria's oil-rich, but impoverished Southern region, thus, the disaster of environmental degradation and weakness in policies leading to involuntary resettlements in the South-South region, in the researchers view, qualifies for a critical examination. And drawing on an extensive range of sources, the following authors set out the different theories in which the effect of displacement and resettlement if not handled properly would drastically impact negatively on the affected peoples and communities. Below is a brief overview of theoretical and empirical studies of displacement by some known scholars as presented in the table:

Table: 1.1: *Showing major theories of Displacement and Resettlement*

Authors	Year	Major Theories	The Impact of displacement
<u>Guggenheim et al</u>	1993	Push' and 'Pull' factors	The push factors force people out of their traditional localities. Pull factors are factors attracting people to move to new ones.
Chamber	1970	Three Stage Model	identified a three-stage general model in the evolution of land settlement schemes in Africa, namely recruitment, transition, and development
John Rawls	1971	General Conception	It requires that all social values – liberty and opportunity, income and wealth, and the bases of self-respect are to be distributed equally unless an unequal distribution of any
Scudder-Colson	1982	Four Stage Model	The diachronic framework (1982) was built around the key concept of "stage"; and focused on settlers' stress and their specific behavioural reactions in each stage.
<u>Cernea</u>	2007	The Impoverishment Risks and Reestablishment Model	The IRR model acts as a guide in the selecting and understanding of the risks of development-induced displacement and resettlement (DIDR) during social vulnerability assessments.

Source: Researcher (2020)

Therefore, by drawing on the concept of these theories, it has shown that the outcome of improved oil and gas policies and implementation measures on oil and gas-induced displacement and resettlements in the South-South region of Nigeria requires upgrading for sustainable development on the impacted communities. The justification for the selected theories by Scudder-Colson (1982), is because the four-stage model focus on the settlers' stress and their specific behavioural reactions in each stage experienced by the impacted communities in this study, even though this model does not apply to resettlement projects that fail, but the authors argue that relocation,

whether voluntary or compulsory, is a stressful experience and therefore need to be planned in stages. And in the analysis of Cernea's IRR model (1997), it highlighted that the worst consequences of displacement, are impoverishment and the violation of basic human rights therefore if proper counteractive action is not taken in time, these potential risks may manifest as actual impoverishment disasters.

### **2.1.2. The Impoverishment, Risk and Reconstruction (IRR) Model**

The risk and reconstruction model (IRR) by Cernea (2007), not only identified the risks of displacement and resettlements, but also indicated ways to re-establish the affected displaced people. The IRR model acts as a guide in the selecting and understanding of the risks of development-induced displacement and resettlement (DIDR) during social vulnerability assessments. The findings of the review through the IRR model indicated that displacement and resettlement expose project affected people to some opportunities, but they are more largely associated with more risks because of displacement. And in suggesting ways to deal with these risks to reconstitute economic livelihoods and socio-cultural systems, the internal logic of the IRR Model as a planning tool suggest that in order to defeat its impoverishment predictions, it is necessary to attack the looming risk early during preparation of a project for instance from landlessness to land-based resettlement, from joblessness to re-employment, from homelessness to house reconstruction, from marginalization to social inclusion, from increased morbidity to improved health care, from food insecurity to adequate nutrition, from loss of access to restoration of community assets and services, and from social disarticulation to rebuilding networks and communities.

And in the multiple studies by Cernea in (1990; 2000; 2004, 2005; 2009), the writer identified some risks associated to development induced displacements including: Landlessness, Homelessness, Joblessness, food insecurity, loss of access to common property resources, increase in diseases and social disintegration Impoverishment. Notwithstanding the contributions of modern infrastructure and in the provision of basic amenities by the MNOC's, these oil companies operating in this Nigeria have caused environmental destruction and people displacement, but have also triggered poverty, loss of land and livelihood due to oil spills, it has likewise provoked social disarticulation amongst families, and marginalisation of the people. And according to Terminski (2012), oil production in Nigeria has wreaked massive environmental havoc, forcing the people living in locations like the South-South region to migrate to other parts due to landlessness, air pollution and diverse negative factors to get a better quality of life elsewhere.

Also, in the analysis by Cernea (2000), of the IRR model, the risk model if read in reverse, maps the way for reconstructing the livelihoods of those displaced. The writer stated that the model is

not just a cognitive tool but has operational value as well which can be used for practical planning to avoid and to measure specific risks in development projects. He also stated that this model is a warning tool to alert those responsible for the planning and management of resettlement operations to ward of risks, as these risks can be minimized if not completely averted if they are seen in the first place. He further explains that ‘like the way in which risk analysis de-constructs displacement processes into distinct risks, the IRR model also de-constructs risk-reversals into a set of reconstructive, pro-poor support activities, potentially able to lead:

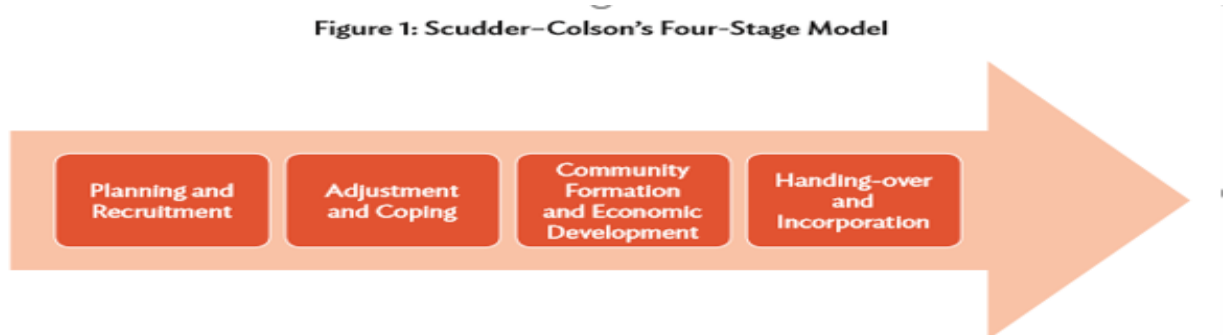
- From landlessness to land-based resettlements
- From joblessness to reemployment
- From homelessness to house reconstruction
- From marginalization to social injustice
- From increased morbidity to improved health care
- From food insecurity to adequate nutrition
- From loss of access to restoration of community assets and services
- From social disarticulation to networks and community rebuilding.

### **2.1.3. Scudder-Colson Four Stage Model (1982)**

The Scudder-Colson Theory (1982), as explained by De Wet (1988), is a model that resonates with this study, it is also known as the ‘the four stage Model’. It formulated a theoretical model of settlement processes distinguishing four, rather than three, stages: recruitment, transition, development, and incorporation/handing over. The Scudder- Colson diachronic framework (1982) was built around the key concept of "stage"; it focused on settlers' stress and their specific behavioural reactions in each stage. Initially, the model was formulated to apply to voluntary settlement processes. Subsequently, Scudder extended it to some involuntary resettlement processes as well, but only to those involuntary relocations that are successful and move through all four stages. The model is not intended to apply to resettlement operations that fail and do not complete the last two stages. The theoretical examinations of migration have focused their attention either on the process of movement or on the settlement process, as they are useful to provide theoretical guidance to understand the movement of people in a wider perspective. Thus, a community considered to be successfully resettled is when it no longer depends on outside management and is integrated into the wide regional setting. Then it attains economic and administrative self-sufficiency and ability. Historically, most of the involuntary resettlement operations have been unsuccessful because the cumulative impacts of failed resettlements were not “modelled” in the Scudder- Colson framework of stages.

Scudder- Colson (1982), first developed the four-stage framework to deal exclusively with successful process of involuntary resettlement in connection with dam construction, with success simply defined as development that is environmentally, economically, institutionally, and culturally sustainable into the second generation. The model according to Scudder-Colson (1982), is behavioural and predictive focusing on those who must resettle and on the expected behaviour if sufficient opportunities were available for them to become project beneficiaries and why, the resettlers are the key source for achieving a positive outcome. Therefore, the Scudder- Colson (1982), 'four stage Model' formulated a theoretical model of settlement processes distinguishing four stages which are: recruitment, transition, development, and incorporation/handing over. The diachronic framework (1982) was built around the key concept of "stage"; it focused on settlers' stress and their specific behavioural reactions in each stage. Initially, the model was formulated to apply to voluntary settlement processes. Subsequently, Scudder extended it to some involuntary resettlement processes as well, but only to those involuntary relocations that are successful and move through all four stages. Historically, most of the involuntary resettlement operations have been unsuccessful but the cumulative impacts of failed resettlements were not “modelled” in the Scudder- Colson framework of stages.

Below is the presentation of the four-stage model



*Figure: 1 2: Scudder- Colson (1982), four-stage framework for involuntary resettlement*

#### **2.1.4. Planning and Recruitment stage**

This period deals with lengthy pre-settlement period which means that special attention should be paid to the early involvement of affected people in the planning and decision-making process. Attention must also be paid to development opportunities for enabling resettlers and hosts to contribute to the stream of project benefits as beneficiaries, rather than emphasis compensation and income restoration as allowed in contemporary World Bank guidelines.

### **2.1.5. Adjustment and Coping Stage**

This follows the initiation of physical removal which can take several years if large numbers of resettlers are involved. Scudder-Colson (1982) had initially labelled this stage the ‘transition stage’ to draw attention to the transition from one habitat to another and to emphasize its temporary nature if the next stage arrives. It also describes the multi-dimensional stress and many adjustments that resettlers must make if they are to adapt to a new habitat: new neighbours; and often, to larger communities, new economic activities that planners consider more appropriate, and more government oversight. For many households, labour resources are inadequate or strained during the first few years, especially where everyone is expected to build new homes and clear new fields at the same time.

## **2.2. Economic Development Stage**

Appropriate development opportunities are essential not just for raising living standards but also for minimizing the dependency syndrome and ‘complaints culture’ that project authorities the world over tend to believe characterizes resettlers, when in effect, such a response is often because of the non-availability of adequate development opportunities. On the other hand, some dependency and complaints are to be expected. After all, it is a population that is being uprooted against their will and need assistance with compensation for assets lost and with development opportunities if living standards are to be raised. When opportunities are available, it is interesting that resettlers around the world tend to follow the same development strategies. Once self-sufficiency is reached in the production of food staples, the trend is to diversify economic activities and investments. Also, in areas where pre-project customs restrict land access and inheritance to a small elite, or where income-generating activities were disproportionately controlled through a class structure. Most often than not, resettlement within a new area allows land to be allocated to, or opened by, a larger small minority of innovators, some of whom may previously have been landless or impoverished, who are willing to take risks even at the beginning of the economic stage.

### **2.2.1. Handing over and Incorporation Stage**

This stage involves the second generation of resettlers. It brings the process to a successful end as the project area and populations are integrated into the political economy of a region or a nation. In this stage, three conditions must be met, the first of which may have occurred at an earlier date. It is the handing over process whereby specialized project agencies hand over assets to settler institutions; to line ministries dealing with agriculture, education, public health, and other routine government responsibilities; to the private sector and to NGOs.

Handing over can be a difficult and complicated process. Hierarchical project organisation without a twilight clause may resist devolution of their authority or restrict it to certain assets. Where handover is attempted, it may proceed too rapidly, organisational jealousies may also interfere to the extent that line ministries do not want to take over assets that they did not develop or were developed at their expense. On the other hand, the second generation of resettlers may continue to improve their living standards but community members must have the institutional and political strength to compete for their share of national resources.

### **2.2.2. Criticisms of Selected Theories**

Consequently, there have been some criticism of the Scudder-Colson four stage framework as it had been said that it tended to concentrate on two general themes. One centres that the framework operates on such high level of generalisation that it does not adequately deal with variation. Whilst the second theme queries the utility of stages.

De Wet (1993), in his seminal write-ups, succinctly sums up the first criticism with the comment that the four-stage model ‘is formulated to explain the similarities, rather than the differences in people’s reaction to involuntary relocation. That, its purpose as a generalizing and simplifying theory and the source of its success If it explains events documented in a wide range of cases, as I believe it does. Furthermore, in an article he published in (2001), De Wet casts some doubt on the capacity to ever formulate a process that will ensure that all, or at least a large majority, of those affected by a project will benefit from it. While recognizing the thoroughness of the IRR model, the writer concluded that the model’s assumption that resettlement problems can be erased by improvements in planning is overly optimistic. This article points to the importance of recognizing the complexities inherent in a resettlement process, such as ‘non-rational’ political motivations and difficulties with financing and institutional capacity. De Wet further advocated for an open-ended, flexible approach to resettlement planning, which recognizes that projects rarely proceed according to plan.

### **2.2.3. Relevance of Selected Theories to the Study**

An appraisal of the selected theories amongst others would indicate that an in-depth study into the overall problems faced by the impacted communities due to non-implementation of existing policies for oil and gas and the involuntary displacement and resettlements of communities affected is highly needed. Corneas model as a social scientist foresees the possible impoverishing factors of compulsory relocation and suggest measures of reconstruction. The Impoverishment, Risk and Reconstruction model (IRR) serves as a conceptual tool to guide further research on resettlement. And as a conceptual codification of already accumulated knowledge, the model generalizes and theorizes about resettlement in a way that further invites, and hopefully may

inspire, creative new research to be carried out. It presents in a nutshell an entire program for further, and systematic, studies on resettlement and this refers both to operational and basic research as stated by Cernea.

Scudder et al (1982), noted that almost universally, governments fail to pay proper attention to how people would make a living in resettlement zones as too much of scarce project funds were spent on social services and housing. Post resettlements due to oil and gas activities. The concept of resettling for the displaced communities like Finima Community and Ogoniland, has shown a lot of complexities into reconstituting social and cultural resources. These relate in part to the power distributions of both local and larger society. The resettlement situations introduced the possibility for some groups to increase power and access to resources; these are often those with much power already who want more. At the national level, powerful national groups may pursue strategies that allow them to increase control and in this instance the power of Eminent domain by the Nigerian government as stated by Akpan (2005).

In (1997), Cernea reported that the flawed approach of existing oil and gas policies that have impacted the resettlement of the affected communities such as in the South-South region of Nigeria and forcibly displaced populations, often already poor, end up worse off for a long period. The overall result is that some people enjoy the gains, while others share only in the pains of development. The writer further stated that even though some degree of population relocation is at times unavoidable, this inequitable distribution of gains and pains, benefits, and losses, is neither inevitable nor justified. The writer also noted that it is overwhelmingly, and contrary to the very goals of development proposed by most governments. Thus, in the context of this study, during project implementation, the model could be further used to construct an indicator list for: monitoring specific progress; identifying undesired or unanticipated effects; and eliciting feedback from the affected and host populations about specific variables, e.g., land repossession, health, housing, common property assets, services, or the recreation of social networks. Also, according to Cernea (2015), forecasting impoverishment trends is important for initiating policy and practical measures that counteract undesirable outcomes. Failure to acknowledge and make known in a timely fashion the social risks inherent to displacement would allow them to unfold unimpeded in every case. Conversely, equitable policies and improved resettlement financing and implementation, with the participation of those affected, are apt to make possible the socioeconomic reconstruction and development of resettlers' livelihoods. Perhaps the most critical issue facing resettlement is the lack of availability of adequate land to relocate people. In more densely populated areas, unutilised land is scarce thus the acquisition of land for the resettlement site itself causes displacement and/or creates social impacts on the host communities. In less populated areas, vacant land might be available, but is not necessarily adequate or equal to the land

that is being taken for the project in terms of key attributes (e.g., agronomic quality, availability of water, distance of markets and provision of public services) as in the cases of Finima community and Ogoniland respectively.

Thus, to maintain clarity in this study and in terms of displacement and resettlement induced by oil and gas, the theoretical application of displacement and resettlement of the selected theories was a practical guide, as the explanations and conceptualisation of the research problems was achieved by the understanding of the selected theories as opposed to other major concepts.

#### **2.2.4. Oil and Gas Exploration Activities in South-South Nigeria**

The consequence of oil resource extraction on the environment on the region has been very glaring in terms of its negative effect on the region. Scholars highlight that oil exploration and exploitation has over the last four decades impacted disastrously on the socio-physical environment of the region's oil-bearing communities, massively threatening the subsistent peasant economy and the environment and hence the entire livelihood and basic survival of the people. It should be noted that oil extraction has triggered negative socio-economic and environmental problems nevertheless the Nigerian state has benefited massively from petroleum resources since it was discovered in commercial quantities in 1956 as reported by Brown et al (2015).

According to Andrews (2015), Nigeria's crude oil and natural gases are explored in the South-South region by various oil companies such as SPDC, Chevron, Texaco, Agip, Exxon, Total Elf, Addax and NLNG amongst others. And as Okumoko (2017), stated, control over the natural resource capital of the southern region is reflected by the operations of the multinational companies, who defraud communities of their livelihood sources, paying paltry monetary compensation in exchange for a devastated coastal ecosystem.

As Akitoye et al (2016), explained, the activities of the Nigerian Liquefied Natural Gas (LNG) project, a pioneer liquified natural gas project in Nigeria, aimed at both the diversification of the petroleum industry and utilization of the vastly flared natural gas resources of the nation. This was a positive gas project intentionally planned to utilize the abundant gas resources of the nation, which are being lost through years of flaring with related adverse effects on the region and international climates. The writer further reiterated that the construction of the gas project included road building for community, laying of large gas transmission pipelines, through relatively undisturbed areas which caused secondary invasions. The presence of construction crews and non-indigenous workers also increase local population which made high demands on existing infrastructural facilities and led to a deficit on the community's access to these amenities.

Akintoye et al (2015), further reiterated that there was a need to assess the retrospective benefits and failings of the NLNG project, because the execution of large-scale energy projects has been known to generate both positive and/or negative impacts and as such, understanding the multi-dimensional impact of its extractive activities leading to the displacement and resettlement of communities in hindsight is rationally mandatory.

In addition, Ite et al (2016), restated that petroleum resources have contributed immensely to the global energy demand and economic development of oil producing nations like Nigeria. Aniefiok et al (2018), also comments that apart from poor governance systems in the South-South region of Nigeria, poor corporate social responsibility (CSR) of multinational oil companies (MNOCs), poor environmental regulation of the petroleum industry, the inability of the political elite to effectively manage petroleum hydrocarbon-derived revenue, loss of petroleum hydrocarbons resource revenue to corruption and theft, inadvertent discharges of petroleum hydrocarbons and its products have equally contributed to severe environmental degradation, deterioration of our cultural heritage items as well as complex socio-economic problems over the past fifty-five years.

### **2.3. Environmental Implications of oil and Gas Activities in the South-South Region**

#### **2.3.1. Gas flaring**

In quoting O'Rourke et al (2003), Akintoye et al (2016), reported that the economic and environmental implications of the long-time uncontrolled gas flaring activities in Nigeria results in a significant waste of very valuable fuel resources, which invariably, also pollutes the drinking water, air, and soil on which human populations in the south-South region depend upon.

Ogbonda (2017), stated that Nigeria flares about 2.5 billion cubic feet per day and has an estimated 106 trillion of proven natural gas and these flared gases release hazardous substances into the atmosphere resulting in adverse effects on the health of the population such as cancer, asthma, and other lung related diseases. Petroleum activities in the region such as gas flaring, is the second largest amount of natural gas in the world (after Russia) and accounts for 10% of the total amount flared globally, and as Wingate (2018), in citing, Friends of the Earth (2019), reported that gas flares burn several stories high throughout the Niger Delta, often within a few hundred yards of communities and that some flares have been burning constantly day and night for over thirty years thus people living in villages near the flares suffer from polluted air and water, and contract asthma and cancer as a result of breathing flare smoke.

And Akinola (2018), reiterate that gas flaring in the south-South region, estimated at 75% of the entire gas produced in Nigeria, highlights the environmental abuse posed by resource extraction,

and exposes the failure of successive governments to eliminate the threat it portends to human survival in the oil region. The flaring process can produce some undesirable by-products including noise, smoke, heat radiation, light, sulphur oxides (Sox) nitrogen oxides (NOx) and an additional source of ignition which is detrimental to the people and the environment according to Ogbonda et al (2017). Likewise, Akpofure (2022), mentions that in Nigeria, Africa's most populous country since independence in 1960, which currently has over 200 million people, prior to the discovery of oil in the 1970s, the major economic activity was agriculture, but with the financial resources available from oil and gas, development, unguided urbanization, and industrialization took over and agro-economic lifestyle was abandoned. Consequently, the impact of the oil industry and multinational corporations on the environment are quite revealing, especially on the implications of gas flaring, air pollution and oil spills and this negative impact has led to internal migration and displacement of the people seeking for a non-polluted area to inhabit.

Below is a typical picture showing gas flaring activities in the region



*Figure: 1 3: Gas flaring activities*

*Source: The Niger Delta in Pictures, (2019)*

### **2.3.2. Oil Spills**

Oil spillage have caused severe environmental damages, loss of plants, animals and human lives, and loss of revenue to both the oil producing companies and the government. For instance, the UNDP (2006) report states that oil spill is a common fallout of oil exploitation and exploitation in Nigeria, with an estimated total of over 7000 oil spill incidents reported over a 50-year period,

consequently, there are no consistent figures of the quantity of crude oil spilled in the South-South region of the country, but it is widely believed that an estimated 13 million barrels (1.5 million tons) of crude oil have been spilled since 1958 from over 7000 oil spill incidents; a yearly average of about 240,000 barrels. The oil spills affected at least 1500 communities in the eight-crude oil-producing states in Nigeria, and often resulted in contamination of surface water with hydrocarbons and trace metals, reduced soil fertility and smothered economic trees.

Awajiusuk et al (2012), in his report on the effects of oil spillage on both aquatic lives and agricultural yields, identifies that environmental degradation has also resulted in the provision of limited options for favourable surroundings. Consequently, many communities have been sacked, displaced, and forced to leave their ancestral homes due to oil spills and other environmental hazards. Fatoba et al. (2015), further explains that operational spills account for 30% of total spills which because of ageing pipelines and corrosion, and nearly 90 million litres of oil have been spilled over the past 9 years to cause significant damage to human health, community wellbeing and the environment.

Gill et al (2016), also opined that, oil spills globally have reported on major physiological health consequences of exposure to oil pollution which include abnormalities in hematologic, hepatic, respiratory, renal, and neurologic functions and the exposed individual may experience frequent asthmatic attacks, headache, diarrhoea, dizziness, abdominal pain, back pain, and other symptoms. And Offiong et al. (2018), remarked that native settlements where oil and gas are produced in Africa are frequently challenged by environmental pollution, and this challenge usually causes conflicts and migration within the exploitation arena. The writer further highlights that little effort is deceptively portrayed by the government and private organizations to ameliorate the impact of pollution on environment and on human health risks due to exposure. Below is a picture showing a picture of the degradation caused by oil spills in the region.



*Figure: 1 4: Oil spills in the south-south region of Nigeria*

*Source: Africa news, (2015)*

Victor et al (2017), further explained, that the detrimental consequence such as endocrine disruptors have affected portable water, river, and agricultural farmlands which in turn have encouraged violence amongst the youths, poverty, displacement, and environmental degradation and lack of social amenities has allowed internal conflicts leading to forced migration and displacement of people. Previous studies have also reported that oil spills in the Niger Delta are steady incidences, and the subsequent issues of the environment has caused substantial pressure between the communities in the region and the multinational oil companies.

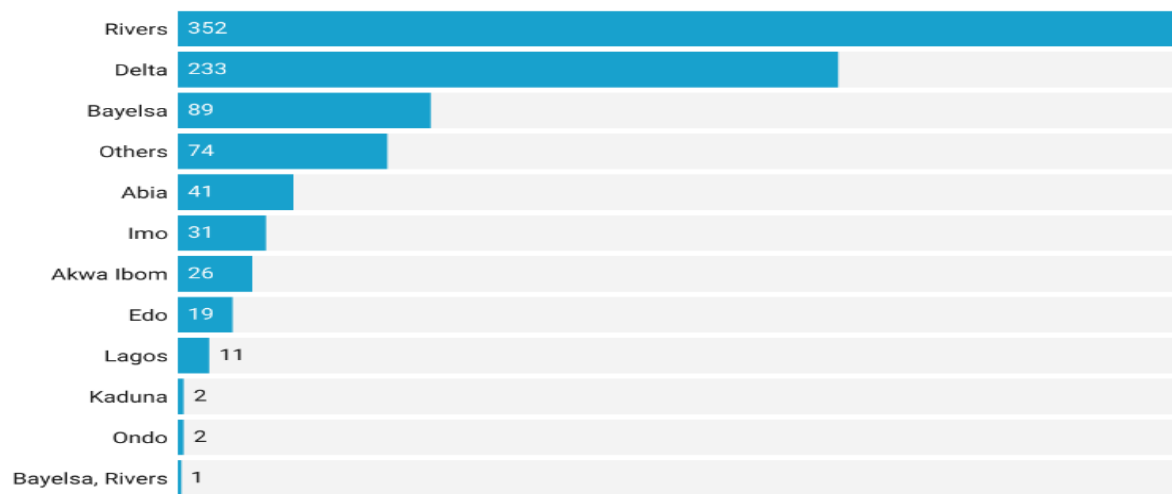
The table below shows some prominent oil spill incidents in Nigeria, the date of the spillage, the terrain, the site, the estimated spill volume, and the cause(s) of the oil spills.

*Table 2.1 : Oil spill incidents in Nigeria*

Date reported	Incident site	Terrain	Cause	Estimated spill volume (bbl)
September 03, 2018	24" Nkpoku-Bomu Pipeline at Bera.	Land	Sabotage	19
September 04, 2018	Imo River 2 Well 31L Flowline at Odagwa-Umuadeokwara	Land	Sabotage	0.1
September 06, 2018	14" Okordia-Rumuekpe Pipeline at Akaramini	Land	Sabotage	81
September 08, 2018	20" Otumara - Escravos Pipeline at Ugboegungun	Swamp	Sabotage	172
September 09, 2018	16" Nkpoku - Bomu Pipeline at Rumuesara Eneka	Land	Sabotage	622
September 11, 2018	Imo River Well 59T Flowline at Igiriukwu_Owaza	Land	Sabotage	0.2
September 14, 2018	6" Obigbo North - Ogale Pipeline at Ogale	Land	Sabotage	72
September 15, 2018	16" Egbema - Assa Rumuekpe Pipeline at Assa	Land	Sabotage	34

*Source : Mba, et al., (2019)*

Table 2.2: states with highest cases of oil spills (2019-2021)



Source: NOSDRA (2022)

### 2.3.3. Air Pollution

According to Nnaemeka (2020), environmental pollution simply implies issues with pollutants that alter the natural course of and adversely affect the environment and its people. Consequently, the activities of the oil and gas industry through industrial emissions in the air dominates the South-South region. And the environmental pollution has led to negative health impacts such as, breathing difficulties, bronchitis, aggravation of asthma attack, cardio-respiratory disorders, pulmonary oedema, eye disorders, and skin disorders to name a few. Similarly, Alimi et al (2022), stated that Nigeria is one of the top seven gas flaring countries and estimated that around 2 million people in the country live less than 4km asway from gas flare sites and the focus however has been on the economic impacts whilst long-lasting effects of this activity has been ignored. The writer further reiterated that natural gas production has its attendant environmental and economic cost as well as the wastage of valuable source of energy through gas flaring. Also, gas flaring releases air pollutants such as carbon monoxide, carbon dioxide, volatile organic compounds, sulphur dioxide, polycyclic aromatic hydrocarbons, and particulate matter in the form of soot.

## 2.4. The Concept of Development

### 2.4.1. Development

According to Robinson, (2003), in the 1950s and 1960s, it may be said that the dominant view in development was informed by modernization theory, which, put crudely, saw development as transforming traditional, simple, Third World societies into modern, complex, Westernized ones. Seen in this light, large-scale, capital-intensive development projects accelerated the pace toward a brighter and better future. If people were uprooted along the way, that was deemed a necessary

evil or even an actual good, since it made them more susceptible to change. The writer further stated that in recent decades, however, a “new development paradigm” has been articulated, one that promotes poverty reduction, environmental protection, social justice, and human rights. In this paradigm, development is seen as both bringing benefits and imposing costs. Among its greatest costs has been the involuntary displacement of millions of vulnerable people. Robinson, (2003), in addition stated that development generally has positive, but ambiguous connotations. And that uneven development does not equal growth, but sustainable development is good as mostly underdeveloped countries and communities seeking to become more developed, whether through improving health and livelihoods, expanding educational opportunities, or building of infrastructures.

## **2.5. The concept of Displacement**

According to Kumar (2018), Displacement has become an outcome of modern developmental process worldwide. Displacement of people from their habitat occurs almost in all countries due to development projects. No precise data exists on the number of persons affected by development-induced displacement throughout the world. For an indication of magnitude, most scholars, like Cernea (2000) reports that it is estimated that each year around the world approximately 10 million people are displaced by various development projects. Over the last decade some 90 to 100 million people have been forced to move from their homes, 40 to 80 million of whom have been displaced by large dams, while policymakers and activists rely on the World Bank Environment Department’s (WBED) Report.

As estimated by the World Bank, on an average 300 large dams that enter construction every year displace 4 million people. The Urban development and transportation program that starts each year in developing countries is estimated to displace an additional 6 million people (World Bank, 1994). The overall global level of physical displacement could range from 40 to 80 million people worldwide. Other scholars like IAP et al (2010), estimates that 15 million people globally are forcibly evicted from their homes, communities, and lands due to either mine, oil and gas pipelines, urban renewal schemes, dams, and mega infrastructures. Chatty (2015), further reiterates that forced migration have been if history, describing development-induced displacement as a post-world two phenomenon which has tended to prioritise the greater good of a nation over the people or long-term consequences. And as Cernea (1995), succinctly states, forced population displacement is always crisis-prone, even, when necessary, as part of broad and beneficial development programs. It is a profound socioeconomic and cultural disruption for those affected. Dislocation breaks up living patterns and social continuity. It dismantles existing modes of

production, disrupts social networks, causes the impoverishment of many of those uprooted, threatens their cultural identity, and increases the risks of epidemics and health problems.

Zimmerer, in a published work in (2013), explained that there are many kinds of projects which causes the physical and/or economic displacement of people. This is because large footprint projects, by definition, have a considerable need for land – including airports, dams, mines, industrial estates, large-scale housing developments, tourism developments, and industrial agriculture and forestry operations. The writer further stated that, linear projects e.g., major roads, bridges, railway lines, pipelines, transmission corridors – also have a need for land. For some linear projects, e.g., pipelines, the small land take required, and their somewhat flexible nature may mean that no households need to be resettled. For other linear projects, typically highways and railway lines, sharp corners are not possible. This technical aspect, together with the wide buffer zones they generally require, mean that many people may need to be relocated. The physical splintering and fragmentation of the landscape and restrictions on access that occur from the construction and operation of a project may mean there is considerable disruption to daily living and to people's livelihoods. In some locations, especially urban areas, even relatively small footprint, local projects (e.g., shopping centres, metro stations) can displace people and/ or impact on their livelihoods. Because of their recent rapid expansion and the extent of cumulative impacts they create renewable energy projects (including wind, solar, geothermal, biomass) have become controversial, particularly when customary title is claimed over the land.

### **2.5.1. Types of Displacement**

#### **2.5.1.1. Disaster--Induced Displacement**

The United Nations defined disaster as “a serious disruption of the functioning of a society, causing widespread human, material, or environmental losses which exceed the ability of the affected society to cope using its own resources according to the UN Disaster Relief Organization report (1992). In addition, Mustak (2022), described displacement, a crucial type of forced migration which has escalated due to rapid climate change and increased risk over several decades, and between 2008 and 2018, 265 million people were displaced from their place of origin due to disasters. Out of this, more than 85% of the displacement resulted from weather- and climate-related disasters like floods, severe rains associated with El Nino, droughts, bushfires, cyclones. The writer further stated that disaster-induced displacements affect both developed and developing countries, with a global average of 24 million displacements every year (2008–2018). In 2019 alone, 33.4 million people migrated due to disasters, with those affected by weather- and climate-induced disasters standing at 24.9 million. Also, in a recent published report by Paul (2022), the

author stated that disaster-related internal displacement has become more widespread with new records in over 130 countries and territories in 2021. It showed that many affected countries will not be able to reach the UNs mandated Sustainable development goals including the critical issues on poverty, education, peaceful societies, and gender equality. UNDP called for countries to take political, social, and economic measures to ensure that IDPs can exercise their full rights as citizens, including in political processes. As this renewed social contract should ensure the safety of IDPs as well as their access to healthcare, education, decent jobs, and social protection. It further suggested 5 pathways to development solutions which includes:

- Strengthening governance institutions
- Boosting socio-economic integration through access to jobs and services
- Restoring security
- Enhancing participation
- Building social cohesion

#### **2.5.1.2. Conflict-Induced Displacement**

Conflict-induced internal displacement is an unquestionable violation of international humanitarian and human rights according to Cohen et al (1998a). A effort to unite a definition of conflict induced displacement IDP's with normative responsibilities, the United Nation's guiding principles on internal displacement (1998) or "The Deng Principles" defined it as 'those people who have been forced or obliged to flee or to leave their home or habitual places of residence in particular because of or to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised state border.

Muggah (2000), also compares the experience of development displacement and those fleeing from conflict in the context of Colombia, in discussing the validity of the IRR model in examining conflict-induced displacement (CID). While highlighting that DIDR and CID share similarities, Muggah stresses that fundamental differences exist in terms of predictability, permanence, and purposive versus arbitrary targeting. This article discovered that the IRR model's impoverishment risks feature prominently in CID, but that, in the context of CID, the model fails to address potentially destabilising structural issues preceding the displacing event and focuses solely on risks without recognizing the potential and real capabilities of IDPs for poverty avoidance.

According to Opukiri et al (2008), in Rivers State alone, thousands of Ogoni's were displaced for years due to State violence and repression over oil rights. In the South-South region for instance,

intra and inter community conflicts, oil company conflicts and community/state conflicts have displaced thousands of people from their communities. For instance, in Delta State, the Ijaw-Itsekiri feud, which resulted from the relocation of the Warri South Local Government headquarters from Ogbe-Ijaw to Ogidigben, displaced thousands of people on both sides. Ross (2004b) in citing Obi (2009), also reiterated that the resource wealth has the potential to harm a country's prospects for development. Obi (2009) also asserts that, beyond the increasing risk of conflict and chaos by financing conflicts, natural resources can similarly increase the vulnerability of communities to armed conflict by weakening the ability of political institutions to peacefully resolve conflicts that displace people.

According to Akintayo (2022), as of December 2020, Nigeria has a record number of 2,730,000 internal displaced persons (IDPs) from conflict zones, of which 915,329 were affected by the insurgency in the north-eastern part of the country and the increasing deadly conflicts between farmers and herders in many parts of the country is also reported to have killed thousands of people and displaced tens of thousands more. Also, in a publication by UNDP (2022), it shows that In Nigeria, IDMC estimates that more than 3.3 million people were internally displaced at the end of 2021, the majority due to conflict and violence. 7 In north-east Nigeria, even prior to the violence and insecurity in areas affected by Boko Haram insurgents, over 70 percent of the population lived in extreme poverty with 50 percent malnutrition, 85 percent illiteracy and 60 percent unemployment. A study on human security levels between 2009 and 2016 found that internal displacement directly affected personal and community security due to increased crime rates, human trafficking, child soldier recruitments, as well as social tensions between IDPs and host communities. Higher levels of food insecurity were evident with 1 million people facing food insecurity in 2016 due to restricted movements on farmers and greater health insecurity from poor sanitation and waste management. Access to education, however, was considered as less affected with perceived greater access to schools and learning centres for children in the IDP camps.

#### **2.5.1.3. Development-Induced Displacement**

According to Reddy et al, (2017), natural resource projects can have considerable impacts on local communities, chiefly due to the need to acquire large areas of land. When projects are in developing and middle-income economies, the impacts are most keenly felt, as it often requires displacement of large rural populations, with predominately land-based livelihoods. and Access and Resettlement is a key social risk for the natural resources sector, particularly the mining, oil, and gas industries, who are operating in a context of increased awareness and regulation regarding the potential social impacts of their activities. At the same time, companies increasingly appreciate the business case for '*getting social right*'.

Development projects often involve the introduction of direct control by a developer over land previously occupied by another group. Natural resource extraction, urban renewal or development programs, industrial parks, and infrastructure projects (such as highways, bridges, irrigation canals, and dams) all require land, often in large quantity. One common consequence of such projects is the upheaval and displacement of communities. Economic and Occupational-induced Displacement. In 2005, Ukoli, reported that past spills in the South-South region, led to complete relocation of communities, loss of ancestral homes, loss of forest and agricultural land, destruction of fishing grounds and reduction in fish population, which is the major source of income for the people. The loss of these livelihood assets represents a struggle that inhabitants go through, lending further explanation to the abject poverty in the area. The writer further reiterates that the destruction of the physical environment not only destroys the resources for livelihoods but correspondingly is a stress to mental fulfilment and cultural meaning derived from the environment. While rural roads, can be social and economic arteries for communities in a broader sense, the myriad of environmental impacts from oil and gas exploration further compounded the livelihood status of the rural poor as they lacked access to access to food production due to changes in livelihoods because of oil exploration.

Accordingly, Ibaba et al (2008), posit that occupational displacements and the resultant loss of livelihood and income, inhibits the competitive advantage of one group in relation to another, as manifestations of displacement. Given this, voluntary and involuntary movement no matter the conceptualization, cannot be an adequate determinant of internal displacement unless they are broadened to include other variables. Furthermore, the dislocation of local economies by oil-induced environmental degradation has diminished the capacity of individuals and groups to pursue their personal interests. Similarly, it has necessitated the understanding that oil based environmental degradation induces internal displacements. Flynn et al (2015), also elucidates that economic displacement, is when people do not need to be physically moved but their means of making their living (livelihood strategies) are adversely affected by the project's land-take (e.g., loss of access to farming land, fishing grounds, etc. The land requirements of projects often necessitate the permanent relocation of people living on the land being acquired. Some projects, however, only require temporary land access and the temporary relocation of people before they can return to their original homes. When people's livelihoods are negatively affected, whether directly or indirectly, this is called 'economic displacement' as found in the report by IFC (2012a, 2012b). Ideally, where the potential for physical or economic displacement exists, it should be acknowledged by project developers and only when all possible project alternatives have been fully considered, a proper process of resettlement and/or compensation should be instigated.

#### **2.5.1.4. Environmental-induced Displacement**

In context, environmental degradation, caused by the oil industry does not only have the potentials of exacerbating the tragedy of internal displacements in the region, but is responsible for many of the dislocations experienced in the area, according to Ibaba et al (2008).

The South-South region is impacted by environmental degradation because of the activities of the oil companies like oil spills, gas flaring, gas pipelines and construction. These activities have devastated and impacted the region's environment, for this reason, people's capacity for self-sustenance has diminished, leading to an unnecessary urban drift with some individual finding succour in other rural communities as settlers. This argument may be inconclusive, but it can be argued that persons who relocate from their native communities, either voluntary or involuntary, due to oil related environmental problems are internally displaced according to Ibaba et al (2008). This view is supported by Baghebo et al (2012), which stated that the twin evils of oil spills and gas flaring, in addition to seismographic and construction activities of the oil companies have deteriorated the economies of oil producing communities in Nigeria, and this has led to occupational disorientation, exacerbation of poverty and the resultant effect of displacement of the people. Likewise, the adverse impact of noises from heavy machinery, damages to buildings due to vibration from drilling machinery, pollution of water sources and disturbances of previously remote communities, loss of culture and other negative impact within the region. Also, the collapse of local economies, induced by oil spillages, gas flaring, and other activities of the oil industry had displaced many from their occupations, without providing viable alternatives.

Similarly, the report published by the Internal Displacement and Monitoring Centre (IDMC) between 2008 and 2018, stated that 265 million people globally were internally displaced in responses to disasters like storms, floods, or drought. And this has forced persons to move due to climate disasters to often lose property, crops, and other resources and some migration is also because of forced relocations within countries due to environmental changes.

#### **2.5.1.5. Oil and Gas-induced Displacement**

A broader perspective adopted by Terminski (2013), describes population displacement or resettlement caused by the extraction of oil as a common phenomenon in many regions of the world, that the extraction and transportation of mineral resources presents an increasing social problem leading to environmental damage and the violation of human rights. Crude oil extraction also leads to massive environmental devastation, which clearly affects the living conditions of local communities. Global protests on the expansion of mining, oil exploitation and environmental destruction has led to violent clashes with authorities and forced evictions of entire villages and

communities. Dreading the safety of pipelines, national authorities often use violent force to displace local communities, displacing thousands of people. Dislocation associated with the extraction of oil is a unique and interesting issue, and extraction and transportation of mineral resources presents an increasing social problem, leading to environmental damages and the violation of human rights. In addition to economic and social controversies as well as political problems (such as corruption amongst state and local authorities), it caused population displacement on a large scale as the writer further stated.

And according to Kadafa, (2012), oil and gas extractive activities have come under scrutiny for several environmental infractions, for instance oil spillage, which is associated with the sector and globally discussed, often cause displacement of people. Ndimbwa (2014), also acknowledged that oil bunkering and gas extraction activities has added to alleged government corruption and conflict to exacerbate problems of poverty spread, and population displacements in the South-south region of Nigeria. And furthermore, Kolawole (2013), reiterated, that there has been occasion of forced evictions by governments in pursuit of development projects such as construction of roads and infrastructures, in Lagos, Rivers and Ogun states to mention but a few there had been forced eviction of people from their homesteads in the name of security and development projects. And Acio (2018), in a publication stated that in Tanzania, perception on marginalisation and oil and gas resource distribution induce tension and unrest among the affected people, these fights have resulted in the displacement of people through voluntary and involuntary migration.

Crude oil production has more significant effects on the environment than the construction of big projects such as dams. The environmental destruction in the Niger Delta provides ample evidence on the consequences of oil production and associated displacement as noted by Teminsky (2021). It is thus worthy to mention that oil and gas explorations does not only affect population directly but also indirectly as it affects human activities leading to displacement, and there is ample evidence in the South-South region of Nigeria to evidence this. An example by Slayter quoting Terminski (2012), noted that oil exploration by international oil companies, especially Shell, made the Ogoni homeland in Nigeria into a wasteland of pollution with a poisoned atmosphere and widespread devastation caused by acid rain, oil spillage, and oil blowouts. Lands, stream, and creeks are totally and continually polluted, the atmosphere has been poisoned with hydrocarbon, vapours, methane, carbon monoxide, carbon dioxide and soot emitted by gas.

#### **2.5.1.6. Internal Displaced Persons (IDP'S)**

The question therefore of who an internally displaced person (IDP), is questioned in this study as there is no generally accepted definition of who and what internal displaced persons (IDP) is?

According to the UN guiding principles on Internal Displacement (2004); ‘Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border. The African Union-Kampala convention (2009), ) adopted word for word, the definition of IDPS as given by the United Nations Guiding Principles but goes further to define internal displacement as: “the involuntary or forced migration, evacuation or relocation of persons or groups of persons within internationally recognized State border.” This description of Internally Displaced Persons centers on forced or obliged migration within national boundaries as it the central element in the description of IDP’S in involuntary migration, this would mean that voluntary migration is not captured in the definition. It is proper to argue however that voluntary migration in search of means of livelihood or economic survival due to occupation displacement/losses can also qualify as internal displacement as argued by Opukiri et al (2008).

According to Kolawole (2013), flowing from the above definitions of IDP’s and internal displacement, there are two elements of peculiarities of internal displacement and attaining the status of an Internally Displaced Person. First, internal displacement is an involuntary movement or forced migration of persons or groups who often do not have a choice in their migration other than the option to leave an affected zone. Second, there is an element of being trapped within the country of origin but displaced from the habitual or familiar surroundings. Consequently, unlike refugees who have crossed internationally recognized state borders, IDP’s are supposedly still under the legal protection of their country of origin. Thus, the dire need for international protection for the IDP’s is therefore underscored by the fact that though the displaced persons are still within its country’s territory, they may have been displaced to another locality, state, or region of the country where they are unable to participate in any of the economic, social, and cultural activities of that locality, state, or region for reasons such as ethnic, religious, or cultural differences.

Furthermore, in a recent study by Cantor et al (2022), which set out to determine the current state of internally displaced persons, it was discovered that globally, there are approximately 48 million internally displaced persons (IDPs) who have fled conflict and violence and these are people who have been forced to leave their place of habitual residence but, unlike refugees, they have not crossed an internationally recognized State border, such internal displacement occurs across various contexts - including conflicts, environmental disasters and the negative impacts of climate change - and often results from, and leads to, multiple human rights violations. In terms of solutions to internal displacement, IDPs perceived that the national and international responses

had helped mitigate the crisis with the provision of shelter and humanitarian assistance. However, IDPs highlighted the need for a legal framework to enable solutions and provide more reliable data to reflect the scale of internal displacement, including recognition of IDP camps according to a UNDP publication (2022).

## **2.6. The Concept of Involuntary Resettlements**

Resettlement can be defined as the comprehensive process of planning for and implementing the relocation of people, households and communities from one place to another for some specific reason, together with all associated activities, including (a) the provision of compensation for lost assets, resources and inconvenience; and (b) the provision of support for livelihood restoration and enhancement, re-establishment of social networks, and for restoring or improving the social functioning of the community, social activities and essential public services according to Vanclay (2017).

Cernea (2015), and Bugalski (2016), explain that the environmental consequences of oil extraction are becoming a growing social problem, unfortunately, according to many scientific studies, oil production in developing countries almost never contributes to improving the situation of local communities. Loss of land lead to loss of the economic base functioning of the whole community. And in dismissing the negative social impacts of resettlement as being ‘acceptable collateral damage’ or a ‘necessary evil’ to achieve national development is inexcusable as project-affected peoples have various rights, including the basic human rights that are common to all people everywhere, legal rights, which vary across jurisdictions, and may have customary or traditional rights and entitlements in some instances. They may have customary or traditional rights and entitlements in some instances. There are also international standards governing how resettlement should be undertaken, what compensation should be provided, and what outcomes are expected. However, these rights and standards do not guarantee that the harm from resettlement can be avoided. Projects that are in the indisputable public interest may have land acquisition requirements that necessitate the resettlement of some people. No matter how effectively this resettlement is undertaken, there is always some amount of harm and hurt (negative social impact), even if only temporary.

Cernea (2015), and Bugalski (2016), in their study discovered some key questions which are indicative of impact assessment and project appraisals they did. Key questions like:

- when and under what conditions should pro-jects and/or their associated resettlement actions proceed?

- what constitutes appropriate compensation, remediation, and restitution for being resettled?
- how effective are the resettlement processes being implemented and how can resettlement practice be improved? and
- what is the business case for developers and funders to ensure that resettlement is done right?

The writers further explained that where resettlement planning is done well and the stress experienced by people minimised, these stages would arguably occur. However, when resettlement is done poorly, and especially when the impoverishment of people occurs, the phases do not play out like this – people do not cope well and fail to adjust; economic development and community reformation do not occur; and instead of an independent, resilient community taking full control, the community remains dependent on the project and/or government and struggles to cope with inadequate service provision. Although both writers agreed that there is ongoing improvement in the discourse and practice of resettlement. Therefore, although being resettled has been an impoverishment risk and will always carry some harm and hurt, under the right conditions being resettled may have the potential to be an opportunity for development and improved well-being.

Reddy et al (2015), in citing Mathur (2011a), described the process of resettlement as a complex-multidimensional, multi-factor, multi-actor, multi-scaler and multilevel and because of their varying vulnerabilities, capacities, positionings and interests, the people being resettled are affected in differing ways. And Cernea (2015), in an analysis across many years (1997,2003,2007,2008) reiterated that some people may benefit from being resettled, or at least from the project triggering the resettlement (e.g., through access to employment or business opportunities), but others may lose things they value and/or cherish dearly (e.g., memories, particular landscapes, sacred sites), for which no amount of remuneration can compensate.

It is unlikely, that involuntary resettlement will disappear, it is possible to surge due to urban growth, demographic trends, infrastructural investments, the need to expand on development projects and because of policy-induced people displacements. Recognising that a degree of displacement cannot be avoided does not mean, however, that it should be accepted, with little or no compassion. If resettlement must occur, then the matter is to transform the national and international standards guiding it as clearly stated by McDowell (1996), In other words, according to this writer, for resettlement to become a reality, the basic steps are: first, the enactment of firm policies and legal frameworks; second, the allocation of commensurate resources that will allow internalisation of costs; third, the empowerment of resettled, enabling them to have a voice and

participation in the decision and procedures regarding their relocation; and forth, continuation of innovative social research. The urgency and goals of the research are to prevent impoverishment and to enable those displaced to share in the gains and not just in the pains of development.

Lyall (2017), described involuntary resettlement, as central to state-led development throughout the twentieth century, because it still paves the way for agroindustry, hydroelectric, urban, and other forms of development today. Whilst Locke (2009), explain that the increasing complex interplay of social and economic factors in the environment is worsening the vulnerability of both people and environment and intensifying the impacts of such changes when they occur. He further reiterates that many of these changes are compounding not only on each other but also in combination with other forces such as environmental degradation, pollution, coastal migration, and population density. All these changes also have great potential for generating processes that may lead to the displacement of large numbers of people, forcing them to migrate and families or permanently relocating them as communities.

## **2.7. Nigerian Legislations and Policies for oil and Gas Industries**

According to Allen (2011), Nigeria as a country is guided by a plethora of oil, gas and petroleum laws and acts that serves to protect the extractive activities of the oil and gas industries. These laws also serve to protect the interests of the environment and the people. The Department of Petroleum Resources (DPR) identifies on its website more than 35 of these under what it calls ‘principal’ and ‘subsidiary’ pieces of legislation.

To mention a few of these laws and acts are which are relevant and guide the activities of the extractive industries are, oil Pipelines Act Cap 145, 1956, 1958 and 1965- this provides licences for the creation of maintenance of pipelines, incidental supplementary to oil fields and oil mining, and for the purpose ancillary to such pipelines. Environmental Impact Assessment Act (Decree No.86 of 1992)- this is a framework that provides a process of potential impact assessment before any development activity is carried out, it also recommends for policy makers the opportunity to plan prior assessment to prevent and protect the people from the impact of any environmental activity. Many states in Nigeria have also created ministries of environment to replace declining environmental protection agencies to help curb the impact of the extraction activities on the people and this also includes displaced and resettled communities.

As a necessary commitment to its people, Nigeria’s national environmental policy which is also entrenched in the National Policy on the Environment (NPE), states as follows: that “Nigeria is

committed to a national policy that ensures sustainable development based on proper management of the environment in order to meet the needs of the present and future generations” (FEPA 1989: 5), the goals of the NPE as formally stated are specifically and unambiguously to:

*“secure for all Nigerians a quality of environment adequate for their health and well-being; conserve and use the environment and natural resources for the benefit of present and future generations; restore, maintain and enhance the ecosystems and ecological processes essential for the functioning of the biosphere to preserve biological diversity and the principle of optimum sustainable yield in the use of living natural resources and ecosystems, raise public awareness and promote understanding of essential linkages between environment and development and to encourage individual and community participation in environmental improvement efforts; and to cooperate in good faith with other countries, international organisations and agencies to achieve optimal use of transboundary natural resources and effective prevention or abatement of transboundary environmental pollution” (FEPA 1989: 5-6).*

And although the National Policy on the Environment (NPE), has well-defined goals as published by (FEPA 1989: 5), there are several other acts that are meant to protect various aspects of the oil and gas environment in Nigeria like the Environmental Impact assessment (EIA). It affords opportunity for the public or affected groups to make recommendations to public policy makers over the proposed human activity. Clearly, the goal of sustainable development is central to both policy documents (NPE and EIA) and sensibly, the implementation of these acts should result in improved living conditions for all especially the displaced and resettled communities.

### **2.7.1. Land use and Eminent Domain**

According to Sharma et al (1998), cited by Arisukwu et al (2012), since the world commission on environment and development Report of 1987 (commonly known as the ‘Brundtland Commission Report’) was published, corporate managers and management scholars have been grappling with the questions of how and why corporations should incorporate environmental concerns into strategic decision making. The Brundtland Commission Report coined the term ‘sustainable development’ and explicitly postulated a positive role for the business corporation in furthering the cause of environmental protection (as opposed to the negative traditional role of corporations being the ‘problem’ and governments being the ‘solution’) by integrating environmental protection with economic performance. The main issue in sustainable development is the ability to explore natural resources like oil without compromising the existence of future generations in the process. The continued gas flaring in the Niger Delta region of Nigeria by oil companies do not mean well for both present and future generations of the host communities. In Ogoni land, oil spillage was a

common source of land and water pollution without adequate efforts made to clean up the environment and rehabilitate the poor farmers and fishermen mostly affected.

Akpan (2005), in his study investigates the old age debate on land use and eminent domain. The writer states that the deepening crisis of confidence between transnational oil corporations and oil-producing communities in the South-South region highlights an important development predicament. Fundamentally, the crisis is about whether the state can utilise petroleum resources as if the oil-producing communities did not matter, since the state ‘owns’ both the land and the minerals underneath it. In practice, however, the conflict is about what constitutes adequate and equitable compensation to affected communities (and/or the oil-producing province as a whole) when land is expropriated from communities and corporate groups for petroleum operations. It is a crisis that strikes at the heart of the state-land-society discourse. Interestingly, the power of the state to utilise land anywhere within its territorial boundaries for developmental purposes without being caught in the web of private allodial interests or contractual occupancy.

This ‘ancient attribute of sovereignty’, as Jacoby (2004), calls it, is what is commonly known as ‘eminent domain’. It is the power by which the state can ‘condemn private property and take title for public use’ as explained by the Cato Institute, (2002). According to the Washington DC-based public policy research body, the Cato Institute in 2002, explained that eminent domain is prone to abuse in the sense that a government can ‘take property from one owner, often small and powerless, and transfer it to another, often large and politically connected, all in the name of economic development’. Through this power, the state directly controls land or aspects of it, or can expropriate land from private owners for projects ranging from oil and gas pipeline rights-of-way and airports to public highways, sports stadia, and low-cost housing. The problem with the exercise of eminent domain—one that has become a major subject of social justice activism the world over is the ‘justness’ of the compensation paid to affected individuals, families, or corporate groups. This is because the power of eminent domain has historically been restrained by the need to pay ‘just compensation’ to the landowners.

In a recent publication by the Resolution firm in (2021), it stated that *‘ownership of land is the right of every citizen in Nigeria, the right to acquire as well as the right to dispose of is enshrined in the constitution and legislation. However, this right to acquire and hold land is subject to the power given to the governor of each state by the Land Use Act as well as the right given under the constitution, therefore, the government can only acquire individuals' lands compulsorily upon the payment of compensations’*.

### **2.7.2. Resource Ownership and Control**

In late 1960, Nigeria launched a policy of exploration right to encourage the participation of multinational oil companies to develop the petroleum exploration and production sector of the economy. In 1970, the year of oil boom Federal Government of Nigeria formed the Department of Petroleum Resources (DPR) Inspectorate, and in 1971 Nigeria entered the Organization of the Petroleum Exporting Countries (OPEC). The first national oil company, the Nigerian National Oil Corporation (NNOC), was created in 1971 transformed in 1977 to the Nigerian National Petroleum Corporation (NNPC). Not with standing, the biggest MOC, which is in possession of the largest acreage in Nigeria from which comes about 40% of Nigerians oil production. Presently, operations in the Nigerian Oil and Gas industry are no more dominated by the MOCs for there are about 30 Independents and local operators, 36 marginal fields' operators, four scores Nigerian operators and partners and almost 18 Nigeria/Sao Tome and Principe Joint Development Zone operators. The federal government of Nigeria owns and controls the ownership of mineral resources. Laws, such as the Constitution of Nigeria, the Land Use Act of 1978, and Petroleum Act of 1998, amongst others, vest the total ownership and control of mineral resources in the federal government to the detriment of the states, local governments, and the local communities wherein the mineral resources are situated. Therefore, all licenses and leases for the exploration, prospecting or mining of petroleum are granted by the Federal Government according to Kingston et al (2017).

### **2.7.3. Existing oil and Gas Policies in Nigeria**

In 2021, Allen, reported in a publication that by 1998, each of the 36 states of Nigeria and the Federal Capital Territory had established their own environmental protection agencies. The Federal Ministry of Environment was created in June 1999. Nigeria's national environmental programme is embedded in the National Policy on Environment (NPE), which states as follows: "Nigeria is committed to a national policy that ensures sustainable development based on proper management of the environment in order to meet the needs of the present and future generations". He further reiterated that the NPE, and several other Acts meant to protect various aspects of the environment in Nigeria, require full implementation to their highest potentials. The EIA is a framework that provides prior assessment of potential impact of development activity on the environment. It affords an opportunity for the public or affected groups to make recommendations to public policy makers on a proposed project. Clearly, the goal of sustainable development is central to both policies (NPE and EIA). Logically, their full implementation should result in improved living conditions for all Nigerians.

And Chuks-Ezike (2018), examined some of the existing oil and gas industry legislations regulating Nigeria's oil and gas sector for the protection of the environment and its people and these includes:

- The Petroleum Act 1969
- Land Use Act of 1978
- Associated Gas Reinjection Act
- National Oil Spill Detection and Response Agency
- Environmental Impact Assessment Act-(EIA)
- National Environmental Standards and Regulations Enforcement Agency (Establishment) Act-(NESREA)
- Petroleum Industry Bill (PIB) (2021)

And in line with the provision of the Petroleum Industry Bill (PIB; 2021), 'to repeal all extant laws regarding oil and gas in Nigeria, it is expected that the former should seek to further environmental management in the oil and gas sector, this it can do by providing solutions to the current environmental challenges associated with Nigeria's oil and gas industry that existing legislations might have been unable to remedy'. And despite all these existing laws, policies, and export of crude oil and of natural gas, Nigeria remains one of the most underdeveloped countries in the world because foreign exchange earnings from crude oil sales, provided for nearly 80 percent of government revenue, over 90 percent of foreign exchange earnings, and 90 - 95 percent of export earnings in 2003 as reported by Ashton et al (1999), and cited by Akintoye et al (2016). Additionally, there are also other relevant policies and acts relevant to the South-South region of Nigeria and which the implementation is meant to have positive implications for the protection of the environment and of the people. The department of Petroleum Resources (DPR) administers oil laws and regulations (UNDP, 2006:188).

The laws which are intended to ensure sustainable development also monitors gas flares, oil spills, and controls the disposal of hazardous wastes by oil companies operating in these communities. And these policies give specific authority to relevant governmental agencies to ensure the protection of the environment and the people, unfortunately, according to the UNDP report of 2006:188, despite the putative environmental policy framework, successive Nigerian governments have not done much to implement either the NPE or any of the supporting environmental policy acts. The fallout to the failure of these policy implementation, not only the neglect of environmental resources but also decay and degradation of the environment by the oil

companies, political marginalization and lacking adequate means of extracting curative responses to achieve redress, host communities have responded through violence.

And Allen (2011), further reiterated that government officials at the government agencies claim substantial progress in the implementation of these legislations, however, these policies are marked by failures at the level of implementation, the writer further stated that if fully implemented, the environmental impact assessment decree is sufficient to effectively regulate gas flaring and oil spillages in Nigeria. Also, a key aspect of these policies is the lack of synergy between the activities of government officials and oil companies with the aim of protecting the environment on which local populations in the region survive. An example of such synergy is in the use of adequate technology for the purpose of the clean-up or prevention of oil pollution. Thus, it is against background that this study focuses on the implementation of government environmental policies in relation to oil and gas-induced displacement and sustainable resettlements.

Kingston et al (2017), emphasized that upon the strength of government ownership of the minerals cemented by laws, Section 2 of the Petroleum Act authorises that Minister of Petroleum Resources enter bargaining process with private oil companies that intend to secure the rights to extract crude oil and natural gases in Nigeria. From some provisions of the Petroleum Act, it is evident that the Minister of Petroleum has enormous powers and his failure in the negotiations with the oil companies has severe consequences on the regulatory capacity of the government with regards to crude oil matters. Hence, the capture of the Minister by the oil corporations is the surest way to manipulate Nigeria's oil sector. This because the government officials and policy makers are nothing but economic agents that are also chasing their own private interests including the quest for personal wealth and therefore, are disposed to corruption. According to Otubu (2018), although the Land Use Act, promulgated in 1978, was motivated by the need to make land accessible to all Nigerians; to prevent speculative purchases of communal land; streamline and simplify the management and ownership of land; make land available to governments at all levels for development; and provide a system of government administration of rights that would improve tenure security. However, after 40 years of implementing and administering the act, it is said to have failed to achieve its set objectives as it created a monstrous fiefdom in the governor of a state and confounded the roles of the local government and state to land administration in Nigeria.

Kingston et al (2017), further remarked that the irrational choice of the Nigerian government which creates laxity in the laws to accommodate the oil companies is a race to the bottom with consequential permanent damages to the growth and development of the national economy, for instance, Section 1 the Land Use Act 1978 vests all lands in the governor of each state. Section

28(1) states the “it shall be lawful for the Governor to revoke a right of occupancy for overriding public interest.” By the same token, Section 18 of the Interpretation act, 1990 provided that: *"Land includes any building and any other thing attached to the earth or permanently fastened to anything so attached but does not include minerals. This means that the government's claim to mineral interest of all lands in the country is firmly rooted in the theory of eminent domain which emphasises that the government or the supreme monarch of a country can compulsorily take private lands for public use with or without compensation"*. The effect of this theory is that the federal government of Nigeria can pass coercive laws and regulations to empower its agencies compulsorily acquire private properties for the purpose of capturing the minerals for public good.

Hence, according to Kingston et al, (2017), various scholars have pointed out some deficiencies that might have inhibited the ability of these legislations to effectively solve the environmental menace of Nigeria's oil and gas sector as including: lack of clarity on core terms within the Acts to convey the message of the Act, very weak sanctions that are not commensurate with the extent of pollution they have been provided against, inability of the Acts to sanction a failure of the agencies they create (as laws) to perform the very purpose for which their individual Acts has created them; hence an inability of the Acts to provide true enforcement of their purpose to protect the rights and values of the affected peoples. It should be noted however, that the current system of some of the existing polices especially the Land use act that covers areas like oil and gas is devoid of any clear or comprehensible direction. Similarly, recognising regulatory lapses and the violation of human rights, according to Ekeolisa (2020), the African Commission has pronounced that the lack of strong environmental regulatory measures by the Nigerian government, and its involvement in providing security forces against the Niger Delta people violate the human rights of the latter. From the foregoing, such policy is economically unproductive as well as undemocratic, as too much power is vested in the hands of the government thereby making it impossible for owners of the land to have a say and concerning any land benefits that is naturally accruable to them. Therefore, it is imperative that these polices due to the inconsistencies be reviewed and improved in line with present realities to ensure fairness and equity that will improve the standards of oil and gas-induced resettlement projects.

## **2.8. Study Areas: Oil and Gas production in South-South Nigeria**

According to FME et al (2006), published report, the South-South region which is also in the Niger delta of Nigeria, is among the ten most important wetland and marine ecosystems in the world. The oil industry located within this region has contributed immensely to the growth and development of the country which is a fact that cannot be disputed but unsustainable oil exploration

activities has rendered the region one of the five most severely petroleum damaged ecosystems in the world. The selected study communities are Finima Community and Ogoniland both in Rivers State of the South-South region of Nigeria. In terms of physical size, the Niger Delta comes after The Netherlands and Mississippi, although its widely publicised land mass (70,000 square kilometres) is only a geographic estimation. The choice of the two study communities was guided by: the need to assess the needs of these oil and gas producing communities in order to accord data and significance and to especially bring to bear the impact of displacement and involuntary resettlements due to extractive activities; to focus on the need for these communities to occupy important positions within the context of the Nigerian legislation and laws; and also include these community's representation in the oil and gas decision making panels in Nigeria.

And, according to the Ministry of Petroleum Resources, which states that there are 150 oil fields and 1481 oil wells in the South-South region of Nigeria, notably, more than 75 percent of this petroleum resource is found in the coastal areas of the Niger Delta, which is the largest oil reserve in Africa, as well as the tenth largest in the world as stated by Ambio, (1995). The economic and environmental implications of the long-time uncontrolled gas flaring activities in Nigeria, are serious because the process results in a significant waste of very valuable fuel resources, which invariably, also polluted water, air, and soil on which human populations in the region depend on. These activities are characterized by large scale gas flaring which have continued for decades and have been the source of major concern by environmentalists, due to its notable potentials for large scale environmental pollution, climate change and health implications in host communities. Thus, the need for a gas-using project, from which the host communities of natural gas utilizing projects, and invariably the country at large could equally benefit came into existence.

And as Nwilo et al (2005), stated, the region has a complex and extensive system of pipelines running across the region and large amounts of oil spill incidences have occurred through the pipelines and storage facility failures, these failures could be caused by material defect, pipeline corrosion, ground erosion but the oil companies blame most of the spills on sabotage. The Department of Petroleum Resources contends that 88% of the oil spill incidences are traceable to equipment failure, main causes of oil spills in the Niger Delta are vandalism, oil blowouts from the flow stations, accidental and deliberate releases, and oil tankers at sea.

### **2.8.1. Historical Perspective of Bonny Island**

The study area is Bonny Local Government Area (L.G.A) (which covers the whole of Bonny Island and mainland area) and is located about 40 kilometres to the south-eastern part of Port Harcourt, which is the state capital. Bonny Island (which is a major study focus area) is located on the outer

southern section of the Niger Delta complex. It's a trapezoid shaped landmass with the following co-ordinates: North-westward Latitude 4°33'N and Longitude 7°08'E: North eastward Latitude 4°30'N and Longitude 7°20'E: South-westward Latitude 4°22'N and Longitude 7°20'E; South-westward Latitude 4°22'N and Longitude 7°08'E [13] . Bonny L.G.A comprises of Bonny Island and the outlying mainland areas around it. Bonny Island is mostly surrounded by the Atlantic Ocean and has a population of about 170,000 people.

Bonny holds a position of historic and economic significance in the national context. From the earliest account when the Portuguese first arrived on the Nigerian coast in the late fifteenth century, Bonny was their main seat of operations in the eastern part of Nigeria. From being the capital of one of the “coastal city states” of the Niger Delta, it was in 1917 designated a township under the colonial township Ordinance of 1917. It was a strategic seaport for the Trans-Atlantic trade first in slaves and later in palm oil exports. As the first seat of British colonial administration, a consulate was built in 1897 with a district commissioner, a doctor, police officers, several offices of the Marine Department and the Nigerian Ports Authority. A secondary school was established as early as 1905s.

According to Akintoye et al (2016), in 1991, the national population census indicated that the impact of these developments has massively impacted in the migration of people into the community, producing a total population count of 22,989 and 76,124 of Bonny town and the entire city region respectively. The population of Bonny is difficult to determine as there are numerous estimates. It was put at 67,254 persons, while the population of Rivers state was established in the 2006 census at 5.2 million. As of 2006, the population rose to about 170,000 persons. The writer further restated that at the peak of NLNG's base project construction in 1998-9, over 17,500 construction workers (excluding dependants) were present in Bonny Island. Consequently, with the influence of the MNOC's and sub-contractors, Bonny Town and New Finima, account for the highest proportion of the local population. Also, based on another estimate (1991 Census, Bonny town alone accounted for about 30% of the LGA's population, while Finima contributed about 7.3%). Household demographic analysis for the NLNG's environmental impact assessment indicate that a 5% average annual growth rate of population is more realistic for the Bonny urban area than the 2.83% applied by the National Population Commission (NPC).

Details of the population projections for the local government area up to year 2051 is given in table 1 using both the NPC's linear extrapolation model and the EIA consultants' application of the exponential growth model.

Table 2.3: Projected Population of Bonny Local Government Area, 2001-2051

Years (Base Year, Population= 76,124)	1991	Assumed Average Annual Growth Rates (%)	
		2.83	5.0
2001		97,667 (100,628)	114,186 (123,998)
2011		119,210 (133,020)	152,248 (201,980)
2021		140,753 (175,840)	190,310 (329,004)
2031		162,296 (232,442)	228,372 (535,912)
2041		183,840 (307,265)	266,434 (872,944)
2051		205,383 (406,174)	304,496 (1,421,934)

Source: Ecosphere, (2003)

## 2.9. CASE STUDY ONE: FINIMA COMMUNITY

### 2.9.1. History of Finima Community

This introductory section provided a brief background about the Finima community, and this section is provided indicative information about the planning and development of the township called the New Finima town, hence it was necessary to examine the demographic, socio-cultural and economic characteristics of ‘old Finima’ as it was later called. According to Izeogu (2018), the old town is a small island located within the broad area of tidal mangrove swamps in Bonny Local government area in the South-South region of the Niger Delta in Nigeria. And as presented in the national census records of 2006, the population of the community was 1,774 in 1963, but by 1989 the population increased to 3,887 persons and is expected to increase to 5000 persons by the year 2000 due to the influx of foreign workers and contractors because of the presence of the oil companies. Currently, it is difficult to get an actual projection of the population as it is estimated to increase by another 3,000 persons as the gas plant train 7 commences. And as a typical traditional African community, the people of Finima led a simple life based on inter-personal and

familial relationships. Bonny Island is mostly surrounded by the Atlantic Ocean and has a population of about 170,000 people.

### **2.9.2. Involuntary Displacement of Finima Community**

According to Bristol-Alagbariya (2017), the author explained that in 1978, Nigeria's federal government (FGN), via the Nigerian National Petroleum Corporation (NNPC), communicated its decision to Finima people that they would relocate the community to create space for the National Liquefied Natural Gas plant gas project. The federal government thus communicated to the community that the decision for the relocation was beneficial to the people and the nation and that a new resettlement of fully built land complete with all the modern amenities will be provided after the relocation. This decision according to the writer ignited a sense of fear, worry and anxiety on the community and consequently triggered a delay in the relocation of families which was unacceptable with the federal government. Thus in 1991, the Nigerian National Petroleum company (NNPC), employed military task force to subjectively force and displace the inhabitants of the 'old Finima community' and resettled them in the 'New Finima amidst several objections and reluctance on the part of the people. According to the writer, and at the time in 1991, the new land was just a reclaimed mangrove swamp area fraught with resettlement challenges including the natural disturbance of microorganisms and animals, sand-filled, waterlogged, and unfit for inhabitation.

### **2.9.3. The Resettlement of Finima Community**

Consequently, the existing cleared plant site and residential area on Bonny Island were allocated to the Nigeria Liquefied Natural Gas Company (NLNG). The subsequent on-site activities which involved the relocation of Old Finima by the Federal authorities, and a purpose-built new town was provided. Relocation to the New Town took place in 1991, after which the site was levelled and covered with hydraulic fill to raise the site to the correct levels for construction. And as Akintoye et al (2016), further reiterated, the relocation of the indigenous populations and confiscation of coastal areas, especially known to be breeding grounds for marine species, portends major ecological danger to animal species and cultural trauma to man.

In 2002, Akintoye, pointed out that overall, industries in rural areas have been implicated for the introduction of new population of non-indigenous construction laborers and management staff, may enable the introduction of new land seeking cultivators, immigrants, inflationary trends, new diseases, high crime rate, increased noise level from motorized equipment and other heavy-duty vehicles, alcoholism, prostitution, disregard for local culture and dissemination of alien ideas and information. The writer further stated that the presence of construction crews and non-indigenous workers may also increase local population which can make high demand on existing

infrastructural facilities. The construction of the gas project included road construction, project builds as well as the laying of gas transmission pipelines, through relatively undisturbed areas. And Izeogu (2018), argued that the preparation of the Finima new town master plan was not preceded by an in-depth empirical study of old Finima town which should have provided background information for the new town plan and development. Despite these lapses, the planners of Finima new town worked with some basic assumptions and some of the obvious assumptions pertained to the site and situation of the new site, thus the growth pattern of Finima population, their occupation characteristic, cultural values, and lifestyles as well as their relationship with other communities within the area were not effectively considered.

#### **2.9.4. Socio-Economic Losses**

Akintoye et al (2016), explained the impact on the socio-economic activity of the community, which was largely extractive, and depended on fishing for their subsistence, but also engaged in small-scale agriculture farming for domestic crops such as cassava, yam, coconut, and plantain was gravely impacted and lost during the relocation.

And given that the general level of personal income was low, for most people, about 26.0% of land is the most common form of property and this is followed by fishing nets, (23.0%), canoes/boats (18%), and houses where they live (13.0%). The high percentage of persons who owned land and fishing nets reflected the high significance of land and water in such a rural riverine community as stated by Izeogu (2018). Moreover, in terms of empowerment, at the time, the community believed that they have not benefited sufficiently from the oil production activities that is taking place in the land, it is particularly pronounced in because it is one of the few villages that have been forced to relocate by oil development as reported by the Human Rights Watch report of (2002). Nevertheless, the discovery of oil and gas has helped to diversify the socio-economic activities of the people and improved the economic and administrative importance of the island. Also, to note is that the occupational structure influenced the pattern of income and wealth in the community as some youths received training and were employed as contractors or of the oil companies present.

#### **2.9.5. Historical and Cultural Loss**

The relocation from the old Finima to the new land inherently disconnected the people from their land and sacred sites, which created profound isolation of landlessness, loss of identity and loss of purpose, traditional rights). As stated by King et al (2009), Finima community like most traditional towns have many historical and cultural monuments which constitutes very highly valued or

priceless social properties, in the form of traditional shrines of worship, churches built as far back as when Christianity began in Nigeria, graves of their forefathers and rulers as well as monuments which included rare economic fruit trees dating back to inception of the village were disposed of. It should be noted that these landmarks served as a unifying element in the social structure of the community and indigenous people typically have strong cultural and spiritual attachments to their territories and to specific sacred sites.

#### **2.9.6. Loss of Access to Community Areas**

Cernea (2007), explained that displacement causes loss of access to common property, these include the use of local shared resources for the community. The writer further stated that These resources enable people to carry out many of their daily economic activities: fishing, collecting firewood and food in the forests, and grazing cattle on common land. When caused by development projects and the accompanying displacement, restriction, or loss of access to common property resources leads to significant deterioration in their economic conditions. And Vanclay (2015), further reiterated that one of the biggest problems in resettlement practices is an all-round lack of capacity and many issues created in terms of whether the area of new land is adequate to provide for population increases in the future. He further stated that project land acquisition activities, resettlement and the livelihood restoration and enhancement programmes that accompany them provide many opportunities where clever and sometimes conniving individuals, can gain a disproportionate benefit and in economic terms, this is called ‘rent seeking’, meaning that they extract a benefit by their ownership or control of an asset.

#### **2.9.7. Compensation for the resettlement**

Vanclay (2015), presented how developers often preferred to provide compensation in monetary terms because this delimits their financial commitment as they perceive it and minimises risks. However, in most if not all situations where compensation has been paid only in monetary terms, the developers have under-assessed the total amount of compensation that should have been paid. This can contribute to adverse social and human rights impacts, thus potentially exposing the company to reputational risk and possible legal challenges in the future. This monetarization or financialization of risk has the effect of transferring risk to people who may not have the capacity to manage that risk. Most often than not, compensation has been paid to resettled communities too late, this delay has caused considerable stress and inconvenience and generally leads to the affected people incurring additional costs as cited by Ojo (2012). Compensation alone does not ensure that people can re-establish their lives and livelihoods in their new location, which is why resettlement has generally resulted in short falls to the impacted communities. Ideally, the compensations for

resettlement should be designed as a replacement charge for revenue restoration as this will compensate in the socio-economic recovery of the resettled community.

### **2.9.8. Impact on Health**

The issue of health impact due to displacement is one to be considered in detail. For example, a report by a US Non-Governmental Delegation in (1999) that visited the Niger Delta in Nigeria, indicated that in the local communities, there are diseases such as respiratory diseases, skin rashes, coughing up blood, tumours, gastrointestinal problems, different kinds of cancers and malnourishment were not uncommon. It further stated that in addition to the health risk for the local communities from environmental pollution and accidents because of oil explorations, the influx of migrant populations also brings health problems to the local population through the introduction of new diseases. This is because new settlers and migrant workers in some instances become vectors through which new diseases hitherto absent, are introduced into the local communities.

According to the UNCTAD (2007) report, the construction of pipelines leads to the destruction of medicinal plants used by the local populations. In addition to exposing local communities to health risks, oil exploration also has the potential of destroying the health-seeking behaviour of local communities. The negative environmental impacts of oil exploration affect plants some of which are used by the local communities near the oil reserves in their health-seeking behaviour. Also, the UNEP report (2009), indicated that the exploration of natural resources has the tendency to engender health risks and that this health risk is more acute in developing countries like Nigeria.

## **2.10. CASE STUDY TWO: OGONILAND**

### **2.10.1. History of Ogoniland**

The Ogoni is a political and cultural group in the region aimed at addressing the negative impact of oil exploration in the region. The Ogoni people are a distinct indigenous minority nationality living in an area of 404 square miles (about 100,000 square kilometres) on the south-eastern fringe of the Niger Delta River, in what is geopolitically referred today as the South-South of Nigeria. The Ogoni people number around 750,000 based on the census and has a population density of 1,250/Km<sup>2</sup>. The people are the indigenous landowners and have been increasingly alienated from the oil found on their land has polluted the ecosystem and damaged the livelihood of the local Ogoni peasantry without paying sufficient heed to initially peaceful demands for restitution according to the MOSOP report (2017). The SPDC report of (1998) confirms that Ogoni land has nine (9) Oil Fields namely: Ajokpon, Akuba, Bodo West, Bomu, Ebubu, Onne, Korokoro, Tai, and Yorla.

### **2.10.2. Impact of Oil Spills in Ogoniland**

According to Brown et al (2015), oil exploitation and exploration have impacted most disastrously on the socio-physical environment of the oil-bearing communities massively threatening the fragile subsistent peasant economy and biodiversity and hence their entire social livelihood and very survival. The exploration and production of petroleum (oil and gas), and its subsequent transportation and distribution. The writer further stated that Ogoniland like most part of the South-South region of Nigeria, is encumbered with offshore and onshore drilling and therefore oil spills from wells and transporting mishaps is common and spread to form a surface film on the waters. And as the spill occurs in this region, emulsification occurs and there is the degradation of the immediate and adjoining environment. This seriously endangers the likelihoods of survival of the fishes, and farming which are of commercial importance these areas. The indiscriminate discharge of oil from oil and gas exploration activities has resulted in the accumulation of these products in water, by land drainage. Such accumulations endanger estuarine and marine organisms.

One major issue according to Nworu et al (2017), is that no people have suffered the consequences of the petroleum industry expedition than the Ogonis, the writer further stated that Ogoniland is the centre of the world's oil pollution and have destroyed living things and caused the non-existence of the livelihood for the people. Although the goal behind petroleum extraction like any other natural resource is for income yielding to support incomes from taxes for financing government expenditures like salaries, food, transportation, agriculture, education, and vocational training, creating employment opportunities, and individual wealth, etc, this has not been the case. And Nworu et al (2017), further restated, that unknown to the public, many Nigerian oil fields are unproductive, the majority are small and quite distant from one another. Those little, unprofitable ones account for about 63% of the nation's oil production while the rest sixteen large oil fields provide 40% of Nigeria's crude oil. The need to connect these small and highly unproductive areas for product transportation purposes hence the reason for laying an extensive pipeline network in and around the communities. These pipelines are distressful to the people and had always been the font of conflict between the locals and the oil companies in the region.

Thus, according to as stated by Nworu et al, (2017), to fully understand the complete impact of economic and occupational displacement in Ogoniland, a study of four local government areas which comprises of Tai, Eleme, Gokana and Khana east areas was undertaken to illustrate the nature of the relentless networks of pipeline, flow stations interlocked with houses. Some of these local government's areas have experienced the contamination since the 1960s with all serious human health implications. Consequently, in these locations, there are no electricity power was in place until the institution of NDDC in the early 2000. Also, there is no standard government

hospital nor can any individual including children boast of a medical check-up at least once in a lifetime. The disastrous consequences to human and the environment of corroded pipelines, flow stations, and wellheads are most times unbearable, and whenever they result in conflicts.

### **2.10.3. Environmental Degradation**

The environmental costs of oil exploration in Ogoniland have and is still very high, agricultural, and fishing communities suffer the consequences of oil spills and pollution and drinking water and farmlands have been destroyed which has caused occupational displacement the land has been impacted with. According to Brown et al (2012), transportation and marketing, damage to oil pipelines and accidents involving road trucks and tankers generate oil spills and hydrocarbon emissions. Refinery wastes also contain very toxic chemicals, which constitutes potential land, water, and air pollutants. Atmospheric contaminants from refinery operations include oxides of nitrogen, carbon, and sulphur. These compounds contain organic chemicals such as phenol cyanide, sulphide-suspended solids, chromium and biological oxygen-demanding organic matter, which on getting in contact with land and water pollute them and non-available to the community.

In a paper published by the Movement for the Survival of the Ogoni People (MOSOP) in 2017, clearly articulates the economic and environmental degradation the Ogoniland had suffered since 1957 the MNOC first struck oil in the land. According to the paper what looked like an economic opportunity for the land and the country turned out to be a bane. The region accounts for 90 per cent of oil and oil-derived products: specifically, 77% of crude petroleum, 15% of petroleum, and 1.2% of refined petroleum. It further reiterates that the ruthless exploitation of oil in Ogoniland has had catastrophic consequences for their environment, society, and livelihood systems. The report further stated that the environmental costs of oil exploration in the land have been and is still very high. Agriculture and fishing communities suffer under the effects of huge spills and pollution of drinking water, fishing grounds and farmlands. Since most of the local water supply and agricultural land is contaminated, the Ogoni's livelihood opportunities are severely disrupted and believe it will remain so until it is restored.

Consequently, in 2006, the United Nations Environmental Programme (UNEP) announced that in response to the Ogoni's demands, the Nigerian government had invited them to perform a comprehensive environmental assessment of oil-impacted sites in the Ogoni region of Nigeria South-South. UNEP thus examined 122 kilometres of pipelines, conducted soil and groundwater contamination investigations, reviewed more than 5,000 medical records, and included over 23,000 local people in the investigation through a communal effort and submitted the following evidence of degradation:

- That the Ogoni's drinking water is contaminated with the carcinogen benzene at level over 900 (considerably higher than the WHO's guideline for drinking water allows for).
- While the impact of individual contaminated land sites tends to be localised, air pollution related to oil industry operations is all pervasive and affects the quality of life of about one million people.
- That oil pollution has left the soil dead up to a depth of five meters
- That the impact of oil on local flora (e.g., mangroves) and fauna has been disastrous, and the fisheries sector is suffering due to the destruction of fish habitat and highly persistent contamination of many creeks.

Similarly, in a publication by Idris (2012), the writer stated that the Nigerian coastal areas within the offshore regions are zones of functional activities and since oil exploration is not properly regulated, hazardous developments are bound to occur, which spreads through normal wave force to other regions. For instance, the major effects of hazards are oil spills especially of the spill that happened in 1992 called Oshaka oil and Ibeno spill in 1998. These resulted in grave environment problems in the Niger Delta area.

Also, as the writer stated, the magnitude of crude oil pollution and damage of environmental value occasioned by multi-national oil companies' operations in the Niger Delta of Nigeria is incredible. It is notable that the distressing consequences of the spill in the Eleme Local Government area, in Ogoniland had an impact on both airborne and terrestrial vicinities equal to a permanent chain effect on both the biodiversity and human safety. The oil spill-related issues in Eleme include the defoliation and death of mangrove vegetation, contamination of rivers, streams, and groundwater supply, destroying aquatic and terrestrial lives leading to the extinction of plants and animal species, human sickness, corrosion of roof, as well as water ways which were used as trading routes among communities, rural impoverishment due to loss of a source of livelihood, and contaminating lands for farming. This problem has also disadvantaged the rural communities the required socio-economic development and their local activities like fishing, farming, and forest produce for their income according to Idris (2012).

Below is a photo representation of the scale of destruction caused in Ogoniland. These have destroyed the economy and occupation of the community in terms of fishing and farming; and in turn led to the displacement of local folks leading to resettlement other villages of the community with huge relocation problems like on the impact of food, infrastructures, and facilities.



*Figure: 1 5: Showing Environmental destruction due to oil and gas activities in Ogoniland.*

*Source: Okafor (2011)*

#### **2.10.4. Socio-Economic Losses**

Ijaiya (2014), considers that the outcry of the movement for the survival of the Ogoni people (MOSOP), highlighted the serious environmental and socio-economic impact of oil companies on the environment and the people of the region which eventually led to the hanging of Ken Saro Wiwa a well-known author and spoke-person for the movement and eight others in the November 1995 by Nigerian Government. And Brown et al (2012), further highlights that the wealth derived from oil resource exploitation and exports benefit directly only the operators of the oil industry and the bureaucrats in government.

Ogoniland, as reported by the Unrepresented Nations and Peoples Organization (UNPO) in 2017, draws attention to the state of exploitation of the region's hydrocarbon which takes place with little or no consultation of the Ogoni community, thereby depriving the land of strong economic status. It also claimed that the Oil and oil-derived products account for more than 90 percent of all the country's exports (crude petroleum: 77%, \$36.9B; petroleum gas, 15%, 7.39B; refined petroleum, 1.3%, 603M). It further stated that the ruthless exploitation of oil in the ancestral homeland has catastrophic consequences for their environment, society, and livelihood systems. To further

emphasizes the neglect meted to Ogoniland, the United Nations Development Program (UNDP), pointed to gross administrative neglect and severe infrastructural gaps where adequate access to clean water, health care and education is absent. Also, to note, thousands of farmers have been displaced due to land acquisition by the government, according to a report by the Lokiaki community development centre and reported by the Unrepresented Nations and Peoples Organization, UNPO (2017).

#### **2.10.5. Intra and Inter-Community Conflict:**

Brown et al (2012), report that oil exploration and exploitation have over the last four decades also instigated and intensified bitter bloody conflicts between emerging interest groups within and between communities. The conflict that emerged in the Niger Delta because of the extraction of oil has its origins in the violation of the rights of local community people because of the promulgation of obnoxious legislation. This has certainly led to greater poverty and landless groups of people whose basic sustenance as peasant farmers have been negatively affected because of oil extraction for export. As a snowballing effect, which led to more environmental problems in the region.

#### **2.10.6. Government Abandonment and interference**

In 2003, Nigeria's anti-corruption agency reported that an estimated 70 percent of oil revenues (approximately 14 billion dollars) has been wasted or stolen. Ogoniland, poverty was increased due to the activities of the oil companies in the land, besides oil installations and refineries, there are no other sources of industrial development that could empower the host communities as reported by UNPO (2017). Furthermore, the people of Ogoniland have also complained about the lack of representation in the government level thereby affecting active participation in any decision making that concerns the land.

#### **2.10.7. Population Increase of Ogoniland**

The United Nation (UN) Environment scientific assessment of 2011 stated that as of 2006, and reported by the figures in the National census, Ogoniland has a population of close to 832,000. According to Ikari (2016), the Ogoni people's current population is over two million and lays claim to the single largest ethnic group in Rivers State Nigeria. the region is divided administratively into four local government areas: Eleme, Gokana, Khana, and Tai communities. Four of the fields in Ogoniland that has been major hosts of oil and gas multinational companies record a population of 57,271 as depicted in the table below and as compiled by Brown et al (2012), It should be noted however that the increase in population growth principally rest in the presence of the oil companies operating in the land as foreign workers and contractors seeking greener

pastures migrate close to these companies to seek for work and this invariably impact on the existing infrastructures of the community.

*Table 2.4: Population growth of Communities in Ogoniland*

S/N	Communities	Population 2008	Population 2016
BODO WEST/GOKANA	<u>Kedere</u>	14,049	328,500
	<u>Mogho</u>	13,855	
YORLA/KHANA	<u>Buan</u>	3,768	411,500
	<u>Kpean</u>	6,328	
KOROKORO/TAI	<u>Gio</u>	1,054	169,000
	<u>Korokoro</u>	4,466	
EBUBU/ELEME	<u>Eiamaa</u>	5,578	267,200
	<u>Agbeta</u>	8,173	
<b>Total</b>		<b>57,271</b>	1,176,200

*Source: Brown et al (2012)*

## 2.11. Oil Companies and Corporate Social Responsibility

As with most contentious terms, Corporate Social Responsibility (CSR) does not have a generally acceptable definition. The concept is complex given to several meanings and emphases, depending on who is writing and the school of thought the writer or researcher belongs. Similarly, two definitions by the World Business Council for Sustainable Development generally illustrate its diverse, changing meaning and emphasis. In 1998, it was defined as “the continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of its workforce and their families as well as the local community and the society at large” WBCSD, (1998). Two years later, it defined it as “the commitment of business to contribute to sustainable economic development, working with employees, their family, the local community, and society to improve their quality of life”. Although the latter appears more expansive, the change in interpretation excludes the fundamental obligation of ethical behaviour and instead emphasizes its affirmative duties and obligation of business to contribute to economic development as cited by Idemudia (2008). However, Sarkar et al (2016), identified economic, ethical, social, stakeholders, sustainability and discretionary as the core dimensions of the CSR definitions and it is based on recurring dimensions and does not provide any future applicability.

According to Uduji et al (2020), explained that multinational companies predominant in Nigeria see CSR as a philanthropic initiative and further explained that with time, MNOCs enhanced on how they engage the local communities by introducing new way of working with communities called the global memorandum of understanding (GMOU); which represents an important shift in CSR approach, placing emphasis on a more transparent and accountable processes, regular communication with grassroots, sustainability and conflict prevention. However, there is still a question mark on the effectiveness of CSR initiatives of MOCs towards community development in the region.

## **2.12. Emergence of Corporate Social Responsibility (CSR) in Nigeria**

While the benefits of oil and gas exploration in Nigeria particularly within the communities are not in doubt, the consequential impact of the oil industry activities cannot be discountenanced. According to Fox et al (2002), an enabling environment implies that of a policy environment that encourages and provides incentives for business activities that minimize environmental and social costs while maximizing economic gains. Consequently, it is argued that the presence or absence of an enabling environment significantly influences the chances that a CSR initiative will achieve its desired impact. For example, Sagebien et al, (2008), stated that given appropriate corporate social responsibility (CSR) practices and an enabling political-economic background, CSR can contribute to sustainable development defined in terms of poverty reduction, equitable resource distribution, respect for ecosystem limits, and capacity building for the long-term social, environmental, and economic health of communities.

Consequently, the organization for Economic Cooperation and Development (OECD) according to Manby (2000), stressed the need for both companies and governments to demonstrate their corporate responsibility by pursuing sound environmental and socially based policies. OECD at its ministerial meeting in the year 2000, approved a guideline to ensure that the operation of enterprises is in harmony with government policies. The OECD approved a set of guidelines for multinational enterprises titled “Voluntary principles and standards for responsible business conduct consistent with applicable laws. And although the OECD Guidelines are addressed to multinational enterprises, they also apply to domestic companies as well. The General Policies of the Guidelines advise enterprises to contribute to economic, social and environmental progress with a view to achieving sustainable development; respect the human rights of those affected by their activities consistent with the host government’s international obligations and commitments; encourage local capacity building through close co-operation with the local community, including business interests, as well as developing the enterprise’s activities in domestic and foreign markets,

consistent with the need for sound commercial practice; encourage human capital formation, in particular by creating employment opportunities and facilitating training opportunities for employees; refrain from seeking or accepting exemptions not contemplated in the statutory framework related to environment, health, safety, labour, taxation, financial incentives, or other issues; support and uphold good corporate governance principles and develop and apply good corporate governance practices. etc.

Ijaiya (2014), also clearly stated that the CSR concept has been placed on the global agenda by the leading international organizations. this should be a critical challenge to environmental justice as it compels companies and governments to address distributional inequities of environmental risks, especially in the natural resources sector of the economy. On the government part, it involves the need to be responsible in the formulation of policies, and laws and generally promoting governance that places the interest and wellbeing of the citizens at the centre of all decision-making, with adequate and effective enforcement mechanisms.

#### **2.12.1. The Importance of Corporate Social Responsibility**

International law recognizes the importance soft law instruments, such as non-binding declarations, normative recommendations, action, and declarations of principles to societal development and growth. Consequently, even though the three declarations and instrument that emphasize the CSR principle is not legally binding and do not carry hard law status in international law, they undoubtedly provide best practice that could shape how oil companies in Nigeria can better contribute positively to the local communities where they operate. As such, a case can be made for the need to reflect and mainstream the principles expressed in international Corporate Social Responsibility Instruments such as, the Organization for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises, United Nation (UN) Global Compact and the 1998 ILO Declaration on Fundamental Principles and Rights at Work in Nigerian laws.

Ijaiya (2014), in his study reports that the Multi-National Enterprises have been in existence in Nigeria since 1957. It was not until 1990s following the Ogoni crisis,<sup>32</sup> that the corporations and the Government of Nigeria paid special attention and recognition to CSR in the Country. The Ogoni crisis which led to the killing of Ken Saro-Wiwa brought into the limelight the developmental projects, such as building of health centres, primary school blocks, provision of water, scholarship etc, ostensibly to alleviate poverty and underdevelopment by the corporations operating in the region. Over time according to Idemudia et al (2006), there has been a lack of consensus among critics and advocates for corporate social responsibility in terms of the nature

and scope of what constitutes the social responsibility of corporations, this in turn has led to a plethora of definitions of CSR. Accordingly, the economic responsibility entails business policies that incorporate CSR with the objectives of profit maximization. The legal aspect, on the other hand, stipulates those businesses should comply with legally ascribed frameworks of their host countries. Laws and regulations do not define ethics (i.e., the right or wrong of business character) hence, the expectation that businesses should act ethically and do the right thing.

Idemudia (2009), in his study, posits that Oil extraction by its nature tends to have a significant ecological footprint; therefore, if development efforts are to be meaningful and sustainable, they must protect, preserve, and conserve the environments upon which the livelihood of rural inhabitants depend. This is acutely so in the South-South region of the Niger Delta, where 70% of the population depends on fishing and farming. Hence, governmental efforts to address its mandated responsibility vis-à-vis the oil industry are critical to community development. And since the emergence of CSR in Nigeria, there is no law put in place by Nigerian Government in Corporate Social Responsibility. CSR is still at the discretion of the companies. Companies alone cannot be said to be responsible for social responsibilities to the communities in the region. The Government should traditionally be responsible for the welfare of its citizens. These include ensuring law and order, security, provision of public infrastructure and other basic amenities. Thus, while companies have a social responsibility to the communities they operate in, the framework within which this is to effectively work must be provided by the government as reflected by Ijaiya (2014).

Undeniably, several agencies, such as the state and federal ministries of environment and the Department of Petroleum Resources in Nigeria, have been established to enforce existing environmental laws. Similarly, the unanimous passage in 2004 of the oil and gas bill, which stipulates the social responsibility of oil MNCs that operate in the country, is another important standard-setting effort by the FGN. This trend appears to have been replicated in several different state Houses of Assembly. For example, in 2006, the Akwa Ibom State House of Assembly passed an oil bill that legislated similar provisions in the regulation of oil companies operating in the state. These bills are important because during the signing of oil prospecting agreements in the 1950s and 1980s, the guidelines to protect the environment and promote good community relations were either ignored or overlooked by government and oil TNC officials according to Idemudia (2010). However, the extent to which governmental attention to its mandating responsibility has reduced the costs of oil extraction for local communities and therefore supported corporate social development is at best marginal. For example, despite widespread adoption of CSR policies by oil

companies since the late 1990s, there were about 5,400 oil spills officially recorded between 2000 and 2004 alone as reported by (Onwuchekwa 2004).

And as Idemudia (2010), further stated, the federal government's inability to translate its mandating responsibility into effective support for corporate social development has numerous causes. One of such is the weak institutional and technical capacity of governmental regulatory agencies, such as the Department of Petroleum Resources and the federal and state ministries of environment. Due to their lack of technical and institutional capacities to effectively monitor and ensure oil industry compliance with regulatory statutes, these agencies depend on oil multinational companies to monitor themselves. For example, regulatory agency officials find it difficult to gain regular access to oil industry exploration facilities in the mangrove swamps to monitor and enforce compliance in the area. The Department of Petroleum Resources and state and federal ministries of environment often lack properly equipped laboratories to undertake water and soil sample tests in the event of spills to establish the extent of environmental damage.

Idemudia (2010), further reiterated that, a second factor behind the government's inability to effectively support Corporate Social Responsibility (CSR) relates to the nature of governmental involvement in the oil industry. Oil exploration and marketing take place in Nigeria through complex joint venture partnership agreements in which the government holds an average of 55% equity. The Nigerian government as a result is both a direct "investor" as well as a "shareholder" in the oil industry. Under the joint venture partnership agreements, government and foreign oil companies share the operational cost of crude oil production in proportion to their equity share, but the operational cost is fully under the control of oil MNCs. This arrangement means that governmental attempts to regulate the oil industry amount to the government regulating itself since it would have to bear a majority share in any additional cost that arises from governmental mandating activities. As a result, laws are often so weak they are difficult to implement, and even when such laws are enforced, fines for violations are so minimal that it is cheaper to violate than to adhere to the law.

One growing issue as stated by Idemudia (2010), is that CSR's probable contribution to development in a country like Nigeria depends on more than its voluntary initiative or mandated requirement. While the cry for legally binding international regulations is needed, a reflection of the socio-political realities in developing countries is for CSR to contribute to development. This should be situated within the wider context of efforts that seek to constrain the negative effects of capital accumulation. This means efforts to ensure corporate accountability must be undertaken in tandem with efforts to ensure state-society accountability. Irrespective of CSR seen as a voluntary initiative, without accountability to its society, like Nigeria, CSR will at best contribute only

marginally to community development. Therefore, in developing nations like Nigeria, global regulation should be backed by social and technical capacity building of civil society (i.e., social forces) to improve its relative ability to contest matters, seek accountability, and influence the state.

#### **2.12.2. Multi-National Company's perception of Corporate Social Responsibility (CSR)**

Corporate Social Responsibility (CSR) has acquired great relevance in the academic world and in firm management in recent years according to Madorran et al (2016). And the WBC (2004), describes it as defined as organizations' commitment to contribute to sustainable economic development, CSR includes issues such as employee labour conditions, improvements in products and services, progress that seeks to satisfy the needs of the local community and advances in environmental management, among others. Subsequently multinational companies (MNCs) are organizations that can incorporate and advance improvements in social issues in the different zones in which they operate, the literature increasingly considers them as precursors of economic and social progress as stated by Porter et al (2011). Fombrun (1996), stated that one of the main reasons these firms invest in advanced CSR practices is to improve their reputation. While one definition of reputation is the perception that stakeholders have of the firm's willingness and capacity to satisfy stakeholders' interests. Some studies as captured by Walker (2010), argued against considering reputation as the aggregate perception of the set of stakeholders, primarily for two reasons: First, reputation depends on the issue to which it refers – for example, reputation with respect to behaviour in environmental, social, employee or corporate governance matters and product quality, among other issues. Second, reputation can vary for each specific interest group – for example, consumers, investors, or the government. Based on these assumptions, having an excellent reputation does not necessarily imply satisfying the different stakeholders; that would require determining what type of reputation we mean and for which specific group.

Frynas (2015), argued that this profit motive in CSR is in line with stakeholder theory, which states that companies “will listen primarily to those stakeholders who pose the greatest threat to their operations”. This is so as oil companies generally employ social investments to appease host communities to garner cooperation. This pacification usually leads to a reduction in business-community conflicts and the disruption of business operations, thus authorizing the firms to maintain or increase their corporate performance in terms of output, revenues, and profit. Consequently, CSR helps business organization to secure their social license to operate.

### **2.12.3. Community Perception of Corporate Social Responsibility (CSR)**

Community perception of corporate social responsibility is differently, they understand due to the challenges they face because of oil and gas activities in their communities. They strongly believe that the presence of the multi-national corporations should be an answer to the problems caused by their exploration activities. According to Ojo (2012), poverty and conflicts are endemic in the Niger Delta even as oil companies operating in the region intensify their corporate social responsibility (CSR) initiatives in community development. Yet, there is hardly any assessment of the transnational companies' CSR initiative privileging evidence from host communities.

In a survey carried out by Ojo (2012), Evidence from the data obtained from the questionnaires and interviews conducted in the oil-bearing communities show CSR as no more than a PR tool for the oil industry. The writer further explains that community members' responses as to whether the oil companies are substituting CSR for environmental liability was surprisingly less challenging. The respondents posted a consensus to affirm the statement that oil companies are substituting operational requirements for managing environmental standards with CSR projects. They explained that when a spill occurs, rather than the prompt clean up, oil companies often introduce development projects in the area. They affirmed further how the oil companies are deploying material "gifts" to evade adherence to environmental liability in the oil industry. Thus, although oil companies CSR packages are abused, and deceptively deployed against the locals, yet it is the oil companies that end up being deceived into believing erroneously that their CSR is genuinely acceptable to the communities.

It should also be noted that the Corporate Social Responsibility (CSR) have often been the source of criticism, as well as aspiration for improvement by host communities and other stake holders, yet in all of the criticism, It is worthy to mention that the agitations against the company have not overshadowed its community development provisions but there is a dire need to review several aspects of the NLNG's community development activities especially in the fulfilment of documented promises especially to improve the dissatisfaction over benefits experienced by the relocation of the indigenous people of Old Finima in Bonny Island, Rivers State as reported by Akitoye (2016).

### **2.12.4. International Conflicts and CSR**

The United Nations Environmental Programme in (2009), evidenced that the discovery and exploration of high valued natural resources including oil have plunged oil-producing countries into anarchy and conflict. This report indicates that from 1990 to date, not less than eighteen violent conflicts have been sparked by the exploration of natural resources including oil in regions

such as Angola, Cambodia, the Democratic Republic of Congo, Darfur in the Sudan, and the Middle East. These intra-state armed conflicts can be national or confined to a specific territory of the country. In some cases, these intra-state armed conflicts are influenced by inequalities in the allocation of oil revenues especially when the local communities near the oil reserves are disadvantaged as is the case in the South-South region of Nigeria. The involvement of Multinational Corporations (MNCs) in conflicts in high valued resource rich developing nations cannot be downplayed. Usually, these corporations engage in divide and rule tactics where they support some passive rulers or communities against the more radical ones calling for reform.

### **2.13. Global Practices on Displaced and Resettled persons as Shareholders**

Terminski (2011), discussed the challenges faced by people forced to flee their homes following the development of oil experience as similar risks to other groups of development-induced displaced people. The writer stated that large corporations treat the land only as a source of profit, not paying attention to its importance as a formative system of economic, cultural, and social interactions. Quite often, corporations do not understand that, for some people, adapting to conditions in a new place of residence is either impossible or very difficult. The writer further draws attention to some countries and the distinctive attempt made to curb the impact of displacements to create a sense of successful and sustainable policy and implementation for the resettled. Thus, given the relevance of global legislations from other countries as stated in section 2.6.1, it is important to understand the actions taken by these countries on displacement and resettlement induced by mineral and other developments and these example countries to mention but a few are discussed below:

#### **2.13.1.1. Brazil**

According to Cernea (2008), examples by other nations like Brazil with its massive investment in hydropower transitioned from an underdeveloped country to a middle-income economy. The country very rich in mineral resources created industries to process its natural resources which in turn provided employment for its large population. Therefore, the country has embarked over the last 30 years on one of the world's largest hydropower programs, comparable to that of China and India. Although during the initial stage, the country was not prepared to appropriately handle such massive displacements, but it rebounded with its national policy guidelines that regulated displacement and resettlement. A key political step to redress this serious situation was the Brazilian parliament's decision in 1988 to revise the country's constitution and include in it the principle of re-investing a percentage of royalties from hydropower in the resettlement areas.

#### **2.13.1.2. China**

The early history of unsuccessful development-forced displacement and resettlement (DFDR) processes, particularly in hydropower, has been in China a source of many lessons. Some of China's largest dams were built in the 1960s and 1970s, including Xinanjiang, Sanmenxia and Danjiangkou, each of which displaced more than 300000 people as stated by Cernea (2008). This lack of equitable resettlement policies and inadequate financing of resettlement led to a disastrous impoverishment on the people, population resentment and political instability. But China learnt its lessons and radically changed the DFDR policies and practices. For instance, regulations were passed, first in 1981 with a ministerial decree that directed each power plant to allocate RMB 0.001 per kilowatt hour to a development fund for investments in the reservoir area throughout the existence of the power plant itself; then, in 1985, China's State Council decided to create a countrywide "Post-Resettlement Development Fund" in which contributions from power companies would be deposited.

#### **2.13.1.3. Canada**

Canada has a very high hydropower potential amongst industrialised nations as explained by Cernea (2008). In 1971, Hydro Quebec, Canada's major power utility, announced plans for launching the James Bay project, which would include the construction of as many as 20 dams according to Scudder (2005) but the project would have negatively affected the entire homeland of the tribal Cree Indian population and led to major protests, military and legal actions against the projects. Thus, recognizing the contribution of this population to the country's hydroelectric development in the form of land, Canada's government and hydroelectric utilities adopted a strategy of partnering with the local indigenous communities. Hydro Quebec announced that it would enter into agreements with the affected indigenous groups for equity-sharing in the envisaged hydropower capacities which included up-front compensation for loss of land and fishing activities, equity stake entitles the tribal Inuit communities, as partners and to a share of project benefits for the long term proportionate to their land share in the construction of the project. This approach avoided the economic displacement of local communities, and the risks of impoverishment.

#### **2.13.1.4. Norway**

Norway's electricity production is one of the main avenues of the economy, therefore the protection of areas and populations displaced by such a project was a challenge as explained by Cernea (2008). In contrast to other countries, the country relies primarily on tax mechanisms. Compensation for land and river are paid up-front according to a well-defined price, furthermore, the benefits harvested by public power companies from producing and selling energy are

recognized as an additional source of financing for the development of areas and populations affected by hydropower dams. The crucial piece of legislation is a relatively new law, adopted in 1997 – the “Power Taxation Act” intended to ensure new and higher tax payments from power companies, which could then be redistributed. The law entitles counties and municipalities to receive three different types of tax revenue from the power sector. Second, a 0.7% property tax must be paid by the companies to the municipalities they are located in. Lastly, a tax on the use of natural resources, based on the average power generated over the previous seven years, is levied, and then redistributed at the municipal and county levels. The state also collects a tax for the use of natural resources, at a flat rate, from the companies’ net revenues as elucidated by Egge et al. (2008).

#### **2.13.1.5. Japan**

As explained by Cernea (2008), to minimize the tensions and conflicts inherent in land expropriation and population relocation, Japan has conducted land-leasing experiments and voluntarily abstained from expropriating lands required for reservoirs. According to Nakayama et al (2008), When the series of three Jintsu-Gawa small dams were built, the Japanese government, instead of applying the country’s expropriation law, decided to lease the land required for the reservoirs from its owners. Payment for the land lease was structured as two types of financial transfers, intentionally designed to keep revenue accruing to the affected people for a long period rather than to make only a one-time compensation payment before dislocating them. The twin financial transfers consisted of: (1) one payment up-front to the landowners leasing the reservoir to the state electric companies, to enable these farmers to develop alternative livelihoods and invest the money received in non-land-based income-generating activities; and (2) regular rent payments for the leased land, paid continuously to the local small holders for the life of the project.

#### **2.14. Presentation of Conceptual Framework**

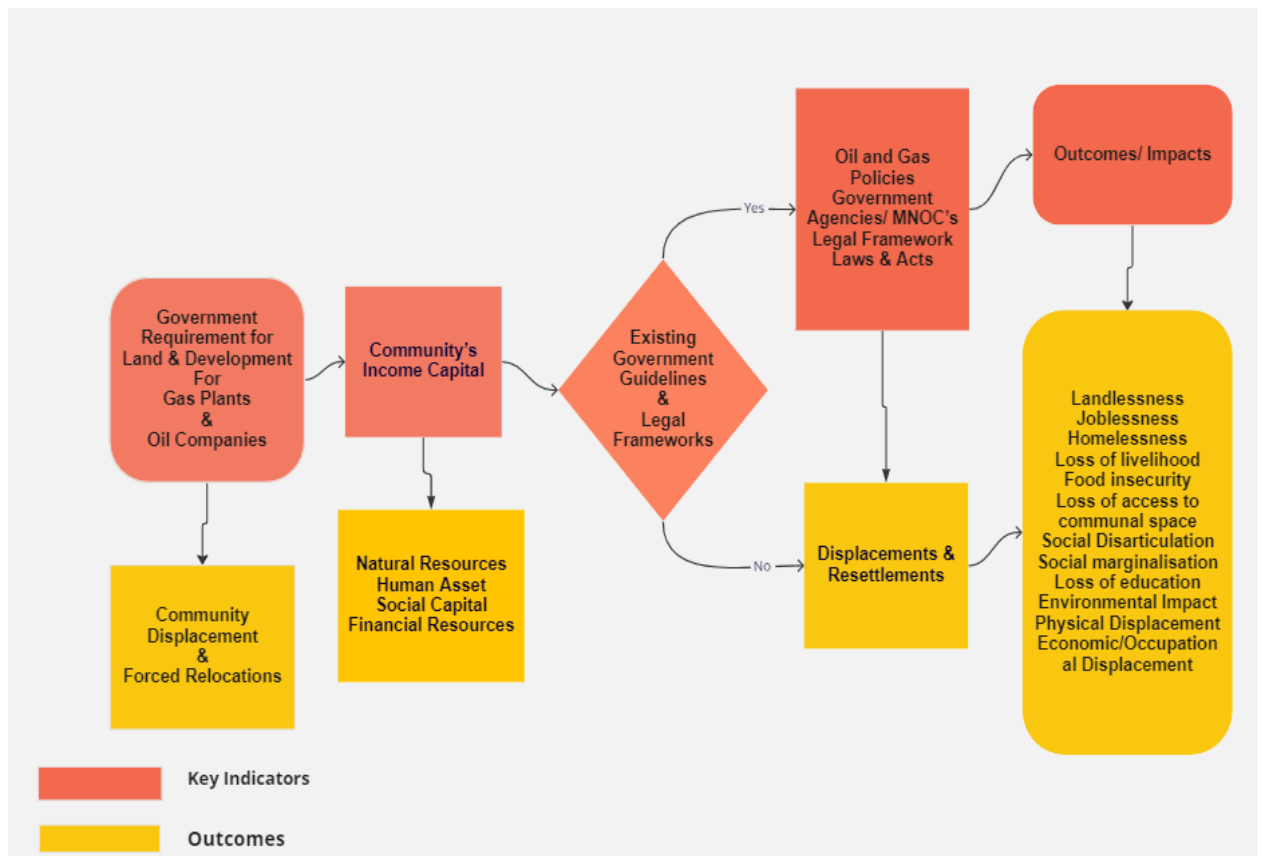
According to Ngulube et al (2015), the writer stated that a conceptual framework is an abstract of concepts that help to understand relationships among concepts and impact on the phenomenon being studied. One of its functions, is to link the concepts to the research problems and give clear directions to empirical research, thus the conceptual framework is developed with the concepts explored linking it with the theory and objectives of this study.

And Johnson et al (2020), reiterated that a conceptual framework is actively constructed to provide a logical and convincing argument for the research. This is because the framework defines and justifies the research question, the methodology selected to answer that question, and the perspectives from which interpretation of results and conclusions be made .The writers further

reiterates that the development of a strong conceptual framework facilitates selection of appropriate study methods to minimize the bias inherent in qualitative studies and help readers to trust the research and the researcher and although researchers can employ great flexibility in the selection of study methods, inclusion of best practice methods for assuring the rigor and trustworthiness of results is critical to study design. The writers further advised that whilst a conceptual framework is important to rigor in qualitative research, scholars like Huberman and Miles caution qualitative researchers about developing and using a framework to the extent that it influences qualitative design deductively because this would violate the very principles of induction that define the qualitative research paradigm.

This study therefore adopted the Cernea's IRR model and the livelihood framework of DFID to develop the conceptual framework to guide the process this study. This is because the risk alerts the policy makers to put measures and prevent, if possible, minimise risks that have been seen at the planning stage. It is also guided by the development-oriented resettlement policy frameworks used by Multilateral development banks (MDBs), the World Bank and ADB and adopted the resettlement policies promoting sustainable resettlement and livelihood restoration for displaced persons in development projects demonstrated by Sapkota et al (2017) for the proposed framework. The framework therefore presented a suggestion of the relationship between resettlement impacts, planning resettlement and restoration programs to monitor the outcomes of the resettlement programs which can be adapted not only in oil and gas-induced communities but in the planning of all kinds of displacement and resettlements in any region of Nigeria.

Below is the conceptual framework that guided this study as adapted and modified from the livelihood framework of Cernea's IRR model on displacement below:



*Figure: 1 6: Conceptual Framework for Oil and Gas-induced Displacement and Resettlement*

*Source: Adapted and modified by researcher from DFID & Cernea (2007)*

## Discussion of the Conceptual Framework

The primary purpose of the conceptual framework presented is to assist and guide this study to answer the research questions. Having identified the key variables from the literature review and selected theories. This conceptual framework examined the oil and gas-induced displacement and resettlement in the South-South region of Nigeria. First, it consisted of four key component which are:

- Government's need for development
- Livelihood assets of the Displaced
- Existing Legislative Structures
- Outcomes of Displacement

In the first component, it was evident that government's need for land and development resulted in the citing of huge projects like the gas plants and in the location of the multi-national oil companies within the local communities. And as the need for land increased, it led to internal

displacement, forced migration and involuntary resettlements. The second component presented the impact of displacements and forced relocations on the community's livelihood which included their natural resources, human assets, social capital, and financial resources of the communities.

The third component restated the existing government structures like the oil and gas laws that monitors the activities of the MNOC's and the legal framework that guides the various government agencies to act in the compliance roles for the oil industry. And the fourth component in the framework subsequently identified the various outcome of impoverishment and risks encountered by the displaced and resettled communities, the impacts caused by the activities of the oil and gas companies and consequently on the outcomes of the legislative decisions which presented in negative outcomes such as landlessness, joblessness, homelessness, loss of livelihood, environment impact, social disarticulation amongst the people, physical displacement, and economic and occupational displacement. And as mentioned in the literature review, the evidence of the deficiency of policies specific to oil and gas-induced displacement and resettlements have resulted in the absence of perceived monitoring by the agencies and compliance by the oil companies located within the region as explained in chapter four. The impact of oil and gas activities from literature reviewed, also showed that loss of livelihood and food insecurity is an outcome for the displaced communities as to resettle in the new land, adjustments need to be made by the people. Social marginalisation is also an outcome found in literature felt by the displaced.

The framework thus represented the fact that because displacement and resettlement projects are directed by the existing legal frameworks of the government and by the monitoring agencies, compliance is expected from the oil companies and all stakeholders to prevent negative impacts on the communities that are already troubled by the decision of the government in the acquisition of land.

## **2.15. Discussion**

Although much of this work has provided a litany of problems generated by the oil and gas industry, it is important to note that in some cases, mostly in the global West, the discovery and exploration of oil have engineered development in local communities. The consensus is that involuntary resettlement is an ordeal and that long after the painful event, the outcomes for resettled people are grave. Resettlement should be closely combined with national macro policies, be conducted according to these policies, and keep pace with the times to improve conditions Randell (2016) in citing Ceanea,(2008), and Scudder (2005), reiterated that in most cases development-induced displacement has resulted in socioeconomic decline for the displaced

population, as relocated communities face the task of restoring livelihoods amid new and often less favourable geographic, environmental, social, and economic conditions.

In (2002), Fox et al, pointed out that governments have a “mandating role” to set and ensure compliance to the legal and constitutional framework for business operations in the states where it operates in. Yet there is inadequate arrangement between the oil companies and the government, as neither consider the local communities as adequate stakeholders of the oil industry. Hosting communities feel inadequate and disempowered to own and drive developmental projects in their communities. Therefore, the government ought to encourage stakeholder engagement and reconcile opposing stakeholder interests in the Nigerian oil industry. And Ojo (2012), further stated, that Institutional and policy reforms should be directed to deciding on a legal obligatory framework for CSR rather than statutory philanthropic gestures in an oil resource management in which community stake of ownership and control remained unresolved. The writer further stated that because there is a dialogue deficit” in the oil companies’ CSR operations and engagement with the communities, hosting communities are excluded in the design, planning and implementation of such projects that turn out to be more company interest driven. Non-participation means that recipient communities often refer to executed community projects of the ‘MNOCs rather than as ‘our projects’. Consequently, the Nigerian government must establish an enabling environment for Corporate Social Responsibility to have the intended result.

The agreement according to the World Bank (2011), is that in countries of the global south such as Nigeria where the discovery of oil has had little or no effect on the population, corruption is the culprit. And in attempts to minimize corruption, in conjunction with several other civil society groups have put together the Extractive Industries Transparency Initiative (EITI), this initiative supports improved governance in resource-rich countries through the verification and full publication of company payments and government revenues from oil and gas but till 2019, according to Bature (2019), and other studies published on the activities of the Nigerian oil and gas industry, have not been able to relate to improved transparency practices in Nigeria after it achieved its EITI compliance status.

At the international level, regarding the revision of the World Bank's Environmental and Social Framework as stated in the World Bank report published in (2014), civil society organisations (CSOs), have criticised the reforms and accused the largest development bank of weakening land rights protection for poor and vulnerable communities. Indeed, the draft safeguards seem to be at odds with the spirit of the Voluntary Guidelines on the responsible governance of tenure of land, forest, and fisheries. And as Connell (2015), also stated that the World Bank's attempt to exonerate itself from its obligations to people at risk of displacement and resettlement, and to give its

borrowers more discretionary power in dealing with the displaced, reflects its aim to enhance funding of private and public mega-projects and a response to growing competition from newly emerging lenders, such as China and India, and private investors not tied to safeguard regimes.

## **Summary**

This chapter examined the concept of development, internal displacement, the different categories of displacements and its impact on the displaced populations. It also looked at the concept of resettlement and on oil and gas-induced resettlement within the selected cases in Nigeria. It further presented an overview of global and national policies and discussed on the global guidelines as regards to displacement and resettlement. It also examined the different perceptions of Corporate Social Responsibility by the MNOCs and hosting communities in the South-South region of Nigeria. And finally examined the historical backgrounds of the selected case studies that have been directly impacted by the activities of the extraction oil industry in Nigeria which have resulted into physical and economic relocation and resettlements. According to De Wet, (2005), Development-induced displacement and resettlement projects would seem to require planned provision for the resettled people to be economically better off and living in socially stable and functional communities. However, in majority of the development projects, people are still left worse off than before and suffer socio-economic impoverishment.

## **CHAPTER 3.**

## **RESEARCH METHODOLOGY**

### **3.1. Introduction**

This chapter presented the philosophical stance for this study and explained the methodology and research designs selected. As the aim of the research is to develop a framework by which oil and gas-induced displacement and resettlement policies in Nigeria can be improved in South-South Nigeria, it is important to explore the research methodology that would benefit this study to achieve the desired outcomes. Accordingly, this chapter encompassed the rationale and philosophical assumptions and highlighted on the justification for the method adopted as it best fits this study. It also discussed the overall approach taken by the researcher in following the seven layers of Saunders research onion which included the philosophy, approach, choice, and procedures. It also discussed on the rationale and justification behind the adoption and the case study design as adapted for this study. In addition, the development of the conceptual framework was presented and discussed.

### 3.2. Research Methodology

According to Creswell (2014), the research design is the ‘plan for conducting a study’. It is a fundamental consideration when conducting a research study. Several research designs have been developed by scholars, for instance, Saunders, (2009), in discussing the research onion included three layers in his position. These includes research philosophies, approaches and strategies, choices, time horizons, techniques, and procedures. The outer layer of the research onion is the philosophy which will influence the methodology and determine the researcher’s position.

According to Saunders (2016), the methodological choice, strategy, data collection techniques and analysis are underpinned by the researcher’s philosophy. This study therefore adopts the research onion by Saunders et al (2016), as the design as it provides step by step guidance on the research procedure through a series of logical reasoning. The six layers represents the research philosophy, approach, strategy, choice, time horizon and techniques/procedures of the data collection and analysis as depicted below:

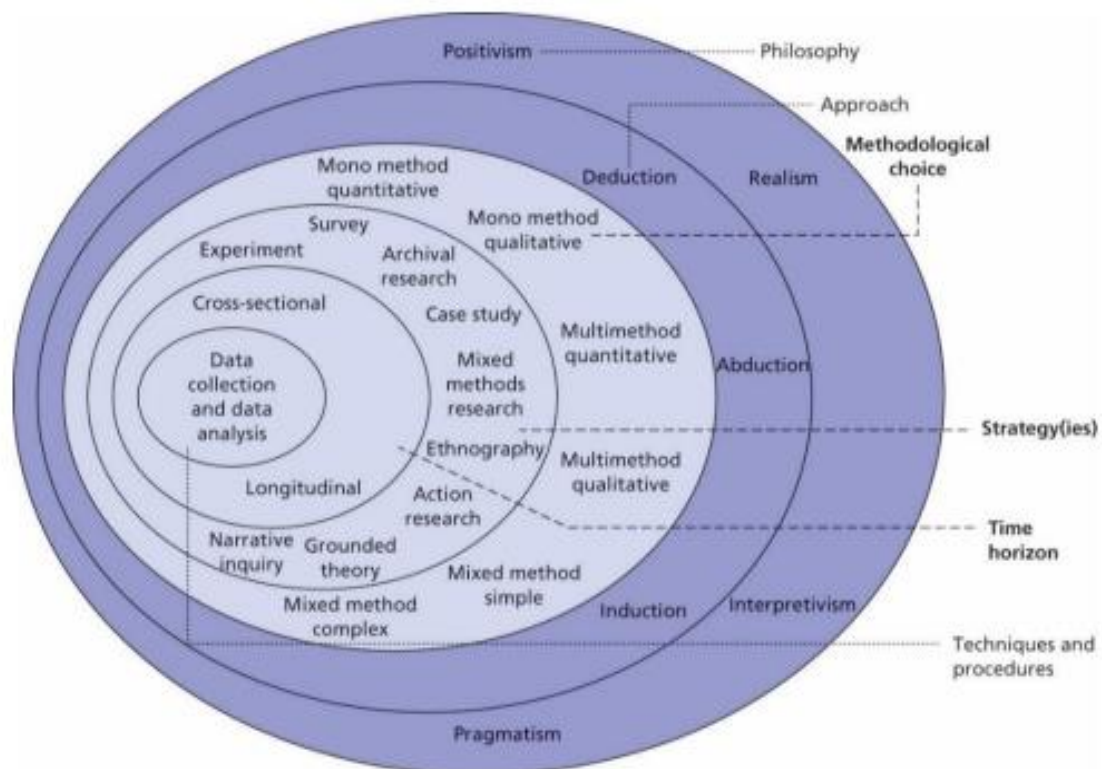


Figure: 3 1: Research Onion Source: Saunders et al, (2018)

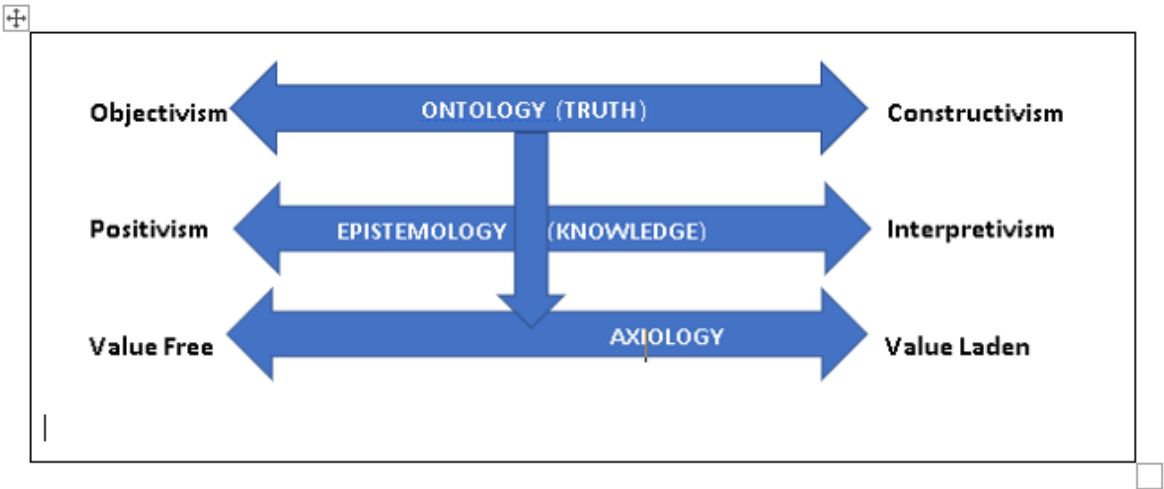
### 3.3. Research philosophy

According to Saunders et al (2009), a choice of philosophical approach reflects the researcher’s values. And Rubin et al (2012), stated that the research philosophy enables the researcher to

explain the choice for certain methods used and offers standards to evaluate the quality of research. It is the philosophy adopted by the researcher and contains important assumptions about the way the views the world is seen. Hence, attention to the philosophical assumptions and its influences can have a significant impact on the methodological choice made by the researcher. Thus, the research philosophy of this study is aligned to the aim, which is to develop a framework by which existing policy implementation oil and gas-induced resettlements in the south-south region of Nigeria can be improved. Thus, in order to adapt the research onion, it is imperative to analyse and determine the suitability of the onion and apply its six layers to this study.

The outer layer of the research onion represents the research philosophies that includes, positivism, interpretivism, pragmatism and realism. This sits in the middle between positivism and interpretivism and pragmatist and critical realist, which are positions of a scientific research philosophy that is focused on identifying solutions to the issues using frameworks and research objectives. According to Melnikovas, (2018), mainly reflects philosophical stance of a natural scientist and Knowledge is obtained by observation and finding event regularities, which are based on causal, law-like, and functional relations. Whilst Interpretivism is an approach based on subjectivist ontological assumptions that its entities are constituted of discourse, and reality is socially constructed and constantly evolving, therefore knowledge and facts are relative and subjective. The philosophy stance of this study therefore sits in the middle of objectivism, this is inclined to assume that realities exist independent of consciousness and constructivism- which assume that people construct their own understanding of the world. Also, the study between positivism and interpretivism and the axiological stance is value-laden in the continuum below:

Table 3.1: Philosophical position showing this research as a continuum



Source: Researcher

### **3.3.1. Ontology**

Ontology is concerned with the nature of existence and focuses on basic questions and assumptions about the nature of reality. There are two aspects of ontology, and both are likely to be accepted as valid knowledge according to Saunders et al (2012). They are objectivism which portrays the position that things, such as social entities exist as a meaningful reality external to the social actors, while subjectivism holds that social phenomenon are created through the perception and consequent actions of affected social actors and social interactions between social actors are a continual process, social phenomenon are in a constant state of revision. While ontology seems an abstract concept in its own, its relevance to epistemology makes it offer a more precise understanding that determines the philosophical position Saunders et al, (2016).

### **3.3.2. Epistemology**

According to Cunliffe (2006), is 'knowing how you can know' and expands this by asking how knowledge is generated? What criteria discriminate good knowledge from bad knowledge, and how should reality be represented or described. There are two major types of Epistemological assumptions according to Saunders et al (2009) which are Positivism and Interpretivism. Myers (2013), explains that positivist researchers generally assume that reality is objectively given and can be described or explained by measurable properties, which are independent of the researcher and his or her instruments. Furthermore, Easterby-Smith et al (2012), underscore the fact that the key idea of positivism is that the social world exists externally, and its properties should be measured through objective methods, rather than being inferred subjectively through sensation, reflection, or intuition. While Interpretivism searches for explanations of human action by understanding the way in which the world is understood by individuals (Sexton, 2003). Interpretive research according to Myers (2013), assumes that access to reality is only through social constructions such as language, consciousness, shared meanings, and instruments.

### **3.3.3. Axiology**

In considering Research Philosophy and approach, it is important to consider how the individual values of the researcher may play in each stage of the Research Process. Saunders, et al (2007), argues that our values are the guiding reason for our actions. Further, articulating values as a basis for making judgments about the research topic and research approach are a demonstration of axiological skill. Axiology is the science of value and is described as a branch of philosophy that studies judgements about values which seeks to provide a theoretical account of the nature of values relative to morality, prudential or aesthetics according to Saunders et al, (2012). The researcher is also able to articulate values as a basis of making judgements regarding this study. Therefore, this study will reflect the research values and data collection techniques. Great

importance is placed on data collection collected through interviews as the researcher will value personal interaction with respondents more highly than views expressed through anonymous questionnaires.

### 3.3.4. Underpinning of the research philosophy

The purpose of providing such fundamental underpinnings on the research philosophies and approaches is to elicit the potential assumptions of each, which guided the choice of a paradigm for this research. As the aim of this research is to develop a framework by which existing policy implementation for oil and gas-induced resettlements in the south-south region of Nigeria can be improved, there is a need for the social science aspect to be understood. Therefore, the insertion of ontological and epistemological premises identified four philosophical positions (shown in the table below) and other paradigms which have been adapted by the researcher.

*Table 3.2: Table showing Philosophical positions*

<b>Philosophical position</b>	<b>Ontology</b>	<b>Epistemology</b>
Neo-positivism	Realist	Realist
Interpretivism	Relativist	Constructivist
Radical constructionism	Relativist	Strongly-relativist
Critical realism	Realist	Constructivist

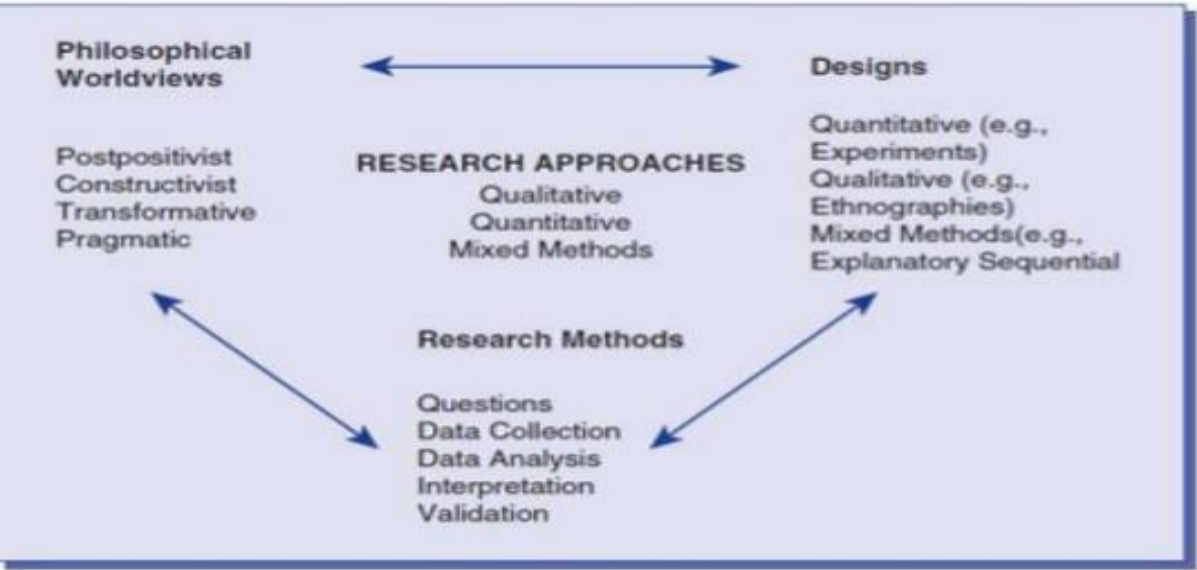
*Source: King et al (2016), Saunders et al., (2016)*

As this is an exploratory study, the philosophical perspective adopted for this research is the Interpretivism assumption driven by an abductive approach with qualitative method as the research strategy. According to Saunders (2016), with the focus on complexity, richness, multiple interpretations, interpretivism is subjective. An axiological implication is that it recognises that an interpretation of research material and data owe its values and beliefs to the research process, because the researcher must take an empathetic stand. The findings from the qualitative approach are validated with information from existing documents reviewed and from semi-structure interviews in a process through triangulation.

Thus, the epistemological direction leans towards interpretivism as it justified the selection of case study approach for the study. Also, this researcher recognised present-day issues, which is the absence of oil and gas policy implementation on the impact on displaced and resettled communities, which is a real-life context. Secondly, the researcher manipulated the physical environment to gather the data for investigation which is the selected cases. And thirdly, the researcher gathered and existing policies and relied upon multiple sources of data to meet the set objectives.

Considering the aim of this study, which is to propose a framework to improve existing policies for oil and gas-induced displacement and resettlements in the South-South region of Nigeria, a common influence from a qualitative oriented paradigm using a qualitative research strategy. It proposed a consistent approach that is compliant with national legislations and international standards particularly the International Finance Corporation (IFC) standards five on involuntary resettlement and land acquisition and best practice to safeguard against social risks according to Pollard et al (2018).

Table 3.3: Philosophical Assumptions and worldviews



Source: Kyrillidou, (2016)

### 3.3.5. Research Approach

There are three different approaches for conducting a study. Saunders et al (2016), describes the approaches as deductive approach, inductive approach, or abductive approach. whilst Creswell (2014), referred to this as the plans and procedures that involve several decisions to identify a sensible study. Thus, the research problem, design and methods adopted in any study is informed

in the research approach. And Saunders et al, (2016), further stated that the research approach is within the elaboration of a theory or a set of principles that is developed for a study.

### 3.3.6. Deductive Approach

Saunders et al (2012), implied that the logic of deductive approach is “when the premises are true, the conclusion must also be true”. The origin of this approach is in the natural sciences where laws present the basis of explanation, allow the anticipation of phenomena, predict their occurrence, and therefore permit them to be controlled. Deductive reasoning works from the more general to the more specific. It is most times formally called a “top-down” approach, the conclusion follows logically from premises Burney, (2008).

### 3.3.7. Inductive Approach:

While the Inductive Approach leads the researcher to use collected data to explore a phenomenon, identify patterns and themes and create a conceptual framework, in other words, the theory is developed based on the analysis of collected data Saunders et al, (2012).

### 3.3.8. Abductive Approach

Dew (2007), defined abduction as the process of making guesses about the best way to explain a collection of surprising or anomalous facts from research findings. Abduction allows the decision-maker to move forward in the absence of complete evidence or certainty. Instead of following a logical process, advances in science are often achieved through an intuitive leap that comes forth, and which can be called abductive reasoning (Taylor et al., 2002).

*Table 3.4: Table showing Deduction, induction, and abduction from reason to research*

	<b>Deduction</b>	<b>Induction</b>	<b>Abduction</b>
<b>Logic</b>	In a deductive inference, when the premises are true, the conclusion must also be true	In an inductive inference, known premises are used to generate untested conclusions	In an abductive inference, known premises are used to generate testable conclusions
<b>Generalisability</b>	Generalising from the general to the specific	Generalising from the specific to the general	Generalising from the interactions between the specific and the general
<b>Use of data</b>	Data collection is used to evaluate propositions or hypotheses related to an existing theory	Data collection is used to explore a phenomenon, identify themes and patterns and create a conceptual framework	Data collection is used to explore a phenomenon, identify themes and patterns, locate these in a conceptual framework and test this through subsequent data collection and so forth
<b>Theory</b>	Theory falsification or verification	Theory generation and building	Theory generation or modification; incorporating existing theory where appropriate, to build new theory or modify existing theory

### **3.4. Adopted Research Approach**

As this research is aimed at developing a framework by which existing policy implementation for oil and gas-induced resettlements can be improved, this approach enabled the researcher gain access to detailed information needed to build up the research study. It allowed access to existing literature to be investigated towards developing the conceptual framework. A considerable amount of literature has been published on the impact of oil and gas but there is a dearth of relevant studies on the impact of oil and gas-induced displacement and resettlements. The abductive approach therefore suits this study because although there is a wealth of information in the context of development induced displacements, there is far less in the context of oil and gas-induced displacement and resettlements which enabled the researcher to modify the study on existing theories.

At the literature review stage, deductive approach was utilized to get out key information from relevant literature, and at the data collection stage, specific issues for in-depth contribution to the study, (inductive approach) was utilized. Furthermore, since this research employed the use of qualitative data collection methods, abduction approach was deemed fit and adopted. Thus, the philosophical argument of the use of a qualitative method to resolve a real-life world issue is commended as the choice of method influenced by certain factors such as: the topic to be researched; the objectives; and the proposed research questions.

### **3.5. Research Methodological Choice**

The research methodological choice is the third layer of the research onion, which is the first tangible step of the research design. This research will not employ the use of mixed methods as defined by Clark et al (2008). Mixed-methods involve the combination of qualitative (open-ended responses) and quantitative data (closed-ended responses) and analyses the procedures at the same time or one after the other but does not combine them in any research study. And according to Creswell et al (2007), mixed method research may be conducted sequential or concurrently (Sequential mixed methods involve more than one phase of data collection and analysis. In this stage, the researcher will follow the use of one method with another to expand or elaborate on the initial set of findings. While concurrent mixed methods research, it involves the use of both qualitative and quantitative methods with a single phase of data collection and analysis (a single-phase research design). This allows both sets of results to be interpreted together to provide a richer

and more comprehensive response to the research question in comparison to the use of mono-method design which is referred to as a concurrent triangulation design.

Therefore, the mixed method approach is considered not suitable to meet the objectives of this research and to answer the research questions that have been proposed. This is because the use of the strengths of a qualitative method to explore and understand the challenges that influenced policy implementation in the oil and gas industry and especially regarding displacement and resettlements involved an exploratory nature of investigations. And Creswell et al (2007), mixed method research may be conducted sequentially or concurrently (Sequential mixed methods involved more than one phase of data collection and analysis. Accordingly, the mixed method is not suitable for this study.

Table 3.5: showing mixed-method various researchers

Defining Mixed Methods Research			
Authors	Dates	Argument	Focus
Hunter and Brewer	2003	Mixed methods used to designate combining quantitative and qualitative research methods	Combination of qualitative and quantitative research
Mertens	2003	Mixed methods research is the use of qualitative and quantitative methods that allow for the collection of data about historical and contextual factors, with special emphasis on issues of power that can influence the achievement of social justice and avoidance of oppression	Historical and contextual data collection to achieve social justice and avoidance of oppression
Newman et al.	2003	Mixed methods research is the set of procedures to combining both qualitative and quantitative procedures to investigate research question better than each method could do individually	Set of procedures to combining the strengths of both
Curral et al.	2004	Mixed methods research is a research design or methodology in which the researcher collects, analyzes, and mixes (integrates or connects) both quantitative and qualitative data in a single study or a multiphase program of inquiry.	Combination of qualitative and quantitative data in research design phase.
Chen	2006	Mixed method research is systematic way of integration of both qualitative and quantitative methods of investigations in a single study to explore in depth information	Pure or modified mixed method research.
Greene	2006	Investigation of social world involving two or more methods of gathering, analyzing and representing phenomena under study for better understanding	Two or more methods to gathering, analyzing and representation.
Kelle	2006	Mixed methods are the combination of different quantitative and qualitative approaches of data collection and data analysis for two different purposes i.e., mixed method cope with the validity issues arising due to use of single method, while on the other hand, mixed method provide in-depth investigations of the phenomena by applying multiple methods of investigation to view the full picture	Combining both in single empirical research, coping with validity issue, in-depth investigation.
Miller and Gatta	2006	Mixed methods research is the format of methodological investigation of human science, combining both qualitative and quantitative approaches in research.	Employing different combination of methodological research.
Johnson et al.	2007	speaking, an approach to knowledge (theory and practice) that attempts to consider multiple viewpoints, perspectives, positions, and standpoints (always including the standpoints of qualitative and quantitative research).	Combination of multiple viewpoints, perspective, positions and standpoints.
Preskill and Boyle	2008	Considers mixed methods research is the powerful tool to answering research question with elimination of weakness of each method.	Data collection from both methods to eliminate the biasness associated with each method either qualitative or quantitative.

Source: AICEMM, (2015), adapted by Researcher (2022)

### 3.5.1. Qualitative Approach

Qualitative research is a process of naturalistic inquiry that seeks an in-depth understanding of social phenomena within their natural setting. It focuses on the "why" rather than the "what" of social phenomena and depend on the direct experiences of human beings as agents in their everyday lives. Rather than by logical and statistical procedures, qualitative researchers use multiple systems of inquiry for the study of human phenomena including biography, case study, historical analysis, discourse analysis, ethnography, grounded theory, and phenomenology. According to Ahmad et al (2019), qualitative research is a process of naturalistic inquiry that seeks

an in-depth understanding of social phenomena within their natural setting. It focuses on the "why" rather than the "what" of social phenomena and relies on the direct experiences of human beings as meaning-making agents in their everyday lives. Rather than by logical and statistical procedures, qualitative researchers use multiple systems of inquiry for the study of human phenomena including biography, case study, historical analysis, discourse analysis, ethnography, grounded theory, and phenomenology.

Thus, the need for an in-depth understanding and theory testing to establish the relationship between the phenomenon and the communities through the collection of detailed primary data. Qualitative data were collected mainly through semi-structured interviews to gain an in-depth understanding of the institutional framework of the oil and gas industry and its relationship to the conditions of displacement and resettlement and the current institutional measures adopted to forestall induced displacement caused by oil and gas. This study therefore adopted the qualitative approach as it focused on the why? and what of the social phenomenon of oil and gas-induced displacement impact of the affected communities in the South-South region of Nigeria.

### **3.5.2. The Explanatory Sequential Design**

According to Creswell, (2003), the sequential explanatory design consists of two distinct phases; it starts with the quantitative data collection which addresses the study questions, then followed by the qualitative data and analysis. In this design, the researcher first collects and analyses the quantitative (numeric) data, then followed by the qualitative (text) data in sequence as to help explain or elaborate on the quantitative results obtained in the first phase. This design is not suitable for this study.

### **3.5.3. The Exploratory Sequential Design**

This is the reverse sequence from the explanatory sequential design. Based on the nature of this study, the exploratory sequential approach is selected by the researcher. The first phase begins with a qualitative research phase and explores the views of participants. The data are then analysed, and the information used to build into a second, quantitative phase. The qualitative phase may be used to build an instrument that best fits the sample under study, to identify appropriate instruments to use in the follow-up quantitative phase, or to specify variables that need to go into a follow-up quantitative study. Challenges to this design reside in focusing in on the appropriate qualitative findings to use and the sample selection for both phases of research according to Creswell, (2003). The writer, furthermore, explained that the exploratory sequential designs prioritize the collection and analysis of qualitative data in the first phase and then building from the exploratory results,

the researcher conducts a development phase by designing a quantitative feature based on the qualitative results. Finally, in the third phase the investigator quantitatively tests the new feature.

### 3.6. Adopted Research Methodological choice

#### Qualitative Research Rationale

As the study is to investigate oil and gas-induced displacement and resettlement policies in Nigeria, the use of the qualitative method for this study provided an in-depth semi-structured interviews was needed to be carried out with key stakeholders representing the government, impacted communities and MNOCs who have lived experiences of the impact. The rationale in the qualitative method was to understand the purpose of this research and interpret the data to develop a framework. Thus, great attention was placed on the study objectives and research question in order to understand the impact of existing policies on oil and gas-induced displacements and resettlements.

#### 3.7. Research Strategy

According to Saunders (2012), research strategy provides a complete and direct process by which the research is conducted, it is a plan and set of actions for achieving a goal and defined as the way in which the research takes required actions to answer the research questions. It is also strategy is guided by research aim, objectives, approach, the amount of time available, the access to potential participants, the extent of existing knowledge and other resources of data. Saunders et al. (2016) outline that: exploratory research is designed to answer what or how questions; descriptive will answer who, what, where how or when 126 research questions; explanatory will answer why or how research questions, and evaluative research will answer how or to what extent questions.

*Table 3.6: Table showing different Research Methods*

Research Methods	Research Questions	Requires Control of Behavioural Events	Focus on Contemporary Events
Experiment	How, why	Yes	No
Survey	Who, What, Where How many? How much?	No	Yes
Archival Analysis	Who, What, Where how many? How much?	No	No
History	How, why?	No	No
Case Study	How, why?	No	Yes

*Source: Yin (2014)*

As the research developed a framework for the improvement of existing policies towards oil and gas-induced resettlements using the interpretive research approach, it adopted the following practical strategies for data collection from all stakeholders. Experimental and action research strategies were eliminated from this selection because the research intends to answer the ‘why’ and ‘What’ questions. It also eliminated history, grounded theory and archival research as the study focuses on contemporary events. Thus, based on these findings, the researcher adopted the case study approach, this is because the strategy was suitable for the development of the in-depth knowledge of procedures within communities, and thus enabled the collection of primary data.

**3.7.1. Case study Research Design**

Case studies provides an opportunity to describe, understand, and explain a contemporary phenomenon. According to Yin (2009), this strategy is mostly used in explanatory and exploratory research, it may also use quantitative or qualitative methods to collect and analyse data. These may include for example, interviews, observation, documentary analysis and questionnaires.

*Table 3.7: Table showing types of Designs in Case Studies*

	Single Case designs	Multiple Cases designs
Holistic (single unit of analysis)	Type 1	Type 3
Embedded (multiple units of analysis)	Type 2	Type 4

*Source: (Yin, 2014)*

A case study design should be considered when: (a) the focus of the study is to answer “how” and “why” questions; (b) you cannot manipulate the behaviour of those involved in the study; (c) you want to cover contextual conditions because you believe they are relevant to the phenomenon under study; or (d) the boundaries are not clear between the phenomenon and context. One of the great strengths of case studies as compared with other methods is that evidence can be collected from multiple sources. The diagram below illustrates case study vs other methods which suits this study:

Purpose	Case Study	Experiment	Survey
Investigates....	one case or a small number of cases	a relatively large number of cases	a relatively large number of cases
Data collected and analyzed about.....	a large number of features of each case	a small number of features of each case	a small number of features of each case
Study of.....	naturally occurring cases where the aim is not to control variables	cases where the aim is to control the important variables	naturally occurring cases selected to maximize the sample's representativeness of a wider population
Quantification of data....	is not a priority	is a priority	is a priority
Using.....	many methods and sources of data	one method	one method
Aiming to.....	look at relationships and processes	look at causation	look for statistical generalization

*Figure: 3 2: Case study vs other methods*

*Source: Thomas, (2011)*

The case study is chosen as the appropriate research strategy in this context because it contains the ‘How’ questions? This study intends to propose a framework to improve the existing oil and gas-induced resettlement policies in Nigeria, thus the strategy will allow the researcher gain in-depth insight and understanding of the lack of implementation of these policies effectively within the displaced and resettled host communities in the South-South region of Nigeria. And, because there is a dearth in knowledge of oil and gas-induced displacement and resettlement policies in Nigeria, it is very suitable for the researcher to have an in-depth understanding of the cases in order to provide guided information on the outcomes of existing oil and gas policies. A single case study whilst appropriate in some respects and conditions may be in conformity with some values, may limit the robustness of a full understanding of information and data and therefore is not suitable for this study.

#### **3.7.1.1. Embedded Multiple Case Study Design**

And according to Creswell (2013), a multiple-case design explores a real-life multiple bounded system through detailed, in-depth data collection involving multiple sources of information. This enabled the researcher to discourse the intricate questions that needed to be explored in-depth, and to understand the social conditions of the system, based on the contributions and informational viewpoints of the participants. And as stated by Theiler (2012), an embedded multiple case study design offered the opportunity to explore, in depth the nature of a project through an inductive, constructivist lens. Therefore, in order to achieve the aim of this study, a multiple-embedded case

study is identified as suitable, therefore two communities that have experienced the displacement and resettlement due to the extractive activities of the oil and gas industry in the South-South region of Nigeria has been selected for this study. Each case study is considered separately, and the findings of the study used to draw a single case cross conclusion.

#### **3.7.1.2. Holistic and Embedded Studies**

Case studies can also be divided into two studies. The holistic case studies examine the case as one unit. According to Yin (2009b), they might for example, focus on broad issues of organisational culture or strategy. This approach ensures a general view of the case, but can be superficial, and may miss changes in the unit of analysis that could impact on the appropriateness of the original research design. Embedded designs identify several subunits (such as meetings, roles, or locations) each of which is explored individually; results from these units are drawn together to yield an overall picture.

Therefore, from the definitions stated above, this study applied the exploratory case study approach in researching the aim of this study, as there was a requirement to interview key stakeholders who gave more insight on the existing policies in place for the oil and gas-induced development. This stance is also derived from literature reviewed, the absence or lack of evidence of studies that have been conducted in oil and gas-induced displacement and resettlements policies in the south-south region of Nigeria.

#### **3.7.1.3. Single case vs Multiple case**

According to Saunders (2012) in citing Yin (2009) explains that a single case study is often used where it represents a critical case or alternatively an extreme or unique case. It may be selected because it is typical or it provides an opportunity to observe and analyse a phenomenon that few have considered before. Furthermore, a case study strategy can also incorporate multiple cases. The rationale being that it focuses on whether findings can be replicated across cases, this means that cases were carefully chosen on the basis that similar results are predicted to be produced from each other. In the context of this study, multiple cases made the findings and interpretations more persuasive as the cases were of the same phenomenon.

### **3.8. Selecting Cases**

According to Creswell (2013), a case study method explores a real - life, contemporary bounded system (a case) or multiple bounded systems (cases) over time, through detailed, in-depth data collection involving multiple sources of information. Multiple case findings are considered more compelling and robust as they can allow theory to be better grounded and in more varied evidence,

with the advantage that they allow for cross-case comparison and another option is to adopt an 'embedded' research design, wherein attention is given to sub-units within a single case according to Yin, (2009). This study utilized the exploratory case study in researching the aim of this research and applied the multiple embedded case study design because of the location of the two selected communities within the south-south region.

### **3.8.1. The Rationale for Multiple-Case Embedded design:**

To explain the justification of the multiple case study selection for this study and the criteria for selection, Denscombe (2014), identified a random and information-oriented selection as a strategy for the selection of cases, he further explained that a random selection, as the name implies, selects samples randomly from a large sample to avoid subjective bias, while information-oriented case selection is based on a characteristic or an attribute of interest within a population. And Yin (2014), further explained that a critical explanation for the selection of cases, for each case should be chosen to produce similar results (literal replication) or a contrasting result (theoretical replication), this study therefore recognized the differences in the impact of displacement in the two communities selected and noted the varied conditions, infrastructural developments, and corporate social activities in the region. Thus, an information-oriented selection was the strategy adopted for this study and given the number of case studies, the selected criteria below informed the decision that:

- Communities that have or are experiencing displacement by the activities of the oil and gas industry.
- Levels of infrastructure provided by the government for sustainable development after displacement
- Implementation of existing oil and gas policies for the displace and resettled communities
- Communities deprived of the dividends of the revenue from the extracted natural resources in terms of resource benefits
- Access to actual data of the impact of displacement on the selected communities

The selection of a single region with multiple case studies is the design for this study, this is because the South-South region hosts most of the multi-national corporations and government agencies involved in the oil and gas industry, whose activities may or not have resulted in the displacement and resettlement of communities. And according to Creswell (2013), a multiple-case design explores a real-life multiple bounded system through detailed, in-depth data collection involving multiple sources of information. Through using a multiple case design a wider exploration of the research question and theoretical evolution will enable the researcher to

understand the differences and similarities of information management of the selected multiple case study areas. Thus, several methods were utilized to collect data rather than been restricted to one or two methods. And then, thematic analysis reduced the categories to six factors which was divided into themes and the linked throughout the study.

### **3.8.2. Unit of analysis**

According to Collis et al, (2013), the unit of analysis is the major subject under study, which could be an individual, group of individuals, an organisation or even a behaviour. And as stated by Yin, (2013), the more the case study has a well-stated research question and answer combined with a defined unit of analysis, the more it will stay within feasible limits for the research. While this study recognises the importance of the oil and gas industry in Nigeria and its economic influence, it is evident that the existing policies for the displacement for communities within the South-South region needs a fundamental improvement to sustain development. Hence, the unit of analysis for this research is clearly defined as the need for the ‘the improvement of the existing oil and gas policies for displacement and resettlements.

Therefore, the most appropriate strategy for adopting case study design type is multiple-case design with a holistic single unit of analysis. However, the research questions are structured to help the study stay within the feasible limit of the research. However, the selection of a single region with multiple case studies is the design of this study, this selection is because the South-South region hosts most of the multi-national corporations involved in the extraction of oil and gas whose activities have resulted in the displacement and resettlement of host communities. It utilized a cross-sectional or longitudinal approach as this study looked at the present situation of the impact of oil and gas industry on displacement and resettlements.

### **3.9. Time Horizon**

According to Saunders et al, (2009), cross-sectional studies often employ the survey strategy; however, they may also use qualitative methods. Cross-sectional surveys can be conducted using any mode of data collection, including telephone interviews, face-to-face interviews and mailed questionnaires. Many case studies are based on interviews conducted over a short period of time. However, this research adopted the cross-sectional (snapshots of the populations about which data are gathered) approach since it is based primarily on interviews conducted within a limited time frame. As this study is undertaken for, the improvement of existing policies on oil and gas-induced displacement and resettlements, the time horizon was adopted. Also a cross-sectional or approach was adopted as this study examined the current situation. Saunders et al, (2016) further reiterated

that the time horizon as a particular time (snapshot) within which a study is undertaken, or a series of events over a period; these are classified, respectively, as cross-sectional, and longitudinal.

### **3.10. Data Collection Techniques**

#### **3.10.1. Policy Document Review**

As the procedure of document reviews is relatively simple compared to other data collection techniques, if used as the only data collection technique can result in significant disadvantages as all the relevant documents needed may not be available or accessible to the researcher. Secondly, the available documents may have been produced for a purpose which does not favour the research thereby exposing the study to a situation where the collected data may simply produce an incomplete or inaccurate picture about the phenomenon being investigated. Thus, the study employed the use of the review of document technique in other to conduct studies without disturbing the natural settings, it also applied a secondary technique to triangulate the data collected through the case study interviews, increasing the reliability of the study. These documents were sourced online and from the oil and gas agencies archives, government websites and online publications from other scholars as relevant to the oil and gas industry in Nigeria and as it related to the oil and gas industry with references to induced displacement and resettlement.

#### **3.10.2. Document analysis**

Document analysis is described as a social research method and is also a very important tool, it is an invaluable part of most schemes of triangulation. Corroborating findings across data sets can reduce the impact of potential bias by examining information collected through different methods, therefore the purpose of triangulating is to provide a confluence of evidence that breeds credibility as explained by Bowen (2009) cited in Traid 3 (2016). Document analysis requires data selection, instead of data collection, thus, a thorough examination of available reports, journals, printed policies and legislations, background papers, literature reviews, relevant databases, and other scholarly works relevant to the study procedures were examined.

According to Bowen (2009), documents provide supplementary research data as information and insights derived from documents can be valuable additions to a knowledge base. In addition, the writer stated that, documents provide a means of tracking change and development, for example, where various drafts of a particular document are accessible; the researcher can compare them to identify the changes. Document analysis have both advantages and disadvantages as depicted in the table below:

### 3.10.3. Table showing advantage and disadvantage of document analysis

Advantages	Disadvantages
More efficient as it requires data selection rather than data selection.	They provide insufficient detail since they are provided for some other purpose and may not provide sufficient detail to answer the research question.
Many documents are available in the public Domain and less difficult to obtain.	They may sometimes be irretrievable as access to it may be restricted.
Very cost effective, being less costly than other research methods and is a preferred method when new data is not feasible.	Documents selection may be biased due to incomplete selection as available documents are likely to be aligned to suit the organization's policies.
Documents are unobtrusive and non-reactive as they are not affected by the research process.	
Documents are stable as the investigator's presence does not alter what is being studied.	
It provides the exact names, references and details.	
Documents provide broad coverage and cover a long span of time, events and settings.	

Source: Bowen (2009)

And documents can be analysed to verify findings or corroborate evidence from other sources. The documents utilized in this study were sourced from available records online and provided by the MNOCs websites and government agencies archives and agreements for the impacted communities and publications also available online. Thereafter, the most credible sources were selected for this study through careful screening, and those related to oil and gas-induced displacement and resettlement policies in the South-South region of Nigeria were utilized. Full list is provided in appendix attached.

Below is a figure showing the document review process for document selection

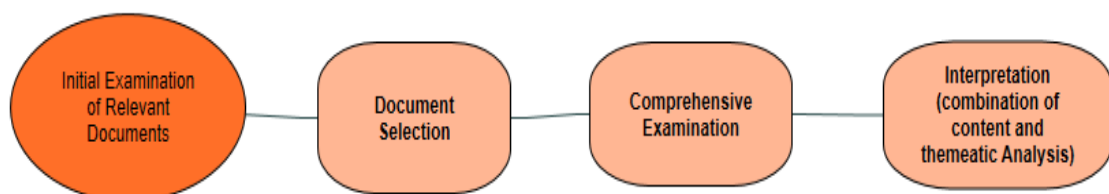


Figure: 3 3: Document Review Procedure

### 3.10.4. Semi-Structured Interviews

In other to achieve the aim and objectives of this study, and to answer the research question, primary data was collected via interviews from key players in the industry. Thus, semi-Structured

interview is the most preferred type of interview as it provides more information than other types of interviews. This type of interview is flexible and allows the interviewee to provide more information than the other ones. This form of interview is neither too rigid nor too open. It is a moderate form in which a great amount of data can be elicited from the interviewee. Furthermore, Saunders et al (2016), there are four situations in which to use an in-depth or semi structured interview. The first consideration is the purpose of the research, when the researcher undertakes an exploratory element; for example, when the researcher needs to understand the reason for a decision that the research participant has taken. Secondly, where the value of personal contact is important, a personal interview may achieve a higher response than a questionnaire. The third consideration is where the nature of questions has followed the circumstances, or where there are many questions, or when the questions are complex or open-ended in nature, and where the order of questions may need to be varied, while the fourth is the length of time required and the completeness of the progress. Therefore, the selection of semi-structured interviews for this study has been adopted. This interview was conducted with selected stakeholders from the multi-national companies involved with the resettlement projects, representatives from the government and representative of the selected communities. The interview will help to identify the key issues relating to the oil and gas industry and on resettlements.

According to Yin, (2014), Interviews are essential sources of evidence for case studies, as the case study are about human affairs or actions. Thus, this interview will help the researcher gain in-depth understanding of the existing policies for oil and gas resettlements, the factors that contributed to displacement and eventual resettlement of these communities, the success, and failures of policy implementation in order to validate the findings in literature and on-going data collection. This semi-structured interview is based on an interview guide which contains questions relating to issues such as the role and relationship between major stakeholders in decision making, costing of relocation, resettlement provisions, compensation, on-going sustainable schemes for the resettled and the impact of these relations with the host communities under review. An initial plan to contact was through letters, phone calls and emails to explain the aims and objectives of the research and the proposed set of questions for the interview included key topics to assist in the flow of questions and particular to the different stakeholders selected.

### **3.11. Sampling**

Acharya et al (2013), describes sample as a subset of the population, selected to be representative of the larger population since the entire population cannot be studied. Also, by taking a representative sample, it reduces the costs incurred, the time taken to do the research and the

manpower needed to conduct the study. Sampling techniques are broadly classified into 'Probability' and 'Non-probability' samples. According to Rahman et al (2022), sampling is a critical component of most studies because it is the foundation of virtually all research. Sampling is described as the act, process, or technique of selecting a representative sample of a population to observe and analyse the characteristics of the entire population. To further explain, sampling is defined as the process of selecting a random sample from a population using specialized sampling procedures.

### **3.11.1. Random (Probability) Sampling**

Probability sampling is defined as a sampling technique in which the researcher chooses samples from a larger population using a method based on the theory of probability. For a participant to be considered as a probability sample, he/she must be selected using a random selection. Probability sampling allows the investigator to generalise the findings of the sample to the target population. It is a technique where the probability of choosing each sample is equal. Probability sampling is further classified as: Simple random sampling, Systematic random sampling, stratified random sampling, sampling, Multiphase sampling and Multistage sampling according to Acharya et al (2013). Rahman et al (2022), also stated that the primary purpose of probability sampling is to obtain a sample that is representative of the population from which it was taken.

### **3.11.2. Non-Random (Non-Probability) Sampling**

Non-probability sampling is a sampling method in which not all members of the population have an equal chance of participating in the study, As the goal for this study is not to generalize the population under review, but to obtain insights into the phenomenon of displacement and resettlement due to oil and gas extractive activities in the South-South region, the sampling of the population to interview was purposeful. The researcher purposefully selected the stakeholders involved in the resettlement of these communities during this phase in order to maximize understanding of the underlying phenomenon. This is so because these stakeholders were considered 'information rich' according to Onwuegbuzie et al (2006). Yin (2014) suggests continuing recruiting respondents until 'adequate' data from which to make credible generalization has been collected. The size of the sample in this qualitative research is less crucial than in statistical research samples. However, Saunders, (2016), suggested that the minimum sample size for semi-structured in-depth interviews should be between 5 and 25 interviews for qualitative research.

Therefore, due to the exploratory nature of this study, and the design for multiple case study which considered the mixed population by the inclusion of the locations, a relatively small sample size

was adopted for this research which included 21 interviews conducted with the participants from the multi-national corporations, the representative from the government agencies and the members of the represented communities until the saturation point was achieved. And as recommended by Patton, (2002), the final size of the sample should be determined during the study when semi-structured interviews are at the form of data collection.

### **3.11.3. Interview Sampling**

According to Saunders (2016), in order to answer the research questions and meet the research objectives, purposeful sampling techniques will help select case studies accurately. Furthermore, the purposeful sampling will help the researcher gain the required knowledge to gain information from respondents who are not randomly selected. Therefore, oral interviews were conducted with participants from the oil and gas industries both public and private in the South-south region.

The stakeholders involved in the oil and gas resettlement projects have been identified based on the following criteria: Representatives of the Multi-National Corporations, representatives of the government agencies involved in oil and gas, oil, and gas consultants, as well as the heads and liaison representatives of both communities under review. Semi-structured interviews were conducted albeit over the phone for 45 minutes each with legislative members, top management officials of the multi-national corporations and heads of the resettled communities and this continued until saturation point.

### **3.11.4. Interview Sample Technique**

The selection of the interview respondents was based on purposive sampling. This technique assisted the researcher to select the case studies accurately and help the researcher gain the required knowledge and rich information from the respondents who were non-randomly selected. The reason been that Finima community was displaced due to the citing of the gas plant and involuntarily relocated to a new land, thus in carrying out this study, interviews were conducted with a purposive sample of respondents with clear knowledge of the events as it happened. Ogoniland, which is the second case study, has nine oil fields and simple random sampling were used to select four fields out of the nine, and these four oil fields which cuts across the entire Ogoni land was chosen; and two communities which are the major hosts to the oil and gas multinational corporation was selected for the interview.

### **3.12. Pilot Study**

Yin (2014), explained that in research methodology, the questions presented in interviews should be subjected to preliminary testing, which is know as pilot study. This is very important to clarify

the words, frame and filter the questions. Furthermore, Saunders (2016), highlights that the pilot study should ensure that the questions used during the interviews process are clear, easy to understand and unambiguous for the respondents, and to decide on the right length of each interview conducted.

Furthermore, In (2017), in a pilot study conducted previously, draws attention to the fact that necessary information is not only for calculating the sample size, but also for assessment of all other aspects of the main study, as it minimizes unnecessary effort from the researchers and participants, as well as the dissipation of research resources. Also, in order for the pilot study to play its role, factors introduced in the text must be clearly defined before proceeding with the pilot study, and demonstrate a high level of completion. Furthermore, a pilot study provides valuable information, not only for the researcher's main study, but also for other similar studies; therefore, it is crucial to include complete information on the feasibility of the study. In addition, the pilot study helps in achieving exact and accurate questions that linked directly to the respondents background and the reseach problem. It is extremely important for this study, as it provided a platform to test the interview questions in order to raise the quality of the research data and possible that will inform the outcome.

Consequently, three respondents were part of the pilot study interview conducted over the telephone. These are 4 experts have been engaged in the resettlement of displaced communities in the South-South region of Nigeria because they represent the oil and gas industry. The representatives included one respondents who is an oil and gas consultatant, the government agency and the oil company, and each interview did not exceed 45 minutes. The pilot study was very effective as it provided the researcher the clarity, authencity and credibility of the questions posed before the respondents with further corrections. Therefore, based on the outcome of the pilot study, several changes were made to the order and sequencing of the questions, the wordings were adjusted and some questions were replaced with relevant to ensure a flow of sequence and comprehension. It also assisted the researcher to update some of the questions posed as the respondents had requested foor it to be made simpler and more transparent to understand.

### **3.13. Pilot Study Data Analysis**

Castellan (2010) describes data analysis as an on-going inductive process where data are sorted, sifted through, read, and reread. The inductive process involves analysing data with little or no predetermined theory, structure or framework and uses the actual data itself to derive the structure of analysis. The aim of the data analysis is to reduce the volume of data to a manageable summary and display the data in a form that will aid drawing of conclusions from it. The analysis may be

done manually or through a computer assisted qualitative data analysis software package like NVivo, depending on the quantity of data to be analysed. This study thus collected data from both primary and secondary sources and employed the use of multi methods using qualitative methods. This information was provided by the stakeholders involved in the resettlement projects induced by oil and gas in the region, while the data collected through oral interviews were analysed by using the software Nvivo, which was then transcribed, coded, and analysed thematically, and captured the views of the key stakeholders.

### **3.14. Triangulation**

According to Yin (2014), one advantage of using case study as a research strategy is the use of multiple sources of evidence, as the findings of the research will be more accurate and convincing as it is based on several sources of data. And as Collis et al (2014) reiterates, the validity of the research will increase if it is based on more than one source of data as this approach avoids the possibility of any bias. Also, according to Warfa (2016), the triangulation is the most common approach used as the main objective is to corroborate or cross-validate findings by using and qualitative method and document analysis. The goal obtained different but complementary data to validate the overall results and triangulation was achieved using evidence from different sources to corroborate the same fact and findings in this way the replication of the study was carried out easily. According to Yin (2018), as a contribution to good cases study practice, triangulation can address both validity and reliability. However, according to Yin (2018), triangulating measures from different sources strengthens the validity of a study through countering bias that may arise from single measures and so contributes to establishing ‘facts. Also, Ito (2018), used multiple cases in triangulation, the writer pointed to common characteristics across cases but without specific reference to unit triangulation to replicate and compare the findings across cases.

This study therefore utilized the data and methodological triangulation during the collection process from the Finima community and Ogoniland and from the stakeholders involved in the oil and gas -induced displacement and resettlement projects. Whilst the methodological triangulation was used to draw inferences from the qualitative (semi-structured interview) data. These triangulations enabled the researcher to gather more depth which led to the delivery of a well-articulated framework to achieve the aim of this study.

### **3.15. Research Validity**

According to Yin (2014), the validity to qualitative research implies that if the data collection process is repeated, the same results and outcomes will be achieved. He further states that

reliability demonstrates the operations of a study such as data collection procedures which can be repeated with the same results. Thus, the adoption of the qualitative method aims to strengthen the validity of the data, and this was done through the triangulation of both qualitative document and expert analysis. And to avoid any bias, the researcher maintained a positive relationship with the participants to maintain transparency during the process whilst allowing them to speak their views. The adoption of qualitative method in this study is to strengthen and increase the reliability of data through triangulation of the qualitative method. Therefore, this study to avoid any bias by maintained a good and ethical contact with all participants, to maintain transparency throughout the process, it also allowed the participants to express their own views easily. Thus, the validity of this thesis framework was discussed with 4 key stakeholders from the government agency, MNOCs and academic consultant and the framework presented, in order to validate the framework, questions were asked over the telephone and they confirmed their responses. Two key stakeholders asked for the framework to be expressed more clearly so they can understand the flow as this would make it easier to read by everyone.

### **3.16. Data Coding Using Nvivo Software**

According to Hilal (2013), the Nvivo 12 software greatly reduces manual tasks and gives the researcher more time to discover tendencies, identify themes and derive conclusions. In addition, the software has an advantage in managing data and ideas, in querying data, modelling visually and reporting. In this study, this software was used to ease the unclear and laborious task of going through the data collected, it also coded and retrieved the context of the analysis. The technique also facilitated the development of the concepts, categories, and themes. It also yielded more professional results and assisted the researcher to discover tendencies, themes and was able to analyse the data which was then demonstrated in cognitive mapping designs.

### **3.17. Ethical considerations**

In accordance with the University of Salford ethics policy, ethical approval is in the process of been obtained by the researcher prior to data approach with human subjects as outlined in the guideline of the University of Salford board of ethics. Therefore, participants were advised of their involvement as voluntary, and that any data collected from them was confidential and protected in line with the appropriate procedures. Participants for the oral interviews were also asked to indicate by a response email in the consent letter sent by email sent and by a yes/no over the telephone if they would be willing to participate in the interviews. And for those that declined,

these were graciously thanked. And all interview questions were conducted in English language which is the nationally accepted language in Nigeria.

### **3.18. Discussion and Summary**

This section provided an explanation of the research philosophical stance and methodology selected for this study. It also provided details of the procedure and techniques employed for data collection. It further explained the qualitative strategy of semi-structured interviews with key stakeholders involved in oil and gas and representatives of the impacted communities. This section also explained how data collected was completed and analyzed. The next chapter presents the existing legal structure of oil and gas in Nigeria and explained the policy implementation strategies.

# CHAPTER 4. LEGAL AND INSTITUTIONAL FRAMEWORK: ANALYSIS OF OIL AND GAS POLICIES AND IMPLEMENTATION ON DISPLACEMENT AND RESETTLEMENTS PROJECTS

### 4.1. Introduction

This section examined the relevant existing documents of oil and gas policies in Nigeria and complemented the document review with expert interviews with key players from the government agencies and the oil industry. It cross-referenced the actions and current procedures of the various government agencies and legislations in the handling of displacement and resettlement projects in the communities impacted by oil and gas activities in the South-South region of Nigeria. The documents that were analysed presented a summary of existing policy issues and context for regulatory developments to understand the perspective of the top-down approach in policy handling during displacement and resettlement projects.

And as Keraminyage et al (2013), stated that whilst the top-down approach to design and post-resettlement programmes are often influenced by factors such as land availability and access to infrastructure, a failure to identify socio-economic and cultural understandings for the resettling communities have been noted as a major reason for unsuccessful resettlement programmes. Thus, issues relating to the socio-economy and policies needs to be a better coordinated by all stakeholders to address it. And similarly, Mannakkara et al (2016), clarified that the top-down approach would naturally explain the execution of resettlement programmes with little or no reference to inputs from ground level stakeholders. Hence, this approach has been accepted in many developing countries in post-resettlement contexts whereby work must be done against time pressure as well as competing social priorities. Critics like Lin et al (2016), however, considered the method to be inefficient, owing to its failure to appreciate the needs of the local community and penalties for its acceptance.

Furthermore, as stated in section 2.7, which highlighted the existing oil and gas legislations and environmental protection laws in Nigeria as it directly impacts the displaced and resettled communities. It examined and reviewed the existing policy documents from government agencies in Nigeria, multi-national corporations' archives, and online publications as well as from literature publications by other scholars. The documents thereby selected was to meaningfully study the gaps in existing policies for displaced and resettled communities by the extractive industry. The

idea was that the document served as an empirical data that was then analysed to reveal the policy process withing the extractive industry and to understand its position regarding the resettled communities impacted by the activities of the oil industry in Nigeria.

Also, the semi-structured interviews with the experts were conducted to extract professional and technical knowledge from the experts as this is their subject of expertise. These experts are representatives from the government agencies and multi-national corporations involved in the oil and gas industry. And as a method to validate the qualitative study, multiple sources like written reports, government archives, industry documents and publications including websites were assessed as evidence for the validation approach, and the results were then triangulated through document analysis to increase the credibility of the findings. The results shows that environmental, socio-economic, developmental and health impact on the communities is because of the gaps in the monitoring and compliance of the government and the oil companies operational in the region. The semi-structured interviews were conducted to elicit responses and explore the procedures adopted by the government agencies and multi-national corporations involved in the displacement and resettlement process and in charge of monitoring and compliance of oil and gas policies. Thereafter an examination of the factors that influences land acquisition from communities, project dynamics and legal protection for the displaced and resettled people was discussed and then the expert interviews presented.

#### **4.2. Contextual Issues of Oil and Gas Policy Framework**

The discovery of oil and gas and exploration activities as explained in section 2.1.1 particularly in South-South region of Nigeria is associated with many positive and negative impacts. Countries all over the world have been known to count it as a blessing when oil is discovered in the land, this is due to the presence of these abundant natural resources which is expected to will bring rapid development and huge economic gains to the country. Hence, the need for appropriate legislative framework that gives both the country and multinational corporations and investors the legal and prescribed background in which to exchange a mutual and beneficial exploration and business arrangement. It provides the regulatory platforms of the Nigerian government for the industry players and the effort put in place to provide structure as well as regulate the various stakeholders in the oil industry. Consequently, the Nigerian oil and gas regulations centres around protection of the environment and the host communities and this is manifested in the various environmental policies, oil and gas laws, acts and regulations found in the constitution. These laws as stated in section 2.7, are primarily grounded on the top-down approach which is based on the and regulations of the country by all involved in the oil and gas industry. This industry has over the

years accounted for the highest percentage of Nigeria's revenue and economic stimulus therefore encouraging the involvement of its citizens. It has been governed by state legislations seen to be the legal basis, and the fundamentals of the disempowerment of communities in the South-South region in the Niger Delta, according to Paki et al (2011).

And Agwu et al, (2013) substantiates that the statement that laws governing the oil industry constrain development of these area because it has failed in protecting the South-South environment and has given rise to environmental degradation amongst other problems. Yagboyaju et al (2016), stated that the administration of the public institutions, especially the agencies charged with environmental management, seems to lack consistency in the management and implementation of public policies, especially in the developing nations. And Okafor et al (2022), reiterated, that 60% of the respondents interviewed in its study perceived that the government's environmental agencies and institutions in their respective host communities are weak and non-functional. . This study recognizes that there is a lack of policy implementation specific to oil and gas-induced displacement and involuntary resettlement.

#### **4.2.1. Background and procedures used in document analysis**

And to answer the research objective four of this study, which is to identify related resettlement policies and institutional framework for oil and gas-induced displacement and resettlements. According to Karppinen et al (2012), documents are often considered as primary sources that represent objective statements of facts, written by active participants in the policy process and are understood as more reliable sources of information about policy processes. The writer also stated that in practice, however, all policy and industry documents – no matter how dry and neutral – frame issues in a certain light, and only present one possible construction of reality and one perspective into the issue and possible solutions. Although official documents are often read as objective statements of facts, they are always socially produced.

This section examined and reviewed the existing policy documents from government agencies in Nigeria, multi-National Corporations archives and online publications as well as from literature publications by other scholars as mentioned in chapter two. It further explained the oil and gas legislations and environmental protection laws in Nigeria as it directly impacts the displaced and resettled communities. Then semi-structured interviews were conducted to extract professional and technical knowledge from the experts as this is their subject of expertise. These experts were selected because they are representatives from the government agencies and multi-national corporations involved in the oil and gas industry.

In addition, it further discussed on the roles of the experts in the decision-making of displacement and resettlement development in Nigeria. The researcher also explored the similarities and differences of the results from semi-structured interviews. The aim was to induce the actions and decisions by these experts that directly connects them to the resettled communities. Therefore, the interview statements attributed to the Finima community and Ogoniland were interpreted separately to understand the decisions made by the stakeholders as it concerns the themes deduced in this study which are on the environment, social, health and economic impacts. Lastly, the researcher linked the processes and methods by these experts within both cases to interpret the level of policy implementation and monitoring of these policies across the two communities. It was however understood that these legislatures and government agencies employ a top level of control and authority which allows them to dictate internal policies for the advantage of their own agencies which in turn impacts on their capability to work together to achieve set goals that profit the impacted communities.

As the of this study is to develop a framework by which oil and gas-induced displacement and resettlement policies in Nigeria can be improved, the goal appraised the activities of the Oil industry in Nigeria with regards to existing policy implementation by the government and compliance by the oil companies. Therefore, an initial examination of relevant documents as found in chapter 2, (see section 2.7) like relevant government reports, existing legislations and databases which are available online and from government archives. This was carried out and the most important and credible materials related to the oil and gas industry policies was sifted and selected for screening as discussed in chapter three. Thereafter, a detailed investigation of the selected documents was interpreted to deduct relevant data through content and thematic analysis. These selected documents for the analysis were thereafter scrutinized based on authenticity, credibility, and representativeness and followed the process of elementary examination and document selection and interpretation.

#### **4.3. Identification of Existing policies and factors influencing implementation**

According to Pradhan et al (2017), the general success of policy implementation is measured by understanding the purpose for which policy implementation is instituted. This is because good planning is central to good practice and when correctly applied results in better response for the policy makers and decision takers. Therefore, all stakeholders within the polity would need to communicate changes, decisions and plans to its people in a clear and concise manner. These decisions also must also meet the needs of the community, it should align with the mandate of the federal government. Thus, the implementation of these laws demonstrate that the Nigerian

government seeks to regulate laws on the following factors which includes the environment, political, legal, socio-economic and health impact on the affected people. Accordingly, the interview transcripts from the experts were analysed using thematic analysis to identify the themes and then coded using the Nvivo software. The below table shows the selected documents and procedures adopted to review it:

*Table 4.1: Table showing Selected oil and gas documents*

NO	DOCUMENT NAME	PURPOSE	AUTHORITY
D1	Land Use Act (1978)	Abolished the existing land tenure systems and replaced them with a uniform Land Administration system across the Country	Federal Ministry of Lands & Housing
D2	Finima Community Agreements (1978-1991)	Agreements and signed documents of forced relocation and Resettlement	Finima Archives
D3	Associated Gas Re-Injection Act of (1979)	laws focused on the end of gas flaring of non-associate and associated gases	Federal Republic of Nigeria
D4	Federal Environmental Protection Agency (FEPA) (1988)	charged with the overall responsibility of protecting and developing the environment.	The Nigerian Government
D5	Ogoni Bill of Rights (1991)	The Movement for the Survival of the Ogoni People	(MOSOP)
D6	Guiding Principles on Internal Displacement (1998)	Identify rights and guarantees protection of persons from forced displacement as well as resettlement and reintegration	The United Nations
D7	National Emergency Management Agency (NEMA) (1999)	Responsible for providing direct material assistance to displaced persons in Nigeria	Federal Republic of Nigeria
D8	National Oil Spill Detection and Response Agency (NOSDRA) (2006)	Core mandate to oversee the implementation of the National Oil Spill	Federal Republic of Nigeria
D9	National Environmental Standards Regulatory and Enforcement Agency (NESREA) (2007)	Guidelines, policies, standards, and regulations to maintain and preserve ecosystem	Federal Republic of Nigeria
D10	Kampala Convention (2009)	For the Protection and Assistance of Internally Displaced Persons in Africa	African Union Convention
D11	The Nigerian Oil and Gas Industry Content Development Act, (NOGICDA) (2010), Section 106	Designed to enhance the level of participation of Nigerians and Nigerian companies in the country's oil and gas industry	Federal Republic of Nigeria
D12	National Policy on Internally Displaced Persons (IDP'S) (2012)	The policy spells out principles guiding humanitarian assistance and implementation of durable solutions in situations of internal displacement	Federal Republic of Nigeria
D13	National Policy on Environment (NPE) (2016)	An environmental policy to manage effects of its operations	Federal Republic of Nigeria
D14	Petroleum Industry Act (2021)	The Act seeks to provide legal, governance, regulatory and fiscal framework for the Nigerian Petroleum Industry.	Federal Republic of Nigeria
D15	The Petroleum Industry Bill (2021)	Aim is to create an environment conducive for growth of the sector and addressing legitimate grievances of communities	Federal Republic of Nigeria

*Source: Researcher (2022)*

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#### **4.3.2. The Land Use Act (1978) and Landlessness**

As stated in section 2.7.1, and according to the Cato publication of 2004, it describes Eminent domain as the power by which the state can 'condemn private property and take away title for public use'. The land use Act of 1978, (formerly called the Land Use Decree) falls under this category. This act was promulgated on the 29th of March 1978 under former President Olusegun Obasanjo who made the Act a fundamental part of the constitution of Nigeria during his military regime. According to Awosusi (2020), the act altered the existing land laws in the Southern part of the country by removing corporate groups, families, and chiefs from the trusteeship of land and replaced them with the state governors due to the importance attached to oil in the nation. Ikelegbe (2008), criticised this act as the writer decried that it has been used as an instrument for denying local populations access to land and resources in their environment. Also, Allen (2017), stated that the LUA completely took away land ownership rights from all Nigerians including local oil-bearing communities in the region and the benefits from oil revenues declined. The writer further stated that, the communities concede that the Land Use Act is critical for the stance of violent resistance against the government and oil companies. This is because the act is seen as part of the structural violence from the federal government against the people from the oil-bearing communities over structural difficulties that have hindered development.

According to Akujuru (2015), the pattern of land ownership, utilization, and control is a critical factor in economic development and other livelihoods in the South-South region of Nigeria and this is because the terrain of the region which consists of a small area of developable dry land and a vast array of creeks, rivers, and rivulets, makes the importance attached to land more critical. It is critical because the land is not only required for residential and agricultural purposes, but also used for oil and gas exploration and exploitation. The later use is critical in determining the socioeconomic well-being of the region and this is because the provisions in the Land Use Act

(LUA) of 1978 now cap 1.5, require assessments of compensation for oil and gas acquisitions to be based on the provisions of the Minerals and Mining Act (2007).

One of the drawbacks of the act is that land is very critical and is an essential part of the location of the multi-national corporations in the region, thus, communities are largely impacted by both population growth and in changes in the socio-economic and technological environment. Another drawback of the statute of this policy which not beneficial to the communities impacted by oil pollution, compensation for land acquired under the Act are paid to the governor of the state where the land is located, thus the communities only receive compensation for surface rights based on crops and vegetation or structures. This has caused major crises in the region as it is viewed as unfair and inadequate as Akujuru (2015) reiterated.

#### **4.3.3. The Associated Gas Re-Injection Act of (1979)**

As published in D3, which is the Associated Gas Re-Injection Act of 1979 laws focused on the end of gas flaring of non-associate and associated gases, an amendment in (1984) was included into the existing gas flaring regulations and became - the Associated Gas Re-Injection Regulations (Continued Flaring of Gas) of 1984. This law provided exemptions for flaring of gases in certain circumstances but will only happen by the consent of the Minister in charge. Later the Associated Gas Re-Injection Act of 2004 was enacted, and this law obligated oil companies in the nation to submit detailed programme to utilise gas in their various fields. This law also prohibits the flaring of associated gas without the prime consent or permission from the Minister of Petroleum Resources and although these laws have been enacted to ensure the prohibition of gas flaring in Nigeria and improve the atmospheric air quality on the environment; cases of continuous gas flaring and pollutions of environment and social atrocities persist according to Okafor (2011). This legislation a stipulated *“every company producing oil and gas in Nigeria” to submit to the Minister of Petroleum Resources a plan to utilize all associated gas, or projects to re-inject all associated gas not utilized in an industrial project.*” Section. 3(1) also prohibits the flaring of AG “without the permission in writing of the Minister.” Sec. 3(2) authorizes the Minister to issue a flaring certification “utilization or re-injection of the produced gas is not appropriate or feasible in a particular field or fields”.

The importance of this policy and the implementation as it concerns oil and gas displaced and resettled communities is that it requires strict adherence by all concerned stakeholders because of the negative impacts of gas flaring and oil spills on the communities. It is very important that the compliance of this law is monitored by the government agencies to protect the people. According to Allen (2010), general authority of government to act on matters of the environment, is usually

implemented through legislative actions and environmental policies may take the form of provisions of individual rights to a clean environment whose implementation would involve citizen action against any violation of the rights. And Allen (2010) quoting Omotala (1990) stated that because oil statutes have implications for protection of the environment from oil pollution through provisions for payment of compensation by organisations for exploring and production of oil to those who suffer environmental damages from their activities, unfortunately, adequate enforcement of these laws is problematic. Ironically, although natural gas has been contained by the company, gas flaring continues and negatively impacts these resettled communities with various health hazards and risks. This is a gap in policy implementation that has greatly impacted oil and gas-induced resettlements as there is a link between non-implementation of these policies and fuelling violent reactions by local environmental groups and the MNC's on the other hand.

One pressing issue for the displaced and resettled communities was on the issue of gas flaring, consequently giving full authority to the minister as contained in this policy to either authorise gas flaring conditions at his discretion, which invariably exempted almost 86 oilfields out of the existing 155 from the anti-flaring provisions, this is very poor. And according to Ekeolisa (2020), while the requirements for the exercise of the Minister's discretion in favour of flaring of gas may include 75 percent of the gas to be utilized or conserved effectively, . It is thus believed that this legislation has encouraged complacency by the MNOC'S in the communities wherein they operate, as the payment of this fine is more economically viable to them.

#### **4.3.4. Federal Environment Protection Agency (FEPA; 1987)**

According to the provisions of FEPA which was promulgated in 1997 and charged with the overall responsibility of protecting and developing the Nigerian environment and as published The Nigerian Government promulgated the Harmful Wastes Decree which provides the legal framework for the effective control of the disposal of toxic and hazardous waste into any environment within the confines of Nigeria. The EIA Decree No. 86 of 1992 is an additional document with the same aim of protecting the Nigerian environment. It is particularly directed at regulating the industrialization process with due regard to the environment. By this Decree, no industrial plan/development/activity falling under the FEPA's mandatory list can be executed without prior consideration of the environmental consequences of such a proposed action, in the form of an environmental impact assessment.

And as published in D4, the oil and gas laws and regulations of the industry is a major bane in the many problems associated with oil spillage, gas pollution, crude oil deposits in rivers as the impact of compliance and monitoring of these policies have had environmental and socio-economic

impacts on the people of the South-South region in great dimensions which dates to the 1960's. Hereafter in 1992, the EIA Decree No. 86 which is 2 is an additional document with the same aim of protecting the Nigerian environment, it is particularly directed at regulating the industrialization process with due regard to the environment. By this Decree, no industrial plan/development/activity falling under the FEPA's mandatory list can be executed without prior consideration of the environmental consequences of such a proposed action, in the form of an environmental impact assessment as explained by Echefu et al (2002). Environmental Impact Assessment (EIA) which is part of the regulatory tool of FEPA, is an essential tool used for decision making in a developmental project as well as a systematic process to identify, predict and evaluate the environmental effects of the proposed actions and projects; the process is applied prior to major decisions and commitments being made. And in order to attain sustainable development in any activity in Nigeria, EIA is an important instrument for assessing environmental concerns into a project development process.

Notwithstanding the legislative provisions to protect the environment, the Environmental Impact Assessment (EIA) Act provides for exceptions that challenges its efficiency in ensuring environmental protection. The reason is that in order to assess project safety for the communities, MNOC's are meant to assess potential impacts on the environments as well. It is therefore determined that the impact on these communities because of these exceptions because it is responsible for non-compliance with the environmental protection provisions by the MNOC's. This study is therefore examined the level of monitoring by FEPA and its role on the impacted communities through impact assessment due to the activities of the MNC's. Also, Ekeolisa (2020), argues that laws and agreements should be amended to ensure that the protection of these communities from environmental degradation, their environment and on human rights by MNC's is curtailed. Also, the government needs to ensure that impact assessment on resettled communities is carried out regularly according to its principles to ensure that the regulatory process directed at the oil companies pays due regard to the environment in which they operate.

#### **4.3.5. The Petroleum Act (1998)**

This is the most primary laws for oil and gas in Nigeria for oil exploration before it was amended in 2021. Under the Petroleum Act, petroleum "means mineral oil (or any related hydrocarbon) or natural gas as it exists in its natural state in strata and does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation" as stated by Ekeolisa (2020). In conformity with the regulatory power wielded by the Minister under the Petroleum Act for the prevention of pollution of watercourses and the atmosphere,<sup>188</sup> the Petroleum (Drilling and Production) Regulations, the Petroleum refining regulations, and the

Mineral Oil (Safety) Regulations were enacted. Regulation 25 of the Petroleum (Drilling and Production) Regulations, (PDPR)189 is the most significant provision relating to the protection of the environment and requires that oil companies should: *“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, watercourses, the territorial waters of Nigeria or the high seas by oil, mud or other fluids or substances which might contaminate the water, banks or shoreline or which might cause harm or destruction to freshwater or marine life and where any such pollution occurs or has occurred, shall take prompt steps to control and if possible, end it.”*

The findings of this study highlighted that the approach of the authorities on the displaced and resettled communities was inadequate as the communities are in constant danger and degradation of their environment by the activities of the petroleum industry, thus in 2021, the current President Buhari signed the Petroleum Industry Act (PIA) into law after a 20-year effort to reform this policy. The aim was to create a more conducive environment for growth and to address legitimate grievances by the resettled communities impacted by the activities of oil and gas industry. This updated policy also went further to address the Petroleum Industry Act (PIA) problem with the communities in the region by establishing the host community development trust fund (HCDTF). The sole purpose amongst others, is to foster sustainable prosperity, provide direct social and economic benefits from petroleum to host communities, and enhance peaceful and harmonious coexistence between licensees or lessees and host communities. Specifically, the law stipulates that existing host community projects must be transferred to the HCDTF, and each settlor (or oil license holder) must make an annual contribution of an amount equal to 3 percent of its operating expenditure for the relevant operations from the previous year. The management committee of the trust must include one member of the host community. In addition, the act stipulates a penalty for failure to comply with host community the obligations, including revocation of license according to Nwuke (2021). It is thus expected that by reason of these policy upgrade there will be a reduction on the negative impact experience by the region because of the activities of the oil industry.

The argument in this law is that it allows for a director to exercise discretion that could essentially harm the implementation of this policy, as although not proven, a director could be influenced to sway decisions in favour of some influential persons. Therefore, several scholars have argued for the ratification of this policy to include guidelines to check any excesses from the director to curb an excess of discretion. However there have been no guarantees of strict implementation of good practices in the oil industry due to economic gain of the companies as found during the interviews. It portrayed that there has been some short-changing in the South-South region as the protection

of the environment and the workings of this policy are at par and this called for an upgrade in policy.

#### **4.3.6. National Emergency Management Agency (NEMA; 1999)**

The National Emergency Management Agency (NEMA) which was established by Act 12 as amended by Act 50 of 1999 with the responsibility of managing the Internally Displaced Persons (IDPs) especially from disasters, conflict, and environmentally induced displacements. As found in D7, which is the document for internally displaced persons, published by the only national authority saddled with their protection is the National Emergency Management Agency. It is responsible for providing direct material assistance to displaced persons in Nigeria. It offers material assistance to repatriated Nigerians and IDPs no matter the cause of displacement. The agency came into existence through the instrumentation of the National Emergency Management Agency (NEMA) Act of 2004. The frameworks embedded within this document evidence that the main aim and objectives of all is centred on the same issue, which is ensuring a cleaner and healthier environment while safeguarding the rights of the displaced. Development-Induced displacement refers to a situation whereby people are compelled to move because of policies and projects implemented to supposedly enhance ‘development’ like large-scale infrastructure projects such as dams, roads, ports, airports, refineries and oil and gas installations. Thousands of people have likewise been displaced because of natural disasters including flooding, erosion, oil spillage and development projects especially in the South-South region. Having recognised this, internally displaced persons (IDP’s) are amongst the most vulnerable populations in the world for apparent reasons.

The challenge therefore of this policy is that it is mainly concerned with internal displaced persons (IDP’s) impacted by conflict, disasters and other emergency situations but not essentially connected to oil and gas-induced displacements, this invariably places the resettled communities at loss and away from planned internal displacement policies and resettlement plans by the government.

Although NEMA in fulfilling its given mandate, developed several guidelines to assist in its operations, there were still challenges at implementation stage. Furthermore, it should be noted that NEMA Act according to Kolawole (2020), is not an IDP specific Legal Framework and the agency is also not an IDP specific institution. The mandate is to provide emergency relief within the first two-four weeks of the emergency leading to the displacement even it has been instrumental in providing camps and camping facilities for IDPs.

As Aliyu (2015), observed that throughout history, public policy makers have sought to anticipate the unexpected to reduce the risk to human life and safety posed by intermittently occurring natural and man-made hazardous events. Indeed, the government should take the lead in the management of emergency by establishing institutions and agencies that would be saddled with responsibilities of mitigating, preparing for, responding to and recovery from disaster occurrences.

#### **4.3.7. Niger Delta Development Commission (NDDC; 2000)**

According to Okafor (2011), This commission was established under the Niger Delta Development Commission Act of 2000 and charged with such mandates as: to tackle the ecological and environmental problems that emanate from oil mineral exploration and exploitation in the Niger Delta areas and to prescribe viable solution on how to control and prevent the problem of gas flaring and oil spillage in the region. It also has the mandates of collaborating with the oil and gas prospecting and exploitation companies in dealing with all manners of environmental pollution, prevention, and the control, as well as embarking on projects that will ensure the sustainable development of the Niger Delta region and its people.

The basic role of the commission is to for formulate policies and guidelines for the development of the Niger- Delta area. Conceive, plan, and implement, in accordance with set rules and regulations, projects and programmes for the sustainable development of the Niger-Delta area in the field of transportation. And as published by NDDC (2008), one of the core mandates of the commission was to train and educate the youths of the oil rich Niger Delta regions to curb hostilities and militancy, while developing key infrastructure to promote diversification and productivity. The company was created largely as a response to the demands of the population of the Niger Delta, a populous area inhabited by a diversity of minority ethnic groups. Thus, during the 1990s these ethnic groups, most notably the Ijaws and the Ogonis established organisations to confront the Nigerian government and multinational oil companies. The minorities of the Niger Delta have continued to agitate and articulate demands for greater autonomy and control of the area's petroleum resources. They justify their grievances by reference to the extensive environmental degradation and pollution from oil activities that have occurred in the region since the late 1950s. However, the minority communities of oil producing areas have received little or no currency from the oil industry and environmental remediation measures are limited and negligible. The region is highly underdeveloped and is poor even by Nigeria's standards for quality of life. Sometimes violent confrontation with the state and oil companies, as well as with other communities has constrained oil production as disaffected youth or organisations deliberately disrupt oil operations in attempts to effect change. These disruptions have been extremely costly

to the Nigerian oil industry, and both the multinationals and the federal government have vested interests in permitting uninterrupted extraction operations; the NDDC is a result of these concerns and is an attempt to satisfy the demands of the region's population as published by the commission.

#### **4.3.8. National Oil Spills Detection and Response Agency (NOSDRA; 2006)**

The discovery and activities of oil and gas in the South-South region of Nigeria is a major contributor to environmental degradation, internal displaced and subsequent population resettlements. Therefore, there is a need for the continuous check and monitoring of the sector to protect the safety, health, and clean environment of the people. For several decades, the nation has benefited from the exploration and export of oil and gas but has also left disastrous impact on the region and country at large. And according to Ekeolisa (2020), the National Oil Spillage Detection and Response Agency (NOSDRA) is charged with the responsibility of detecting and responding to all oil spill incidences in Nigeria. And considering that the NOSDRA has the power to sue in its name, it could bring a claim against any MNOC for a failure to comply with the standards set under the NOSDRA Act. A critical examination of sections 6 and 7 providing for the functions of NOSDRA suggests that apart from the detection of oil spills, it also coordinates responses to oil spills in Nigeria.

One major criticism of the NOSDRA is on its incapacity to respond to oil spills urgently. Amnesty International reported that investigations regarding oil spillage are led by the staff of the MNOC's and that it relies on these companies to provide technical data regarding the oil spills. This shows that NOSDRA could only act on the evidence and statistics presented to it by the MNOCs, which makes it impossible for the agency to carry out their primary objective. Also, the NOSDRA Act weakens the law by the provision of NOSDRA which is to ensure a fast response to 'major or disastrous' oil pollution as it happens. Invariably, minor oil spills are permitted under the NOSDRA Act and moreover, the NOSDRA Act does not provide what constitutes 'major or disastrous' oil pollution, thereby leaving a broad discretion for the NOSDRA for violations to happen especially as evidenced in the impacted communities in this study.

In this context, this has adversely impacted the impacted displaced communities, the people, and the environment. Accordingly, it provides by this act that any oil spills should be reported to the agency in writing not later than 24 hours after the occurrence of an oil spill, and any default shall attract a penalty in the sum of five hundred thousand naira for each day of failure to report the occurrence and the failure to clean up the impacted site shall also attract a fine of One Million Naira. According to Ewullum et al (2020), the foregoing is the only penalty provided in the NOSDRA Act about environmental pollution in relation to oil spillage. From the wordings of the

act, it appears this penalty is not meant to include the individual spiller, it does not also provide that such an individual will equally report, clean up and remediate the impacted site if apprehended. The act did not provide a scenario whereby a criminal who perforates an oil pipeline causing oil spills and damages, is held responsible and charged for it. This means that there is lapse in the policy and allows for unchecked behaviours and activities to the detriment of the people and the environment.

#### **4.3.9. National Environmental Standards Regulatory and Enforcement Agency (NESREA)**

NESREA was established under the NESREA Act in 2007 as a parastatal of the federal ministry of Environment, it is charged with the mandate of enforcing and implementing all environmental laws (including gas flaring related laws), guidelines, standards, and regulations in Nigeria. It has the authority to enforce the compliance to all international agreements, protocols, convention, and national commitments Nigeria has indulged in, and the vested power to prosecute any offender of these laws.

According to section 2 of the act, it states that the agency, shall, subject to the provisions of this Act, have responsibility for the 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. Furthermore, section 7h(b) mandates NESREA to enforce through compliance monitoring the environmental regulations and standards on noise, air, land, seas, oceans, and other bodies. Literature reviewed so far in chapter two, will indicate that compliance by MNOC's has been called out by the communities in the south.

Also, from its mandate, it is the regulatory unit of the ministry of environment, apart from issues dealing with oil pollution in the South-South region of the Niger Delta also criminalizes any violation of its provision by an individual or corporation with a fine not exceeding 1,000,000 Naira (USD 3,269) and further provides for an additional fine of 50,000 Naira (USD 163) for an offence committed by corporations for each day the offence persists. The argument here with this policy is that it lacks the strength to prohibit offences by the oil companies as these fines imposed by NESREA is like a drop in the ocean for the companies to pay. These fines are not substantial enough to dissuade companies from the discharge of harmful and hazardous waste into the seas which has been reported to have caused untold hardships in the resettled communities as their livelihood has been impacted because the fishermen cannot fish and drinking water becoming polluted by these toxic waste products.

#### **4.3.10. The Nigeria Oil and Gas Industry Content Development Act (NOGICDA; 2010)**

According to ONUCHE (2010), the act was the much-awaited legal framework and regime needed to back up the Policy and establish an Institutional framework for the implementation and effective monitoring of the Nigerian Content Project. Then in 2010, it introduced a new nomenclature for “Local Content”, describing same as “Nigerian Content”. The Act is expected to deepen Local Participation in the Industry while also adding value or creating value in the Nigerian Economy and setting the platform for redistribution of wealth created by the industry which has long been described as an ‘enclave economy’.

According to Allen (2011), the compliance level of the oil and gas industry has remained very poor since the discovery of oil and gas in Nigeria. For instance, as contained in the Act, it advocates for a ‘Systematic’ development of ‘capacity and capability’ and connotes a structured and progressive development of competence in Nigeria and for Nigerians is still operating below level of expectation. This is because it is projected that the MNOC’s will transfer technological knowledge to employed Nigerians for the purpose of attaining tangible participation and acquiring technical knowledge. Another major feature as is the provisions in the act for the development of the people and technical know-how known as the ‘labour clause’, this is to ensure that Nigerians are involved in all important levels during any project execution as this will empower them with the required knowledge for the control of the oil and gas sector.

#### **4.3.11. National Policy on Internally Displaced Persons (IDP; 2012)**

In its definition of key terms, it defines Arbitrary displacement as used in this policy shall connote the meanings adopted in the UN Guiding Principles and the Kampala Convention. The UN Guiding Principles (Principle 6) and the Kampala Convention (Article 4) recognise and construe arbitrary displacement to mean: forced evacuations in cases of natural or human made disasters or other causes if the evacuations are not required by the safety and health of those affected. It further describes *forced eviction according to the UN Basic Guidelines on development-based evictions and displacement, as acts and/or omissions involving the coerced or involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence or location, without the provision of, and access to, appropriate forms of legal or other protection. The notion of forced evictions does not apply to evictions carried out both in accordance with the law and in conformity with the provisions of international human rights treaties. Forced eviction does not automatically mean arbitrary displacement but can be the first step leading to it.*’

Consequently, there is a need for the improvement of the legal framework for IDP's in Nigeria. This led to the IDMC's (2012), statement that it is "fragmented and inadequate" response to the plight of IDPs". It is thus argued that the lack of reliable data and expertise in understanding the difference in the context of internal displaced persons, because of disasters, conflict or oil and gas development leads to poor policy implementation and the welfare of the displaced. And Ladan (2013) further reiterated that it is evident that the plight of the Internally Displaced Persons (IDP), in Nigeria is therefore bedevilled with major challenges. The writer further reiterated that there is no enduring policy for the proper protection of these persons as required under the United Nations (UN) guiding principle and the African Union (AU) Kampala Convention as there is an absence of a legal framework which is supposed to give the road map on 'how to coordinate the activities of the federal, states and local government areas (LGAs), relevant ministries, departments, and agencies in the affairs of IDP'. A draft proposed in 2006, reviewed in 2007, 2008 and 2009 and further reviewed in 2010 and 2011 and subjected to stakeholders in 2012 is yet to be given life by the appropriate authorities. Second is the lack of an IDP specific institutional agency to cater for the welfare of IDPs which puts their care in the hand of uncoordinated, unspecialized agencies, public spirited persons, and NGOs.

#### **4.3.12. National Policy on Environment (NPE; 2016)**

As stated in the document, the goal of the National Policy on the Environment is to 'ensure environmental protection and the conservation of natural resources for sustainable development'. The strategic objective of the National Policy on the Environment is to coordinate environmental protection and natural resources conservation for sustainable development. And it particularly stipulates in the guiding principles 1-3 that, "*the public trust doctrine, which recognizes that the State is a trustee of all natural resources, the enjoyment of which is subject to a measure of control necessary to protect the legitimate interest of all sections and stakeholders in the larger framework of strategic national interests; Environmental right, which ensures that every Nigerian has a right to a clean and healthy environment and a duty to safeguard and enhance the environment; iii. Environmental Offsetting, which requires that where for exceptional reasons of overriding public interest, the general obligation to protect threatened or endangered species and natural systems that are of special importance to sustaining life, providing livelihoods, or general wellbeing cannot be provided, such cost-effective offsetting measures must be undertaken by the proponents of an activity to restore as nearly as may be feasible the lost environmental services to the community*". In the context, of this study, the expectation of the resettled communities shows that there is a need for protection of the people in line with stipulations of this policy.

#### **4.3.13. Petroleum Industry Bill (2021)**

Although there are no legislations in Nigeria regarding community consultations, but the Petroleum Act (2021) does set the scene for participation of the oil companies and the people, it gave the government the legal backing to operate and guided the policies that would best serve the development needs of the people. According to Okafor (2011), The PIB originated from the effort of the oil and gas implementation committee (OGIC), this was inaugurated by the then president of Nigeria, Olusegun Obasanjo, in April 2000, and the bill was published on the Nigerian National Assembly Journal of December 2008 for further amendment. The fundamental objective of this bill is the utilisation of natural gas that will ensure that the gas produced during oil production is captured, processed, and used for power generation and domestic purpose. Also, there was to be an introduction of air quality management systems to regulate and ensure the compliance of oil and gas companies to air quality especially as it impacts the displaced and resettled communities impacted by the oil industry.

In 2021 the current president Mohammed Buhari signed into law the Petroleum Industry Bill (PIB). Of interest is the section which covers the rights of host communities by the multi-national corporations operating in the region. D15, which is the Petroleum Industry Bill (PIB, 2021) , drafted to address critical challenges such as: proliferation of inefficient and corrupt regulatory agencies carrying out over-lapping functions; orts in the NNPC and the need for a viable and profit oriented national oil company; industry structure that tilts the balance of oil assets in favour of multi-National Corporations at the expense of locals; the need for a fiscal framework that will ensure oil revenue is optimized; address concerns in host communities; mounting fuel subsidy burden and the need to deregulate the downstream sub-sector; and tackling the menace of lack of transparency and accountability in the Industry as a whole according to Nyekwere et al (2017). Currently the Petroleum Industry Bill (2021) is attempting to improve the vagueness of the existing laws and legislations, and in line with this study, this is a prospective journey as it will enhance the conditions of the resettled communities impacted by the absence of these working polices.

#### **4.3.14. Department of Petroleum Resources (DPR)**

According to Okafor, (2011), this department is created by the Nigeria National Petroleum Corporation (NNPC), under the ministry of petroleum, and is charged with the responsibility, to deal with environmental pollution emanating from petroleum and oil production. In the publication dated 2021, the DPR stated that it has the statutory responsibility of ensuring compliance to petroleum laws, regulations and guidelines in the oil and gas Industry. And these responsibilities

involved the monitoring of operations at drilling sites, producing wells, production platforms and flow stations, crude oil export terminals, refineries, storage depots, pump stations, retail outlets, any other locations where petroleum is either stored or sold, and all pipelines carrying crude oil, natural gas, and petroleum products, while carrying out the following functions, among others. Of particular interest in its activities and in the context of this study, the ensuring compliance by the MNOCs to the petroleum laws which would protect the displaced communities from environmental and socio-economic impact if strictly adhered to.

#### **4.4. Gaps in Policy Implementation and the Resettlement Process**

##### **4.4.1. Background and Procedures Adopted for Expert Interviews**

The resettlement process after most development-induced displacement projects brings about many challenges and this was evidenced in the communities investigated. As the gaps in policy implementation and compliance of the existing laws by some of the oil companies, have led to loss of identity, culture and traditions, loss of livelihood and the inadequacy to adapt to a new environment by these communities. The expert interview is conducted to gain information and clarity about the specific actions that was undertaken by the representatives of the government agencies in the resettlement process of Finima Community and the ongoing economic displacement in Ogoniland. The interview with the actors explored their individual agency as key players in the decision-making process to understand the involvement of the various agencies that influenced these decisions of these process on the impacted communities. It should be noted also that some of these experts are consultants in the field of oil and gas and are non-state actors but whose professional ideas play a huge part in the decision-making within the region where they reside. The selection of the experts was done by purposive sample selection because they have the specific knowledge and experience in the oil and gas and in the displacement and resettlement of communities in the South-South region of Nigeria.

These experts provided the information needed and provided further guidance from existing documents of oil and gas which enabled the decision-making process concerning displaced and resettled communities in Nigeria. Similarly, academic experts and oil and gas industry stakeholders were interviewed, this was done to avoid biases from the government officials involved and this was done to gain another perspective. It should be noted that these experts represented the two case studies because they are of similar issues and the impact of the oil and gas industry have been experienced by both communities of which the experts could authoritatively speak about.

#### 4.4.2. Profile of Expert Interviews

The table below presents a summary of the respondents interviewed indicating their backgrounds, managerial levels, years of experience and agencies. Accordingly, the interviewed respondents have been labelled RE1 to RE7, for the purpose of clarity and for ethical considerations as they were interviewed on the basis that they represented the government agencies involved in the displacement and resettlement process of both case studies of Finima Community and Ogoniland respectively.

*Table 4.2: Profile of Oil and Gas Experts Interviewed*

Nos.	Years of Experience	Description of Experts
RE1	15-25 years	Federal Officer-Land Acquisition and Resettlements
RE2	18-25 years	Government Agency Officer (IDP'S)
RE3	15-25 years	Government Agency in Oil and Gas Officer
RE4	15-25 years	Community Relations Development Officer
RE5	20-25 years	Community Relations Development Officer
RE6	15-20 Years	Academic Expert in Oil and Gas Policies
RE7	10-25 years	Consultant in Oil and Gas Displacements and Resettlements Projects

*Source: researcher (2021)*

#### 4.4.3. Expert Analysis on Existing Oil and Gas Resettlement Policies

According to Akintoye et al (2016), flared gases have resulted in environmental pollution and other forms of degradation thus a need for the government to harness this wasteful aspect and which led to the need for a gas-using project called the Nigerian Liquefied Natural Gas (LNG) project. This is strategically designed to utilize the abundant gas resources of the nation gas being wasted through decades of flaring. This resulted in the planting and location at Old Finima by the federal government.

As stated in section 2.8, the need for a gas-using project like the gas plant became necessary, due to the activities characterised by large scale gas flaring operations which have continued for decades. This was approved to prevent significant waste of valuable fuel resources and major environmental impacts on the host communities. And as Akintoye et al (2016), stated, the construction of the gas plant project included road building for the project and community uses, as well as the laying of gas transmission pipelines, through relatively undisturbed areas and opened the area to invasion. The writer further pointed out, that industries in the rural areas were implicated for the introduction of new population of non-indigenous construction laborers and management workers, this also enabled the introduction of new land seeking cultivators,

immigrants, inflationary trends, new diseases, high crime rate, increased noise level from motorized equipment and other heavy duty vehicles, alcoholism, prostitution, disregard for local culture and dissemination of alien ideas and information. The presence of construction crews and non-indigenous workers also increased local population which made high demands on existing infrastructural facilities in the resettled community.

The government's claim that the location of the gas plant in old Finima is for the benefit of all as it is very close to the ocean and grants for easy access for exports. The government further stressed that both human and capital developments would also be achieved because of the location of the gas plant. Following several meetings with the leaders and Chief of Finima and Bonny Island, it was later concluded in 1978 that the community would be displaced and relocated to a new land as stated in the agreements held with the community. Thereafter in 1987, construction of the new land began after the elders visited to survey the area. Between 1990-1993, the villagers began to protest as they had fears that the relocation will not benefit them, Accordingly, talks and negotiations between the elders and the government continued and some compensations were paid out. These covered the shrines and burial places of the ancestors of individual families as explained by Amotsuka (2010).

#### **4.5. FINIMA COMMUNITY**

##### **4.5.1. Issues of Landlessness and Ownership**

According to Oluwatayo et al (2019), land tenure issues are important components of developmental discourse thus, the Nigerian land use decree of 1978 stipulates that all land belong to the government and holding same in trust for the public. This implies that the government allocates land to individuals and corporate entities based on the objectives of interested parties. Although every citizen of Nigeria has a right to acquire and own lands in the country, the law of compulsory acquisition of land is rooted in the constitution. The land use Act stipulates that all lands comprised in the territory of each state in Nigeria are vested in the governor of that state and such land shall be held in trust and administered for the use and common benefit of all Nigerians, and the Governor may revoke a right of occupancy for overriding public interest. RE1 in response to the question of how the land acquisition for the citing of the gas plant in Finima was acquired? stated that, *according to the stipulations contained in D1, the government must have an overriding purpose and show that such land is been acquired for public use, these were the rules applied during negotiations and when the acquisition of land was discussed, it was all laid bare for the elders to see.*

Given the position of Land Use Act 1978 in D1, it implies that the beneficiaries of the communal land allocation system are not formally recognised as the legal holders of right to the land. This was realised in the Finima community when the government revoked the rights of the people and took over their ancestral home to make way for the gas plant project in 1978, and eventually, the process of relocated happened in 1991. According to the act, it follows that after issuance and the gas company and the government found the land accessible, the beneficiaries of the resettlement will be identified. This will then be followed by land selection, land development, and infrastructure development, which will lead to the selection, finalising, and execution of house plans and construction methods. Historical graves and important shrines of the Finima people was then moved to the new site at company's cost. The availability of electric power supply and employment opportunities to be made available. Access to medical facilities to be established and schools to be built. It is important to note that the process ends with handing over the houses. This points to a lack of consideration of the longevity of the resettlement. Furthermore, according to Sridarran (2018), this demonstrates that the resettlement process was treated as a linear process, even though resettlement is generally a nonlinear complex process based on flexible reaction to changes of the current state as defined in real terms.

#### **4.5.2. Location and Handling of the Finima Relocation Process**

According to Amotsuka (2010), Finima Community is located on a small island in Bonny local government area of Rivers State. The community currently hosts the Nigerian Liquefied Natural Gas Limited (NLNG) which was incorporated on May 17, 1989, and owned by NNPC (49%), Shell Gas B.V (25%) Total LNG Nigeria Ltd (15%) and Eni International (10.4%). The present site of NLNG used to be the habitable portion of the ancestral home of the Finima Community until in 1990, when she was relocated by the Federal Government through Nigerian National Petroleum Corporation (NNPC).

Thus, began the process of land selection, the location and acquisition are impacted by the oil and gas industry and was also a key step in the resettlement process after the displacement occurred. And as *“RE2 and RE4 agreed that land selection for the citing of the plant as well as relocation of the displaced community was a primary criterion as the area is apt and suitable for marine export and trading activities by reason of the North-Eastern River channel of the Bonny River.”* According to RE3, the expert reiterated that *“the Finima territory, by reason of it natural features has been a strong magnet for the downstream petroleum industries. In 1978, NNPC made it known to the leadership of the community of its plan to resettle the Finima people, for the purpose of creating room to site the gas plant. In NNPC's undertaking, duly signed, and communicated to the community leadership; this was a clear picture to conform with global and international best*

*practice for the resettlement of the people which earned and secured a nodding acceptance of the people before the commencement of the relocation process.”*

As noted in chapter two of this study, consequently, according to Amotsuka (2010), the present site of NLNG plant which used to be the habitable portion of the ancestral home of the Finima Community until in 1990, when she was relocated by the Federal Government through NNPC. And the attraction to the location was because of the proximity with the ocean and making it a choice location for most allied and hydrocarbon companies in the nation. The writer further explained that the major economic and operational reasons adduced for her relocation was because of the abundance of gas reserves available on the land, prevent noise from heavy machinery, ensure security, and avoid any health and environmental impact on the people. Thereafter, NNPC entered direct consultation and negotiation with the leaders and indigenes of Finima Community. This culminated with NNPC’s letter of 3rd march, 1978 conferring among other things compensation and rent to be paid to individuals and the community. This letter is constantly referred to as the “Finima Legacy”.

And as explained by Amaechi et al (2016), as Nigeria’s industry and its economy becomes more sophisticated, the demand for gas for industrial and domestic use increases. These demands are met by the products from the LNG plant the world over and the operation of the LNG plants involves the extraction and transformation of natural resource with consequences for the environment and social conditions. Thus, the location, design and operation of an LNG project are often the subject of government regulations worldwide. It is also worthy to note that the NLNG company operations also create benefits for local economies through job creation and service provisions, but they also affect the heritage lands, cultural resources and livelihoods in ways that generate conflicts, sometimes leading to violence in their respective host communities. “According to RE5 *the initial talks for the resettlement of Finima community began in March 1978 between the government, the community, and the Nigerian National Petroleum corporation (NNPC) for the Nigerian Liquefied Natural Gas (NLNG) Company. Hence the resettlement process became the responsibility of the government, and it then established the institutional arrangements for decision-making and the execution of the resettlement process with the community.”*

#### **4.5.3. Compensation and Loss of livelihood**

Compensation is an integral part of the process of compulsory acquisition of land in Nigeria. Its importance cannot be overemphasized as a failure to compensate the occupier renders the

acquisition a nullity. Section 44 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) provided that no individual land should be acquired without compensation. The main interest in this act is based on section three which defines entitlement due to landowners as compensation under the appropriate provisions of the mineral and mining act or the petroleum act. It implies that a community that has been impacted by the need for land for national use is due its full compensation. Additionally, payment of compensation for lands acquired must be prompt and not delayed unnecessarily as found in the published report of Resolution Law Firm (2021).

And although the policy does stipulate that the government can acquire an individual or communal land for the benefit of the state and all rights shall be revoked for the purpose of community projects. *In terms of compensation, the Land use Act enforces that as much as compulsory acquisition for land is needed, public interest, negotiations and payments must also be considered.* As contained in ‘D1, *Compensation payable on revocation of right of occupancy by the Governor in certain cases are as follows: (1) If a right of occupancy is revoked for the cause set out in paragraph (b) of subsection (2) of section 28 of this Act or in paragraph (a) or (c) of subsection (3) of the same section, the holder and the occupier shall be entitled to compensation for the value at the date of revocation of their unexhausted improvements. (2) If a right of occupancy is revoked for the cause set out in paragraph (c) of subsection (2) of section 28 of this Act or in paragraph (b) of subsection (3) of the same section the holder and the occupier shall be entitled to compensation under the appropriate provisions of the Minerals and Mining Act or the Petroleum Act or any legislation replacing the same.*’. According to ‘E1, *government respects the rights of the people as enshrined in the law and before any land is occupied for public use, proper consultation and negotiation for compensations have also been stipulated but the communities always require more, but I can assure you no laws are broken when dealing with the people who own these lands.*’ RE6 reiterated that *land compensations and payment remain an ongoing battle between the communities, the government, and the oil companies*’.

#### **4.5.4. Community Involvement and Participation**

The issue of community involvement and participation at the decision table is a very important aspect in any resettlement project. The reason being that the community’s involvement assists in disseminating of project information and decisions to its people. It allows for collective decision and full participation as the community can also provide a wealth of information needed for project success. Also, when a community is involved in a project and especially at the initial decision planning stage, their importance is understood as the opinion of the community is also heard. It gives the community a sense of ownership and empowerment which gives acceptance and not been left out which has in many projects in the region culminated into protests and internal conflicts. In

both case studies under review, they have felt neglected and commented that they have not been duly consulted at the decision table for these projects of resettlement or compensation.

#### **4.5.5. Quality and Insufficient Residential Provision**

The issue of demand and supply also played a major role in the resettlement of the Finima community as the quality of housing required for the existing families was inadequate. RE4 in response to the question of inadequate provision of commensurate houses for the community stated *‘that when the issues of inadequate housing were raised by the leadership of the Finima Community in December 2015, compensation in form of cash payments were made out to the families affected to build additional structures to compensate for the inadequate rooms.’* In addition, many persons who lived in mud and zinc houses now lived in modern built houses with inclusive toilet facilities as contained in the plans. Additional facilities like spaces for back gardens was also made available’.

#### **4.5.6. Cooperate Social Responsibility**

According to Eweje (2011), there is a need for large oil and gas corporations to act socially and environmentally responsibly as well as to assist in community development has been a source of debate among scholars and stakeholders like host communities, governments, etc. Therefore, the objectives of the MNOC’s on the impacted communities like Finima need not be in question. As Wopara (2016) reiterated, despite the contribution of the Bonny Kingdom to the national economy, it faces socio-economic development and environmental challenges, yet these oil companies like other oil and gas firms operating in the Bonny Kingdom believe that CSR should be voluntary. As defined in section 2.11.1, international law such as postulated by the OECD, it recognises the importance of corporate social responsibilities for multi-national corporations to provide best practices that could shape the behaviours of oil companies. Consequently, as argued in section 2.11, this has not been the case for the impacted communities, because with CSR practices, poverty reduction, capacity building and basic economic contributions could be achieved within these host communities.

### **4.6. OGONILAND**

#### **4.6.1. Environmental Impact**

Oil, gas, and mining projects have not only led to many forced displacements of populations around the world but have caused several environmental destructions along its path. The people of the South-South region of Nigeria specifically Ogoniland is amongst the communities that have been hugely impacted by the presence of large amounts of oil and gas, but which have negatively impacted and destroyed their economic and environmental stability. While the oil revenues

estimated to in billions of dollars have enriched the nation and an elite minority in Nigeria, the people of Ogoniland have been left impoverished and their lands destroyed with no financial benefit.

Oil companies according to Allen (2011), conduct business in ways that damage the environment. For example, there are regular cases of oil spillages because of failure of equipment and sometimes sabotage from third parties. The consequence impact in most cases on the livelihood of the people like on the agro-economy status of the land, for instance on the crops, farmlands, rivers, and other economic resources are damaged. This has in turn led to occupational displacement of the people from one village to the other. The Petroleum Act entails that industry operatives must take all necessary precautions to avert land and all kinds of industrial pollution. Also, embedded in the act are sections which contain warnings for if these safety precaution fails; for the company to take swift action to contain it. A Federal Environmental Protection Agency (FEPA) Decree was enacted on December 30, 1988, as the legislation on which a new environmental policy was to be based. And in recent reports published report in by the Friends of the earth in (2019), it reported that in 2011, the United Nations Environment Programme (UNEP) released a damning environmental assessment of Ogoniland exposing extensive oil pollution and severe health risks including polluted drinking water. Such environmental error and oil spills caused the MNOC huge sums of compensation in billions of dollars paid out to Ogoniland as compensation stipulated by the world courts after the devastating UNEP (2011) environmental report.

The report prescribed a comprehensive clean-up of Ogoniland and recommended, in line with Environmental Guidelines and Standards for the Petroleum Industry in Nigeria. It further stated in the publication that between 1976 and 1991, over two million barrels of oil polluted Ogoniland in 2,976 separate oil spills and while oil production has ceased, pipelines operated by MNOC still traverse the land, creeks, and waterways. Also, leakages caused by corroded pipelines as well as bandits mean that the area is still plagued by oil spills. It further stated that even when the tireless work of communities, individuals and campaigners achieves some semblance of justice, corporate impunity continues with disregard to the people and the price for docility is the loss of liberty and sovereignty to MNOC's which is supported by the international community.

#### **4.6.2. Compensation and Land**

According to Akujuru (2014), the contamination of natural resources occurs when natural or developmental projects results in some form of disaster to the environment. Such disasters may be land subsidence, flooding, and environmental pollution. Environmental degradation results in the payment of damages to those whose properties have been affected by those who cause the damage,

where liability is accepted for the damage caused voluntarily or legally induced. The writer further reiterated that compensation for damages due to contamination and the compensation for compulsory acquisition can similarly be treated, is based on the definition of ‘public purpose’ to include the requirement of land for oil and gas operations in the statutes. Payment for environmental damage or degradation, no matter how it occurs, has been taken for granted to be a corollary of the compensation for compulsory acquisition, as the degraded land is usually assessed with the same methodology that is adopted for compulsory acquisition. And in most compensation assessments for compulsory acquisition, a fixed price regime is assumed, and the trees and economic crops are valued with compensation rates issued by the Oil Producers Trade Section (OPTS).

D3, which is the Nigerian petroleum act has brought about many agitations and discontentment amongst the oil producing communities. And according to Akujuru (2015), none of the enabling statutes provides a framework for assessing the value of any polluted land or what the owner of a polluted land is entitled to claim for any pollution. This is because as contained in the law, mineral rights supersede surface rights and therefore does not stipulate clear benchmarks as what should be regarded as compensation for the impacted communities. The explanation was that the law did not require the oil companies to incur additional costs except for what was stated in the legislation. And on the question of how compensation is assessed when there is a degradation by for instance oil spills or when the government intends to use any land in the country. *“RE5 stated that as there was no clearness on what was officially reasonable or fair in government stipulations, most oil companies implemented major compensation standards to include land acquired for extractive operations, economic produce like crops and physical edifices”*. This is also because the Land Use Act that has made a theoretical distinction between land which is a property of the state and investments in land which are privately owned and that the oil-bearing communities are in a vulnerable position as they can only press for compensation for economic investments they might have made on such land, which is usually grossly underestimated as reiterated by Akujuru (2015). The writer quoting Akpan (2005) further contended that inadequate compensation arises from the division of crops into economic/cash crops and consumption/food crops with the former attracting higher values, but totally neglecting goods of high cultural significance and intergenerational value as seen in Ogoniland.

#### **4.6.3. Agency Monitoring and Compliance of Regulations**

There are various laws in the oil and gas industry in Nigeria and the formulation of policies and implementation involves many stakeholders, these could range from those who have strong interest in the protection of the environment, those who just accept the policy with no interest in

compliance an implementation and those or those who are neutral to any policy that concerns the environment. And based on document reviewed that was published by the United Nations environmental programme (UNEP), released in 2011, it reported an independent assessment report and established that decades of oil and gas exploration and production activities by multinational oil companies have caused severe pollution of the ecosystem in the South-South region of the Niger Delta area. business corporations operating within the impacted communities, are increasingly regulated as the government intends to promote good governance and best practice. Nevertheless, there have been many challenges affecting monitoring and compliance of the oil and gas laws as it impacts the resettled communities. *RE3, would state that the government has done well especially in controls and implementation of oil spills laws with the contingency plans in place it has set up for oil companies to follow. It further claimed successes in standard of practices by the oil industry especially regarding oil spill records and clean-up activities.*

#### **4.7. Discussion and Summary**

This chapter explained the existing policies identified in the oil and gas industry in Nigeria and the gaps in policy implementation regarding oil and gas-induced resettlements process. Document analysis and expert interviews were analysed in other to achieve the third objective of this study which is to identify the related policies and identify the gaps and barriers in policy implementation by the Nigerian government and MNOC's on the resettled communities. And to discuss the roles of the experts in the decision-making of the resettlement process for this study, the researcher explored the similarities and differences of the outcome of the semi-structured interviews. The reason was to draw out the actions and decisions by the experts that directly connects them to the displaced and resettled communities. Then, during the interviews, statements attributing to Finima community and Ogoniland were separated and interpreted separately in terms of the environmental, social, and economic development. Finally, the researcher compared the processes and methods by the experts with both case studies in other to interpret the degree of implementation and monitoring of these policies on the two communities.

Thus, Ibrahim et al (2020), stated that although environmental legislation commenced after the discovery of petroleum, public awareness of the areas of the environment that required development remained limited. Neither the public nor the government understood technical issues like effluent limitations, pollution abatement, and the overall modalities for the sustainable development of Nigeria's environmental resources. To this effect, IDPs have remained largely vulnerable and susceptible to all forms of exploitation, abuse, and neglect across the federation. Accordingly, section 1.1.2 states that in Nigeria, most of the incidences of internal displacement

occur because of violent conflicts with ethnic religious and/or political undertones; and oil spillage and development projects in the Niger Delta (South-South), as also evidenced in the UNEP report of 2011.

Similarly, Ekeolisa (2020), argues that regulatory lapses, however, does not necessarily suggest that there are no existing laws that regulate the activities of MNC's in Nigeria, the laws either need improvement or political will to enforce them, and the Nigerian government seems to currently lack the latter. Thus, in the absence of a workable policy framework on oil and gas-induced internal displacement and resettlement in Nigeria, the response to the plight of IDPs has remained largely fragmented and uncoordinated; and the response to the root causes of internal displacement, has been very poor and ineffective. Existing figures on the number of the affected population are contradictory and pose a challenge for assessing the extent and impact of internal displacement on host communities and national security. And according to the IDMC (2022), Internal displacement is the result of a multitude of complex and often overlapping triggers and drivers and forced displacement is then defined as the involuntary movement of people from their customary place of abode to a place within their country of nationality and this is a common phenomenon and is caused by several reasons. Therefore, as contained in D4, while there is a visibly large number of IDPs in Nigeria scattered across various states arising from a multiplicity of causes, there is no reliable database providing a comprehensive profile of IDPs in Nigeria.

In the early 2006, the increasing number of IDPs due to conflict informed the Nigerian Government to consider a National Policy on IDPs, the draft was tabled for consideration in 2007 but then the Federal Executive Council did not adopt it. The draft was revised twice between 2009 and 2012 to reflect the new realities and framework provided by the Kampala Convention. Having recognized that in Nigeria and elsewhere in the world, IDPs are amongst the most vulnerable populations for obvious reasons, the Nigerian government signed, ratified, and deposited her instruments of the African Union (Kampala) Convention (which came into force on 6th December 2012) for the Protection and Assistance of internally Displaced Persons (IDPs) in Africa. The outcome therefore of the document reviewed and from the expert interviews would suggest that the process of resettlement which comprises of adequate planning, and a robust program is yet to be improved in Nigeria. This is because resettlement policies which is non-existent in the legal framework of oil and gas policies in the nation remains unclear. It was however understood that these representatives of the government agencies exert a high level of power and authority which enables them to dictate internal policies for the benefit of their respective agencies which in turn impacts on their ability to work together to achieve set goals that profit the impacted communities. The results therefore shows that environmental, socio-economic, developmental and health impact

on the resettled communities is due largely in the monitoring and compliance of existing policies by the government and the oil companies operational in the South-South region.

Thus, in context as stated in section 2.7.2 resource ownership and control is one of the major outcries of impacted communities and especially in the South-South region of Nigeria. Cernea (2008), reiterated that lands formerly owned by the displaced population are used and “invested” in the new companies, but the people themselves are bought out and economically excluded through imposed expropriation. And further proposed that a social contract embedded in the principle of land acquisition for development purposes must involve the obligation of the purchasers (or expropriators) not to worsen the condition of the land sellers but to enable them also to benefit from the opportunities for development and improve their livelihood. The writer also evidence that ongoing benefits sharing practices by other countries demonstrate that directing more financing to displaced populations is not just a utopian, mysterious idea. It is realistic, feasible now, and is implemented in several countries but it is not yet done in most developing countries.

The next chapter explains the bottom-up approach from the perspective of the selected communities as they understand the workings of the existing oil and gas policies and the impacted operations of the oil industry agencies.

## CHAPTER 5.

## IMPACT OF OIL AND GAS POLICIES

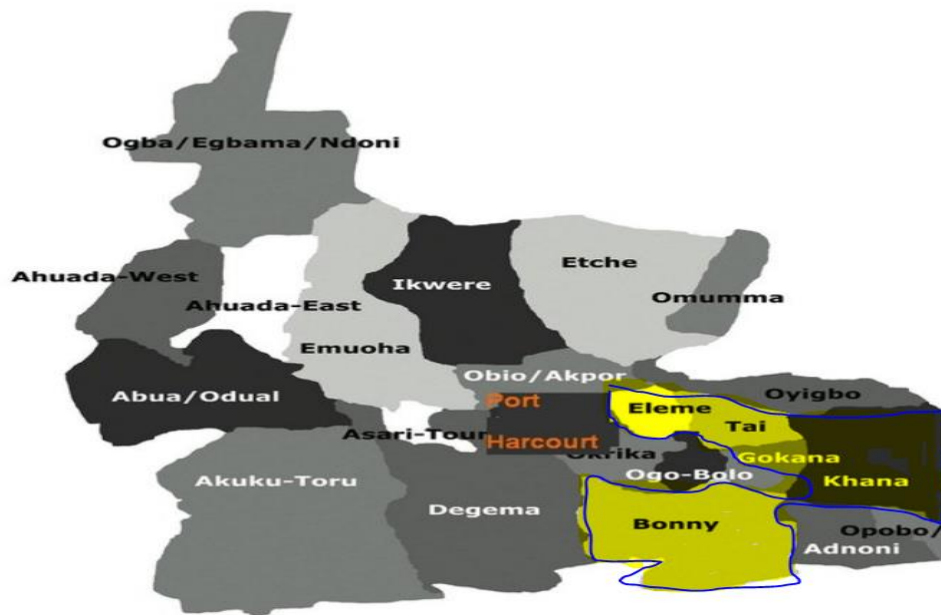
## ON INVOLUNTARY DISPLACEMENT AND RESETTLEMENT

## 5.1. Introduction

The previous chapter presented the analysis from existing relevant oil and gas documents reviewed and analysis from the expert interviews who are representatives of the industry in Nigeria. This purpose of this chapter is to explain the bottom-up approach from the selected community perspective impacted by the extractive activities of the oil industry in different capacities. It comprises of the analysis from the qualitative data collected across case studies which are the Finima community and Ogoniland respectively.

This section therefore presents the findings from the qualitative data collection according to the selected methodology in chapter three and further addressed the objective three of this study which is to examine the associated oil and gas policies that challenges successful government implementation strategies on the displaced and resettled communities. It began with the description and demographics of the study area; the representatives from both case study areas and presented the identified themes. It examined the impact of oil and gas activities on the economic and occupational displacement of community's relocation process, environmental and health implications. Also, the discussion in this section addressed the policy structure that challenges governments involvement in the welfare of the impacted communities. And finally presented the analysis of the semi-structured interviews from the representatives from both communities and their responses which provided an understanding of the best approach to policy implementation and compliance by the MNOC's. And this section therefore, described the demographics of the of the cases study areas of both the Finima community and Ogoniland respectively, which is outlined and presented in the following section.

Below is the map showing the impacted community's locations in yellow colour located in the South-South region of Nigeria.



*Figure 5.1: study areas highlighted in yellow colour' Source: Nwauzoma et al (2013)*

#### **5.1.1. Background and procedures adopted for case study analysis**

And as stated in the methodological chapter, two case study areas were selected because these communities located in Rivers State, these have experienced physical and occupational displacements due to the activities of the extractive oil industry in Nigeria. And to further explore the research objective four, semi-structured interviews were undertaken with thirteen members of both communities. These interviews were conducted to encourage a conversation on the impact of oil and gas policies during the displacement and resettlement process in their various communities and this gave respondents the opportunity to their own account of their lived experiences during the displacement and resettlement process.

Accordingly, the interviews were conducted sequentially with all the respondents from the two case study areas which was a total number of thirteen respondents. Seven participants were from the Finima community and six key members from Ogoniland. The semi-structured interviews contained open-ended questions for the participants and was conducted over the telephone after the initial consent and invitations had been sent through emails to all the respondents, who completed them and sent them back to the researcher. The reason for the telephone interviews which was conducted sequentially from June 2020 up to November 2021 was because the researcher was unable to travel due to the Covid-19 pandemic and due to security reasons in the

region at the time. Furthermore, the literature reviewed in Chapter three guides this case study analysis using the theoretical proposition stated earlier in the chapter. This is the Impoverishment, Risk and Resettlement Model (IRR) as postulated by Cernea (2010), which synthesizes the important risks related to development induced displacement including landlessness, homelessness, joblessness, food insecurity, increased morbidity, social disarticulation, marginalization, and loss of access to community resources. This is because the perceived level of relevance of the IRR model is modest, and when the level of negative outcomes depicting vulnerabilities and risks like landlessness and internal displacement supersede the positive outcomes of an improved welfare, secured livelihood and sustainable development is minimal.

Consequently, initial coding was organised into themes using NVivo software, the data was broken down into manageable segments and reconstructed back to develop the theme. It involved the iterative process of coding at different levels which was structured into a pattern. And as Yin (2014), further explains, a distinctive multiple case study report encompasses sections of individual case studies as well as one on the cross-case study. Therefore, the overall qualitative approaches for analysing interviews were considered for this study.

Below is the table showing the demographic data of the respondents interviewed from both communities in Finima and Ogoniland:

Table 5.1: Demographic data of respondents from both communities

NO	FIMNIMA Community	Interviewed	Responsibilities	Years of Experience	Type of Displacement
RF1	Finima Community Chief/Head	1	Involved in community negotiation and mediation	35 years and above	Physical Displacement and Resettlement
RF2	Finima Community-Elder	1	Involved in community negotiation and mediation	35 years and above	Physical Displacement and Resettlement
RF3	Finima Community-Elder	1	Involved in community mediation	35 years and above	Physical Displacement and Resettlement
RF4	Community-Group leader (men)	1	Involved in community negotiation and mediation	20-25 years	Physical Displacement and Resettlement
RF5	Community-Group leader (Youth)	1	Involved in community negotiation and mediation	15-25 years	Physical Displacement and Resettlement
RF6	Community-Group leader (Women)	1	Involved in community negotiation and mediation	25-35 years	Physical Displacement and Resettlement
RF7	Finima Liaison Officer	1	Involved in community negotiation and mediation	15-30 years	Physical Displacement and Resettlement
<b>OGONILAND</b>					
RO8	Bodo Community Head	1	In-charge of land acquisition and allocation	25 years and above	Occupational and Economic Displacement
RO9	Bomu Elder	1	Community Spokesperson	25 years and above	Occupational and Economic Displacement
RO10	Ebubu Elder	1	Involved in community negotiation and mediation	25 years and above	Occupational and Economic Displacement
RO11	K-Dere Elder	1	Involved in community negotiation and mediation	25 years and above	Occupational and Economic Displacement
RO12	Kpean Woman Leader	1	Involved in community negotiation and mediation	15-25 years	Occupational and Economic Displacement
RO13	Ogoniland Liaison Officer	1	Involved in Community Mediation	20-25 Years	Occupational and Economic Displacement

Source: Researcher (2022)

### 5.1.2. Outline of Emerging Themes Across Cases

The section analysed the objective of this study and expounded on the positive and negative outcomes of the displacement and resettlement process; as well as explains the expectations and needs of the communities after the resettlement from the Old Finima to the New Finima and on the economic and occupational displacement of Ogoniland. Firstly, it explained the theoretical preposition of this study which showed the concepts adapted from empirical data.

### **5.1.3. Theoretical prepositions**

As stated in section 1.2.3, according to Cernea (2000), the Impoverishment, risks, and reconstruction model (IRR), not only identified risks involved in internal displacements but also indicated ways to re-establish the impacted people.

Thus, the underlying themes that emerged during data collection from both communities demonstrated that majority of the factors were associated with political, legal, and environmental, socio-economic and health factors, and these greatly impacted the communities. These key themes were categorised across both case studies and explored in detail. The factors that emerged from the interviews revealed the substantial information and depth to the alleged problems of involuntary displacement and resettlement in the region. And these includes air pollution, oil spills, gas flaring, loss of livelihood, increased poverty, internal and occupational displacement, social disarticulation, poor implementation of gas laws and non-compliance of regulations, and these found to be predominant during the interviews. And as state in section 1.4, this view is aligned with the statement by the UNDP (2006), that social and economic deterioration ignored by policy makers undercuts enormous possibilities for development and especially in oil and gas regions. And it should be note that there is evidence of negative impacts on the communities caused by oil exploration, this has severe consequences on the environment and on the communities surrounding these extractive activities, which has further heightened the situation by the existence of institutional bureaucracy that have also hampered progress in these resettlements. Oil and gas-induced displacement and resettlement have thus created various outcomes which have impacted the communities and posed risks that made the communities vulnerable, it was revealed that the impact on the everyday lives of the people and the extent differs across cases. The outcome is that when existing policies by government agencies, MNOC's and private sectors are implemented there will be a transformation.

## 5.2. CASE STUDY ONE: FINIMA COMMUNITY: INVOLUNTARY DISPLACEMENT AND RESETTLEMENT

### 5.2.1. Background

The background information provided for this Finima community will assist in the understanding of the planning and development of the new township called the New Finima town, and it is also necessary to examine the demographic, socio-cultural and economic characteristics of old Finima as it was later called. The principal occupation of the people is fishing, farming, crafting and presently office administration jobs because of the presence of the oil companies located within. This community is one of the most impacted communities in this study and is in Bonny local government area of Rivers state which is situated on the south-south region of the Niger Delta region of Nigeria. It currently hosts the NLNG plants with trains 1-7 and other oil contracting firms operational in the country.



*Figure 5.2: Map of Bonny Island showing Finima community and location of NLNG plant*

*Source: Information Nigeria (2015)*

### 5.2.2. Government Need for land and Development

As stated in section 2.4 of this study, in 1995, Cernea, stated that forced population displacement is always crisis-prone, even when it is essential and as part of a broad and beneficial development program in any country because it is a profound socioeconomic and cultural disruption for those affected. The writer further stated that dislocation breaks up living patterns and social continuity and dismantles existing modes of production, disrupts social networks, causes the impoverishment of many of those uprooted, threatens cultural identity, and increases the risks of epidemics and

health problems. And according to the World Bank guidelines of (2004), resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that results in displacement. Therefore, the relocation project which was designed and instituted by the Nigerian government based on the existing laws and policies in the country according to the Land Use Act of 1978 commenced.

And through literature reviewed in section 2.9.1, it was thus established that due to the actions of the extractive industry in the region and the planting of the gas plant (NLNG), there was a need for the government to acquire the stated land from the community to build the gas plant. Accordingly, the acquisition of the Old Finima in 1991 to create space for the premier planting of the Nigerian Liquified Natural Gas plant was acquired by the Nigerian National Petroleum corporation (NNPC) on behalf of the Nigerian government to the New Finima. The impact of this decision had both positive and negative impacts on the people, the environment and on the livelihood of the community.

### **5.3. Negative Outcomes of the Resettlement**

#### **Landlessness and Internal Displacement**

To further understand the impact of the resettlement on the community and according to the literature reviewed in section 1.0, it revealed that the peculiarity of this topic of oil and gas-induced displacement and resettlement is not a common phenomenon like other displacements caused by development, disasters, conflict, and war. The Finima community as stated in section 2.1.1 is a typical traditional society that led a simple life of fishing, crop farming and crafting of traditional items. Thus, the planting of the NLNG gas plant for utilization and export of flared natural gas had a huge impact on the people. According to the NLNG report of 2008, this resulted in the relocation of the community from the old tow to the newly built modern village in 1991.

In 2000, Jing pointed out that, usually, displacement because of acquisition is legally sanctioned while there is no legal framework that governs the process of displacement itself: the land acquisition law protects the sanctity of what causes displacement but not the displaced. And in the absence of legal safeguards to ensure accountability on the part of the State, resettlement, and rehabilitation (R&R) entitlements promised often by executive order have rarely been implemented in its entirety covering all affected people. In another study, Akintoye (2015), this project included the expansion of roads and laying of large gas pipelines through relatively undisturbed lands in Finima which exposed the area to secondary invasion and led to social disarticulation, landlessness, loss of livelihood and health impact. Thus, as detailed in section

2.9.8, it revealed that the community displaced by the location of the gas plant experienced a higher level of loss in terms of social disarticulation, internal displacement, loss of culture and traditional structures, and the non-participation in the decision-making stage of the relocation process which was unclear.

According to RF1, *‘‘I can tell you that 30,000 persons were relocated from the old Finima to the new Finima 486, new houses were built, and the cost of relocation paid out to each family was twelve thousand Naira as stated by the community leader. The production of the houses was inadequate as 30 percent of the types built consisted of only 4 bedrooms. Also in the old village, although most houses were built with mud, yet they comprised of seven bedrooms, but the relocated houses only had 3 bedrooms to accommodate the same families thereby leading to many been families been displaced. This increase was not considered during planning at the time, which was 25 years ago, and internally displaced persons have tripled due to no more houses to accommodate both the indigenes and foreign workers coming in’’.*

Documented during the interviews were some negative outcomes and presented is the coding and cognitive mapping of the outcomes below:

Name	Files	References
<b>Negative Outcomes of the Resettlement</b>	0	0
Air pollution	2	3
Disruption of Social Life and living	1	1
Government negligence and interference	3	5
Inadequate Compensation and Economic disruption	5	6
Inadequate Health facility provision	1	1
Inadequate Houses provided	3	3
Inferior construction materials	1	1
Poor Drainage facilities	1	1
Increase in Health Problems	3	5
Increased cost of living	1	2
Industrial noise and from heavy duty trucks	1	1
Internal Conflict and insecurity	3	5
Internal Displacement and migration	3	4
Lack of community participation in decision-making and communic	3	4
Lack of stable jobs and opportunities	1	2
Lack of working policy and implemenation	1	1
Loss of tradition and culture	3	4
Non-compliance to laws by Oil companies	3	5
Oil spillages and Gas flares problems	3	4
Poor Coporate Social Responsibilities by MNC's	2	2

Figure 5.3: Coding structure of Negative Outcomes of Resettlement



Figure 5.4: Cognitive mapping of factors influencing policy implementation across cases studies

### 5.3.1. Existing Government Structures

### 5.3.2. The Land Use Act and the Relocation

As stated in the land Use Act of 1978, it ‘vests all land comprised in the territory of each State (except land vested in the Federal Government or its agencies) solely in the governor of the State, who holds such land in trust for the people and henceforth is responsible for the allocation of land in all urban areas to individuals resident in the State and to organisations for residential, agricultural, commercial and other purposes while similar powers with respect to non-urban areas are conferred on Local governments’’. And Ikelegbe et al (2008), criticised the act as an instrument for denying local populations access to land and resources in their environment. It is supposed to represent the means by the Nigerian state to position the country effectively for economic progress through exploration and the production of oil for efficient service delivery and nation building. Allen in 2011, also published that the land use act completely took away land ownership rights from all Nigerians including local oil-bearing communities.

According to Cernea (1995), reiterated that forced population displacement is always crisis-prone, even, when it is part of broad and beneficial development programs and its profound socioeconomic and cultural disruption for those affected as displacement further disrupts living ways and social continuity of communities. Reddy et al (2017), further explained natural resource projects can have considerable impacts on local communities, chiefly due to the need to acquire large areas of land, and the impact is mostly felt as it requires large access of land and resettlement is a key social risk on the impacted. Ukoli (2005), likewise explained that the destruction of the physical environment not only destroys the resources for livelihoods but correspondingly is a stress to psychic fulfilment and cultural meaning derived from the environment.

And according to Chindo (2014), the South-South region communities have contributed to the growth and development of Nigeria greatly but have also experienced ecosystem damages due to unsustainable oil and gas exploration activities. And one prevailing issue as explained by Akpan (2005), in section 2.7.1, is the old age debate on land use and eminent domain as constituted in the land laws of Nigeria. Deepening crisis of confidence between transnational oil corporations and oil-producing communities in the South-South region highlights an important development predicament. Fundamentally, the crisis is about whether the state can utilise petroleum resources as if the oil-producing communities did not matter, since the state ‘owns’ both the land and the minerals underneath it. This is because the law grants right of occupancy to the government to take any land if it is for an overriding project meant for the benefit of the nation and for public interest.

Consequently, when the laws are applied on the relocation of the Finima community due to the gas plant project, findings reveal that this brought dissatisfaction on the people of Finima as it invariably caused landlessness for the community, and they felt displaced from their ancestral home. Thus, according to, *‘RF1, that even though the land use act stipulates that all lands belong to the government, but they should also respect our human rights and feelings of removing us from our land, our ancestors lived on that land for thousands of years, it carries our customs, our childhood memories and these have been impacted and we are emotionally and physiologically displaced. We feel a sense of loss despite the golden promises made to us, which till date have not been fully fulfilled to fill this gap.’*

Thus, findings reveal that the decision to relocate the community of Finima to a new land was very significant period in the lives of the people and expectedly so, the relocation was not as smooth sailing as expected by the government as it caused delays and setbacks for the project. According to RF1 explained that *‘the interest and journey to reclaim the Old Finima by the government began in 1978, when the federal government through the Nigerian National Petroleum Company*

*(NNPC) communicated its decision to our then chief and elders' council about the relocation and resettlement process to a new land''. RF1 further explained that "in 1991, the military was sent by the government to force out the community to the new land which at the time was mainly a reclaimed mangrove swamp upon which new housing structures have been built''.*

### **5.3.3. Negotiation and the Resettlement**

According to the UN guiding principles on displacement as stated in section 2.4.1.7, an important aspect that needs more investigation is the processes involved in the resettlement in developing countries in accordance with the United Nations (UN) guiding principles on displacement, which is to avoid, if possible, any kind of displacement unless it is properly planned and if it must be carried out, must consider the benefit and safety for the displaced. And concerning the policy gaps and challenges and the impact on the resettlement process, Vanclay (2015), explained, that developers often prefer to provide compensation in monetary terms because this delimits their financial commitment and, at least as they perceive it, minimises their risks. Besides, the project did not contemplate on the resources of the people such as the unaffected land, private savings, employment skills, and social support systems of each affected household in the analysis of an income level. These difficulties were not considered for the resettled persons. This would suggest that there is no standard proposal for restoring the income of the affected persons.

According to Amotsuka (2010), the resettlement project was an unexpected turn of events for the Finima community as the people sought to understand why the community was selected for this project, what the benefits and impact of project was? On the question of how did the government and the oil companies discuss the resettlement from the old Finima to the New land? The respondents expressed that they had safety and health concerns, and these were major fears initially exhibited by the people as understood during data collection. Accordingly, as *RF2 stated, the government then addressed these concerns with having consultations with the chief and elders, organised townhall meetings, sent letters and had discussions, and then negotiations between the community the government representatives, and the representatives of the Nigeria National Petroleum Corporation (NNPC) on March 3, 1978, commence officially. The government thereafter allocated a significant amount of land close to the old Finima homeland and this was made immediately available to the oil company to start the rebuilding of the resettlement infrastructures and to replace all community buildings found in the old Finima like for like, in other for the relocation process into the new land to commence.*

Also, in response to the question of how the community is coping with the new resettlement after many years of the relocation? RF1, who is also an oil and gas expert having worked for over 35

years in with the MNOC's, revealed that *'the relocation caused a sense of loss within the traditional domain and loss of history with other cultural implications. I can tell you that International best practices on involuntary resettlement of a people for development of commercial projects has not been followed as contained in the International Finance Corporation (IFC) Handbook for Preparing a Resettlement Action Plan. And therefore, till today we still have internal issues of IDP's present within the community and the population is outgrowing what little structures we have because of the presence of the oil companies that have brought in foreign workers into our homeland. Also, the promises from the government on lease agreements, compensation for land acquisition remains unfulfilled.'*

#### **5.3.4. Outcomes of Displacement**

##### **5.3.5. Loss of livelihood**

Also, according to the Human right report published in 2002, it reiterated that communities believed that they have not benefited sufficiently from the oil production activities particularly as it is one of the few villages that have been forced to relocate by oil development projects. Similarly, in 2013, the report further stated that resettlement practice has only been concerned with providing cash compensation or addressing the need for replacement housing, without giving adequate attention to all the other dimensions of life that are affected by being resettled, (see section 1.4). According to Izeogu (2018), and as stated in section 2.9.2, the preparation of the Finima new town master plan was not preceded by an in-depth empirical study of old Finima town which should have provided background information for the new town plan and development. And Allen (2011), despite the many issues due to the presence of the MNOC's, there is an unsatisfactory policy response from the government and oil companies to the loss of livelihoods for local communities due to damage to their environments by the oil companies. And according to the respondents, their livelihood is solely dependent on the abundant natural resources of the land such as on subsistence farming, particularly crop farming and fishing and the impact of the relocation was huge and brought about a downturn to their livelihood despite the limited opportunities offered by the oil companies which benefitted the young people more.

On the question of how the relocation impacted their sources of income? Rf2 said that *'we are predominantly fishermen and farmers in this community, so our farmers had difficulties planting in the new land when we came because been a sand filled land, it was waterlogged, and the fishermen had to make longer trips deep into the river to fish and this cause some hardships for all. RF5 said that my uncle lost his farmland because of the move, and he had planted special crops like guava, coconut trees, vegetables and plantains which meant that he never needed to buy*

*food but instead was a supplier within the community.* The relocation to the New Finima as observed had a strong impact on their livelihood especially on the fishermen who needed to travel further into the seas and oceans to navigate fishing and on the farmers who could not farm as the soil was too sandy and a problem for cultivation of local crops. Consequently, the resettlement process as observed during data collection established that the livelihood of the people was impacted as it was discovered that the economy of the community is mostly reliant on fishing, trading, farming, and crafts and this was very paramount in the statements of the respondents.

#### **5.3.6. Environmental Pollution and Impact**

According to the literature reviewed in chapter one, environmental pollution due to oil spills and gas flaring within the community and as stated by Offiong et al (2018), reveals that those native settlements where oil and gas are produced in Africa are frequently challenged by environmental pollution. These challenges usually cause conflicts and internal migration within the exploitation arena and little effort is deceptively portrayed by the government and private organizations to ameliorate the impact of pollution on environmental and human health risks due to this exposure.

Subsequently, the federal environmental protection Act 1988 stipulates that oil companies should immediately clean up oil spills as they occur with the best available practice as stated in section 4.3.4, it provides the legal framework for the effective control of the disposal of toxic and hazardous waste into any environment within the confines of Nigeria. And by . By this Decree, no industrial plan/development/activity falling under the FEPA's mandatory list can be executed without prior consideration of the environmental consequences of such a proposed action, in the form of an environmental impact assessment. And according to Gill et al (2016), oil spills in many parts of the world have reported on major physiological health consequences of exposure to oil pollution which include abnormalities in hematologic, hepatic, respiratory, renal, and neurologic functions and the exposed individual may experience frequent asthmatic attacks, headache, diarrhoea, dizziness, abdominal pain, back pain, and other symptoms. *Therefore, when asked on the question of how pollution has impacted the environment after the resettlement? RF4 stated that the increased number of large ships and vessels that occupy the water ways of Bonny Island and Finima community pollutes the waterways by dumping waste products in the seas and gas flaring has contributed in no small measure to the extinction of fishes and other biodiversity in our rivers and creeks.*

#### **5.3.7. Inadequate Housing Provision**

Izeogu (2018), argued that the preparation of the Finima new town master plan was not preceded by an in-depth study of the old Finima town which would have provided background information

for the new town plan and development. And due to the urgency of the plans, a proper socio-economic analysis was not conducted to factor in so many unforeseen problems like inadequate housing provision for the displaced community as evident from the interviews. *RF1 stated that this resulted in the putting up of shanties and poorly constructed houses to ameliorate the lack of houses by some families and for foreign workers that came into the town for work.*'' And as also stated in section 2.9.4, as reiterated by Vanclay 92015), there are similarly many issues created in terms of whether areas of new land are adequate to cater for population increases for the resettled group in the future.

However, interview results revealed that the houses were inadequate as it did not meet the needs of the families as respondents stated that they were not duly consulted to discuss on the number of rooms to be included in the new houses. This showed a lack of consideration and awareness of the personal ideologies and needs of the people, as the problem of in-house toilets which was not a tradition that they were used to was mentioned by the respondents in agreement. 'According to R2 and R3, *'the provided houses did not match the number of rooms from the old houses for our families in the old town, for example some large families had eight rooms in the old Finima but the new houses only offered us 4 rooms in bigger sizes which was a loss for some families and causes major accommodation problems in the village'*''.

Abere et al (2014), further stated, the Finima island is very important to multi-national corporations because the Island's natural resources are enormous but is under intense pressure from the activities of these multinationals which has grossly impacted the environment, wildlife, and the community. Some respondents also acknowledged that although the houses built and presented to them were modern, yet it lacked the attributes of the natural village habitat as it separated a lot of families in different locations because the rooms were inadequate. This indicates that they would have preferred to be consulted so customized houses could be built, however large-scale housing schemes like this often do not offer these requests due to impracticalities and difficulties. Rf2 also complained *'that all the houses were built in the same design even though the family sizes are different, and this could not accommodate our large families. Presently, the invasion of outsiders and workers to the island since the beginning of the gas plant projects have severely affected accommodation within our community'*''.

#### **5.3.8. Insufficient Public Transportation and Poor roads**

Evident from responses was the lack of provision of public transportation that have impacted the movement of goods, services, and travels for the community members for travels to the big town and back for business, school, and hospital visits. All respondents were clear about the inadequate

provision of public transportation as provided by the government and the MNOC's. According to Vanclay (2015), Involuntary resettlement if not properly managed can cause untold hardships and impoverishment for the people. Interviews revealed that a major problem felt by the people is an all-round lack of planning and maintenance culture in terms of the provided public facilities. RF2 also stated *“that since our community came to the New Finima, it has been the same old roads, so even when it gets bad, the oil companies do not come to repair or even maintain the roads, this is one of the things they said they will be doing for us, but it is not so.”* And I can tell you that many accidents and injuries have come about because of these bad roads and open gutters. The expectation from respondents was that even though roads and link roads were provided in line with the provision of the stated requirement by the government and oil company agreements, the respondents echoed their dis-satisfaction regarding the new environment and the non- accessibility to the major town as public transportation is constantly needed.

Similarly, the provision of public buses and public transportation are insufficient and scarce as observed during the interview. This is because the primary schools provided in the New Finima is lacked many functional facilities, also the absence of an existing secondary school within the village was evident. This corresponded with the views of the community on the hardships experienced by the for children in travelling to the major town for their education. Another major concern as explained by the respondents, was the decline in the standard of living experienced by the people, this is because the cost of transportation to travel to the main towns and cities for food purchases is expensive, this was hugely felt by the respondents as they stated that previously these crops were homegrown, but the relocation also displaced their farmlands thereby causing hardship for families. As RF2 further reiterated that *the quality of life has reduced drastically as people are not happy paying for expensive foodstuff that is been impacted by the delays of the supply boats that bring in goods from the rivers which is now blocked by big oil vessels on the seas*’. RF3 also complained that *“our children always arrive at school in the main towns mostly and this because they usually must wait at the bus-stops for very long time before the public buses arrive to go to school because they go to the secondary schools built in Bonny Town. The government should always plan well for its people, because the provision of good schools and tertiary institution is also part of our benefit, imagine that our children must pay transport to go to the base town every day to attend the secondary schools, this is not a good plan as it costs us money.”* RF5 said that *there is a major hospital located in Bonny town and you need transportation to get there, it is an expensive journey to make and has caused loss of lives in times of emergency*’.

### **5.3.9. Insufficient Infrastructure planning**

Respondents stated that they were very hesitant at the initial stage of consultations to move to the new Finima land as the infrastructures were not in place at the time. The Zoning system in place was not properly planned out as many houses were then allocated based on the location of old houses and this took some time and a lot of disagreements happened with the community and the planners which stalled the initial relocation plans. RF1 stated *“that although they were shown some master plans of the buildings, they were not allowed to make any changes, they just did not understand the family structure of how we build houses, although some of the old houses were not built with block and cement but it accommodated the families successfully.”*

Respondents also complained that they were uncomfortable with the in-built attached toilets in the new houses. ‘. R5 said *“that we did not use the toilet as it was inside the house, and we were not used to that as we go over to the outside of the house to us toilets because of the unpleasant smell.”* ‘...RF4 noted that one of my relatives did not receive any housing as he was only living in the family house in the old town and had no claim to a property at the time’.

Not all members of the community were beneficiaries of new house, as the findings revealed that some people with no legal right of land ownership remained homeless, but findings revealed that the community had made plans made for family members to get land allocated so they can build houses for themselves as Inferior construction materials used to build the provided houses in the New Finima resulted in a lot of complaints. This resulted as negative factor as the complaint about rainwater seeping into the houses and water leaking from the walls were faults noted by the community members, it was also noted that some of the buildings were rushed and therefore there was a mass production of low standard buildings made available to the residents. R4, stated *“that we have had to make a lot of repairs for the houses provided for us as the zinc used for the roofing did not last due to the acid rain falling on it and causes it to leak into the houses thereby destroying our furniture and pouring rainwater over us.”*

### **5.3.10. Inadequate provision of Health facilities**

Amoasah (2010), writes that despite the direct ill health associated with the oil and gas industry there are others that are indirectly caused by the industry. For instance, the western region of Ghana is posed to attract several people from all walks of life for job opportunities. Inclusive in this group of migrants are sex workers. This category of people is likely to increase the prevalence of HIV-Aids and other sexually transmitted diseases in the region. Also, drug addiction is likely to increase in the region since such a situation has characterized similar oil and gas producing cities/town throughout the world. This was also stated in section 2.9.6, the environmental impact as

corroborated by Dadiwei (2003), affirms that environmental destruction through oil exploration led to the scarcity of medicinal plants used by traditional birth attendants in the region.

Overall, the respondents expressed total dis-satisfaction of the non-availability of a working hospital that had full facilities and medicines provided. Also, the non-proximity to a working hospital was found to be a major issue in the new land and even though there is a presence of existing structure of a health center, it lacked basic amenities and medical staff. Unavailability of the presence of doctors, nurses and medical personnel was obvious at this center. RF1, stated *‘‘that there is no provision of hospitals that caters for our community, even the health center that our people can run in during times of emergencies has no medicines or staff to look after us so we usually need to look for transportation to go Bonny Island for treatment and till today, we are not allowed access to the company’s Clinic as promised to us before we were relocated to the New Land. RF4, our people have died on their way to get treatment because the health center we have on ground has staff shortage, no medicines, or facilities, it is just empty, so we have resulted to go to chemists to buy medicine to treat ourselves, this is not good. This flaring has also caused us a lot of health issues like asthma and many lung diseases.’’*

#### **5.3.11. Inadequate compensation and Benefit Sharing**

A major failing of resettlement planning has been the inadequacy of compensation arrangements according to Cernea (2008). And according to Vanclay (2016), although projects requiring resettlement projects do not generally offer people an opportunity to choose whether to move or not, except in true ‘willing buyer, willing seller’ arrangements, project-affected people can still have considerable influence over a project. If their input is not sought, and affected people are likely to engage in various forms of resistance or protest to ensure their voice is heard. RF1 and RF2 stated *‘‘that we have not benefited sufficiently from the oil production activities that is taking place in the land by the MNOC and other oil companies, especially as we are the only community in this part of the nation has been physically displaced to make room for a huge government project that is supposed to look after us and our children’s’ children with no issues of deprivation or neglect at all.’’ This is so bad that it is mostly when we cry out of neglect that compensation is paid out on time after the delay has caused many internal problems for the community’’*.

And Vanclay (2017), further reiterated that repeatedly, compensation has been paid to resettled people very late. And this delay generates significant stress and inconvenience, and usually leads to the affected people experiencing additional costs. And where payments are delayed, especially for long periods, they are likely to be inadequate because of the inflation that has taken place in the meantime. Ojo (2012), also reiterates that compensation alone does not ensure that people can re-establish their lives and livelihoods in their new location, which is why resettlement has

generally resulted in short falls to the impacted communities. Accordingly, it is expected that when displacement cannot be avoided that a commensurate offer is given to the displaced to compensate for their losses. This is also expected to help restore at least their standard of living. And RF1 also stated *‘that in terms of compensation, the community was offered compensation in lieu of the houses been demolished as well as for the burial grounds of our forefathers, payments were offered for the shrines, the worship places and the standing structures but how does one compensate a people for their history with money? And yet the companies do not care for our losses, they need to understand that they can never pay the value of the loss we have suffered internally with money.’ ‘.*

### **5.3.12. Loss of tradition and culture**

Traditions of any community is typically very strong in terms spiritual attachments and bonds top their ancestors, therefore as could be seen, there is a disconnect and a sense of loss from the sacred sites of their forefathers. An expectation of the respondents was the affiliation to the old Finima. *‘RF1, RF3 and RF4 expressed preference for the old town because they felt a sense of belonging and happiness with the landmarks and ancient history monuments and graves of our forefathers. Our sense of belonging has been taken away by reason of this relocation as our attachments to our ancestral home is gone.* RF2 stated *‘that these ancient landmarks and wells in the Old Finima was a unifying structure in our community and we miss not having these objects in our midst even though we succeeded in moving some of them over to the New Finima but it is not the same feeling and nostalgia we have with them. I can say that our community wellbeing is broken down as we now live with strangers who don’t know or even appreciate our customs’.*

### **5.3.13. Social Disarticulation and Family breakdown**

It is very important to note Other than the physical disorientation by the people, it is quite evident that the people suffered homelessness, loss of access to common places as there was also a disarticulation of social relationships and a proliferation of strange behaviors and customs into the community. They reported a breakdown of behaviors in young people who now had jobs and access to monies earned as salaries. For instance, the disruption and displacement process from the old Finima to the new caused families to be separated due to lack of space. *‘RF6, some of my relatives had to move to other areas where land was allocated to them to build as the house given to our family did not accommodate all of us, and you know that this meant that we could not do many things together again like we are used to, we now plan meetings before we can communicate family decisions together, but before we just walk into the same living room together to discuss issues.* *‘RF3, this relocation brought about many problems for our people, because the monies paid to some people were misused, some spent the monies to buy cars and things that didn’t last,*

*our young people just lived their lives and did not plan for their future, marriages broke down in some cases.’’*

#### **5.3.14. Inadequate Corporate Social Responsibility**

According to Eweje, (2011), the need for large oil and gas corporations to act socially and environmentally responsibly as well as to assist in community development has been a source of debate among scholars and stakeholders like host communities and governments. The writer reiterates that CSR should be voluntary and ethical as it is a way to give back to the host community. And in response to the question of oil companies’ involvement in community development through CSR? Respondents are of the view that the MNOC’s located in in the communities should pay back by way of CSR and it should be seen as a moral duty towards the people. And according to RF4, *‘we have always asked the oil companies to impact the lives of the community where they operate but our cries have really been ignored, how can we be in a land of plenty which belongs to us, yet we suffer? We believe that CSR is our right, imagine moving us from our ancestral homes many years ago and yet you are still able to operate and extract the same natural resources you have been doing for years and yet these companies cannot fulfil mere CSR obligations to our community without us protesting, why?’’*

One major faced by the community in terms of CSR with the MNOC’s according to Ojo (2012), lack of transparency and non-involvement of local people in the monitoring of oil companies’ activities and CSR packages. Most of the communities have felt excluded in the design, planning and implementation of such projects that turn out to be company interest driven and non-participation drives the communities to see the CSR projects as voluntary efforts of the companies and are referred to as such. And RF5, thus stated that *‘I don’t understand how we have international corporations like the present oil companies located in Finima, but we are still suffering even with this huge natural such resources in our land? We have sacrificed our inheritance to give them land to operate on, in fact we are asking that CSR should be made compulsory for oil companies who operate here because it helps with development, the government should not allow them dictate on what they can do’’*.

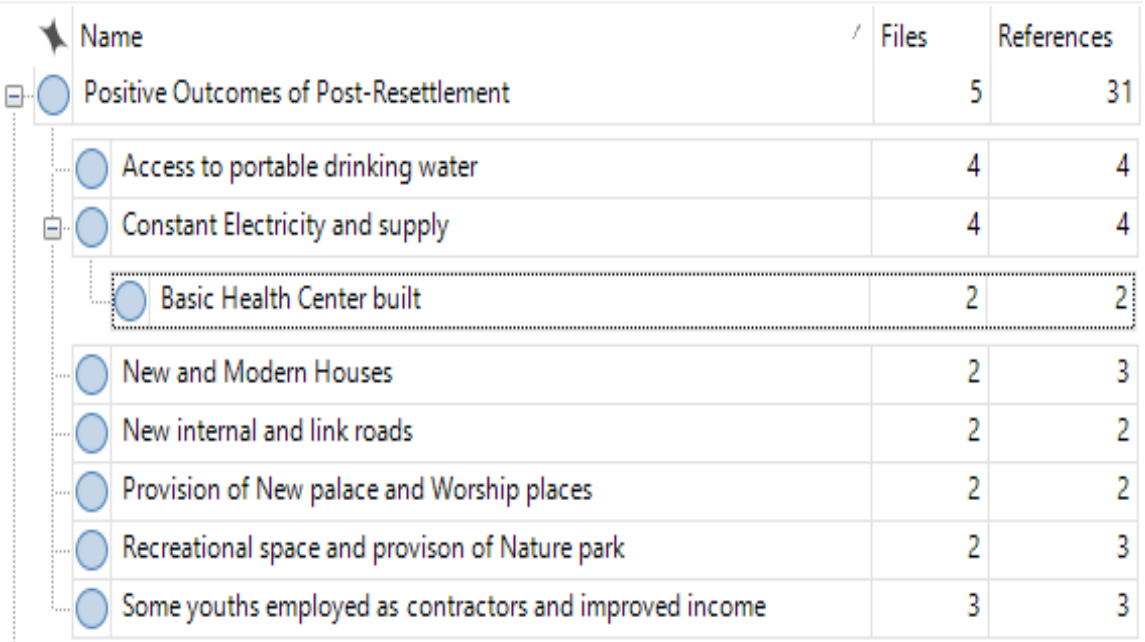
#### **5.4. Positive Outcomes of Post-Resettlement**

Literature revealed that as much as there were negative consequences as stated by the respondents, there were also positive outcomes of the resettlements. As presented in chapter two, there were positive contributions by the multi-national corporation (MNOC) in terms of the provision of amenities and CSR to the impacted communities in line with its stated objectives and agreement

with the government for the community as contained in the initial discussions held before the relocation commenced.

Therefore, to evaluate the impacts of the existing policies on oil and gas-induced resettlements, each identified theme is highlighted in the coding structure and subsequently presented in the mapping structure. The positive outcomes of the resettlement ranged from access to portable drinking water, constant power supply, employment of youths and availability of new worship places emerged. And this suggests from the respondents' views that the resettlement projects when aligned with working policies prevents impoverishment for the people and promotes socio-economic development. This also means that compliance and regulations by the oil companies and monitored by government agencies is key when adhered to for equitable distribution of benefits to the impacted communities.

The figure below shows the coded positive outcomes of the resettlement in New Finima as described by the respondents and Figure: 4 shows the cognitive mapping of these factors which also included sub factors:



Name	Files	References
Positive Outcomes of Post-Resettlement	5	31
Access to portable drinking water	4	4
Constant Electricity and supply	4	4
Basic Health Center built	2	2
New and Modern Houses	2	3
New internal and link roads	2	2
Provision of New palace and Worship places	2	2
Recreational space and provison of Nature park	2	3
Some youths employed as contractors and improved income	3	3

*Figure 5.5: Coding structure of Positive Outcomes of the Resettlement*



Figure 5.6: Cognitive mapping of Positive Outcomes of Resettlement

#### 5.4.1. Provision of Modern Infrastructures and Portable water

As stated by Cernea (2007), resettlement can and should be seen as an opportunity for development, while there may be some difficulties experiment by the resettled, the overall gain should be for their betterment. The writer further stated that the non-financial benefits of project location should include amongst others, area development like upgraded roads, community facilities including modern infrastructures, improved public services like basis health centers and education. Thus, access to portable water was one of the prevalent issues regarding the availability of basic amenities before the resettlement, the respondents were clearly pleased on the positives of the relocation in the new land. As RF5 indicated that *‘the supply of running water to the community was very appreciated as we have standing boreholes and running taps in locations that everyone can access, also most of the houses have inbuilt running systems that provide good drinking water unlike when we use to fetch from the wells’*.

Although the respondents were of varying ages and socio-economic backgrounds, there was a unanimous agreement that there were some positive improvements to their standard of living from the old Finima to the new Finima. Respondents agree in terms of the provision of modern structures that there were visible provisions of modernity for instance, there was an enhancement of living standards, as some houses provided were spacious and toilets were now inbuilt in them, running

and portable drinking water was available and there is also constant power of electric supply and maintenance. The most recurring positive outcomes of the resettlement of the resettlement was the possession of modern houses and some facilities like the town hall, primary school, and market stalls within the new town. *For instance, RF3 stated ‘the new builds now had inbuilt toilets and electric connections inside unlike the old town where the toilets were afar off from the main house. And ‘. RF1 and RF3 concurred in agreement stating that ‘yes, we now have all the houses in New-Finima built with blocks and no mud houses was built by the government’.*

#### **5.4.2. Provision Of Internal and Link Roads**

Another major benefit as noted in the interviews was the provision of internal link roads within the new town and this was very significant as it may travelling easier. This shows that it was a positive impact and huge improvement and benefits for the resettled community as the respondents acknowledge them. RF5 said that there were no connecting roads to drive through in the old town *‘we had just sandy paths for walking and bicycles, but cars could not drive into the main village easily, so they could only park where the main roads ended or just where the cars could only drive to. We appreciate this road and transport network system as it allows us to travel more easier that we did in the old town’*

#### **5.4.3. Constant Electricity and Power supply**

Additionally, the provision of stable electricity was evident during the interview and most of the respondents agreed that there is an improvement of physical and social infrastructures the provision of constant electricity and maintenance structure in place. These accounts demonstrate some positive outcomes of the resettlement. RF2, *‘although we have what I will call stable power supply when compared to some other communities, it is not enough, and we appreciate that we are notified if there will be any maintenance work to be done and this has helped to improve our businesses as well.’* RF4 stated also, that *‘yes, we did not have stable electricity in our old town, even though we had Nepa then to supply it, it was not constant, some of us were using generators to power supply but some others were using lanterns and oil lamps as power supply, so we are happy for the arrangement we now have with NLG and the contractors avail us constant supply.’*

#### **5.4.4. Presence of the Nature Park**

The planting and citing of the nature park are a visible feature in the community. According to the report published on its site [finimanaturepark.com](http://finimanaturepark.com), the park was established by the Nigeria Liquefied Natural Gas Limited (NLNG) with the aim of conserving nature and biodiversity in the region. Also, the conservative park organises programs and activities of nature for young people to educate them on the ecosystem and on nature. RF4 stated that *‘the Finima Nature park adds*

*beauty to our community and brings in visitors into the land, our children during the holidays attend programs and activities the organise which keeps them busy and enlightened on nature.’’*

#### **5.4.5. Job provision and Youth Empowerment**

The presence of the oil companies in the community is a welcome development as it brought in an enabling environment for job creation for the community. The companies created an avenue for the young people and for qualified persons to be employed. According to RF5, *‘I agree that jobs were created as the oil companies and sub-contracting firms started coming into our community.’’* *‘. Yes, the young people now have salaries and can take care of themselves, which is good in a way but the jobs that they employ our youths for are just temporary jobs that does not give them any prospects for the future.’’* In evaluating the impact of the existing policies as stipulated for displaced communities, which includes some positive outcomes according to the respondents, this suggests that there were some benefits enjoyed by the resettled community in the new land. Some development program as outlined in the initial agreements published, were sighted which evidenced the effectiveness of the policies of displacement and resettlement in terms of benefits of the displacement and resettlement.

#### **5.4.6. Finima Community Expectation and Needs**

As explained in the literature review in chapter two, the presence of oil and gas found in host communities have an enormous demand on economic development from the government and from the oil companies. The problem according to the third objective of this study is on the barriers and gaps that challenges successful implementation of these policies like non-compliance by the MNC's, outdated laws and regulations, enforcement, and inadequate corporate social responsibilities to the communities.

Factors indicate that the pre-requisite of the community's growth is based on the availability of these infrastructures and on updated policy requirements according to the respondents and due to the population increase and adaptability of the new town. This will allow for rapid development and improve the resettlement experience by the government. Interview reveals the level of expectations and needs of the community, and this was found to be pertinent, for example after the resettlement, legal issues, climate adaptability, availability of jobs, cultural suitability of the housing structures, increasing presence of foreign workers have become a deterrent for the community to adapt easily to their new environment after so many years.

The Figure below shows the coding structure of the expectation and needs of the community. Figure below shows the cognitive mapping of the factors and sub factors.

Post-Resettlement Expectations and Needs	0	0
Adequate Compensation when necessary	2	3
Constant Monitoring of oil companies policies	2	3
Create more green spaces	1	2
Upgrade the sports stadiums and recreational facilities	1	1
Improve and restore farming and fishing resources	1	1
Improve internal roads and drainage systems	2	2
Increase safety and security	1	1
Increase Training and skills acquisitions	1	1
Involve community in decision making and project plans	1	1
Make Good relationship as host community and improve CSR	1	1
open the water ways and build jetties for commodity movement	1	1
Improvement in current transportation mode	1	2
Provide Permanent jobs for the youths and qualified persons	4	5
Update health centre with staff and medicines	1	2
Upgrade primary schools and build nearby secondary school	1	1

Figure 5.7: Coding structure Post Resettlement Expectation and Needs

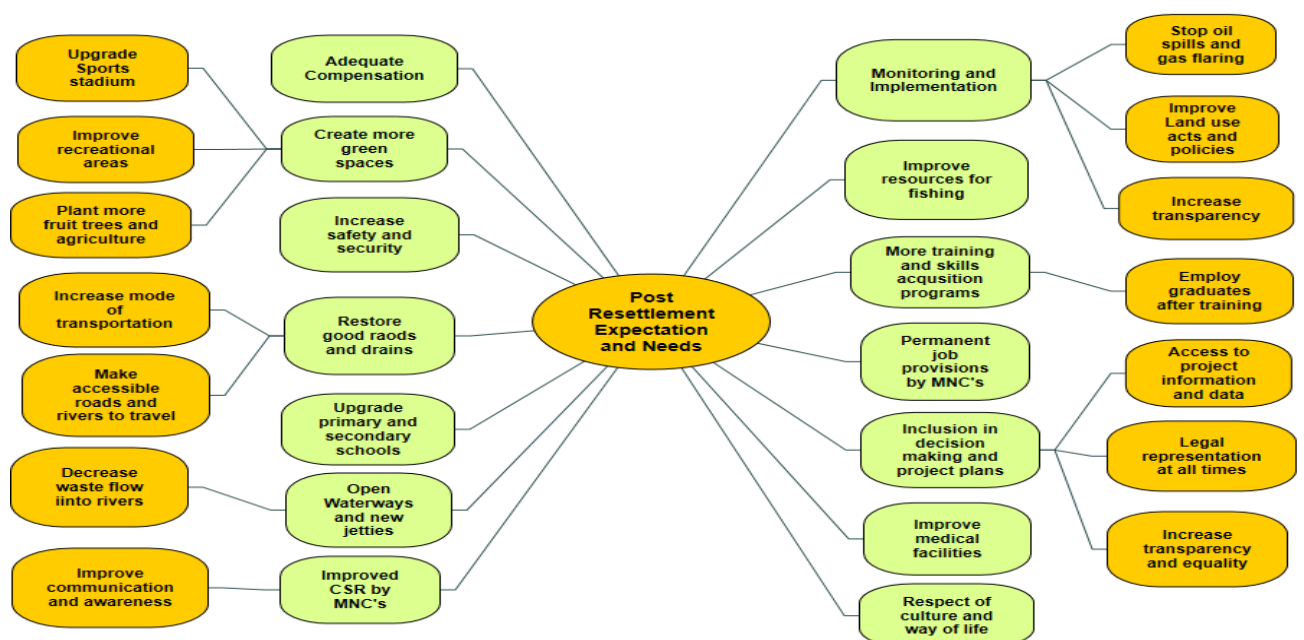


Figure 5.8: Cognitive mapping for Post Resettlement Expectation and Needs

#### 5.4.7. Need for Infrastructural Upgrade

Regarding the state of infrastructure and how it is meeting the needs of the people? RF2 stated that *the main issue impacting our community is on internal displacements as the population keeps increasing, let me ask you this? a population of over 20 years ago when we were involuntarily relocated to the New Finima, do you expect it to remain the same number of people? No, people*

*are having children, young people are getting married with families of their own and so there must be a consideration for our people to be compensated in some way. We are not asking for land, but we need help in terms of cottage industries to be built, as this will help train our people with skills needed and for more houses to be built. RF3 “We are asking for an upgrade of the present health centre to become a hospital and to be well equipped with staff and medicines. We need an upgrade of the primary school to be up to standard so our children can get quality education”.*

#### **5.4.8. Economic Empowerment**

The livelihood of the community was greatly impacted during the relocation process as discovered during the interviews. Their dependence on crop farming and fishing is a major economic activity. The community also had local skills like pottery, canoe carving and mat making which depended on the mangroves which is no longer accessible to the people. RF5 stated *“that before we moved here, our women had handwork, some were into crop farming, some were traders of local products and some women were fishermen especially in periwinkles, lobsters, crayfish, and many other small fishes found in the creeks but when we were forced to this place, they lost their livelihood. This New Finima is very close to the Atlantic Ocean, you cannot expect our women to be going near that big ocean, so we need the women to be empowered no matter how long it takes, if you train one woman, she trains another with good skills.”*

#### **5.4.9. Involvement in Planning and Management**

The participation of indigenous people in any community development is key as it assures them of ownership of the land and of being recognised as landlords to the oil companies. Even though government makes the policies that govern these resource areas, the primary owners needed to be consulted or else face serious oppositions if not done right. RF1, stated that *“we are legitimate owners of the land and therefore should play active roles when it comes to decision making and management of the benefits of our God-given resources. We have capable and qualified persons in our community with over 40 years background and experienced in the oil industry that can advise, negotiate, and be involved in these stakeholders’ meetings”*. RF2 also said that *“we want to be recognised as host community and to also be present when plans and decisions that affect us is to be discussed. Although we have a customary system whereby the King is sought first but we also need to be present at the decision table as it concerns us too.”*

#### **5.4.10. Improved Health system**

According to Cernea’s IRR model (2000) when read in reverse, maps ways for reconstructing the livelihoods of those displaced as an operational tool, i.e., from increased morbidity to improved health care. And as embedded in the National Policy on the Environment (NPE), which states as

follows: “Nigeria is committed to a national policy that ensures sustainable development based on proper management of the environment in order to meet the needs of the present and future generations” RF6, *‘we expect that as the oil companies are present in our communities, and as foreign workers have access to good health care in the staff clinics located inside their base office, this should also be the case for our people. We are only asking that they donate good medical equipment and medicines to our already established health center, help to train the necessary staff to man the health centre as this will benefit the community.’*”

#### **5.4.11. Summary on Finima Community**

The complexities of the involuntary displacement and relocation process for the Finima community when considered had many common expectations and needs identified from the interviews. This is so because the impact of oil and gas Policies on involuntary displacement and resettlement which was both positive and negative, affected the physical, cultural, social, and economic loss for this community. Also, the presence of some socio-economic development programs and constructed physical infrastructures evidenced this progress, it is also worthwhile to state that and the presence of the NLNG within the community, in contrast to other MNC’s had made some innovative and socio-economic contributions to the community according to the laws and existing policies of the nation to the people.

And in exploring the global characteristics of involuntary displacement guidelines, which is the World Bank policy document on involuntary resettlement (2011), it stated that *‘where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. It further reiterates that the displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs’*. And according to the International Finance Corporation (IFC) (2012), involuntary resettlement unless properly managed, may result in long-term hardship and impoverishment for the Affected Communities and persons, as well as environmental damage and adverse socio-economic impacts in areas to which they have been displaced. For these reasons, involuntary resettlement should be avoided. However, where involuntary resettlement is unavoidable, it should be minimized and appropriate measures to mitigate adverse impacts on displaced persons and host communities should be carefully planned and implemented.

In the context of Nigeria laws, policies and regulations, this project was linked to land acquisition for national gain due to the natural gas found in the Old Finima. An explanation for the

implementation of development projects and involuntary displacement of people from their native homes by most governments, is that these projects will lead to resourceful use of lands and will create more revenue for the benefit of the nation. These physical, economic, and cultural displacement of persons by a government and its procedures often distresses vulnerable communities who depend on ancestral farmlands and fishing to earn a living and maintain their identities as a communal group. As revealed through the findings, this has not been the case with the impacted Finima community, as the people felt that they have been deprived of their ancestral lands in the name of economic growth which has principally served the interest of the country rather than the people of Finima.

And as Akintoye et al (2016), reiterates, the relocation of the indigenous population and confiscation of coastal areas, especially known to be breeding grounds for marine species, portends major ecological danger and cultural trauma to the community and loss of vital habitat used for centuries by animal species. Similarly, the socio-economic activity of the Finima community which is largely farming and fishing and accounts for eighty percent of the livelihood of the people was impacted. It was expected that this development would increase access for the people to enjoy the benefits of the presence of the oil companies in meeting their socio-economic needs. It is known that resettlement is a difficult process on its own and takes longer time for the affected people to acclimatize to a new environment, it most times takes generations to settle in and does not fall into project plans like in any other standard projects, therefore should not be handled like a normal project. Terminsky (2011), writes that quite often, corporations do not understand that, for some people, adapting to conditions in a new place of residence is either impossible or very difficult. Relocation or resettlement is a controlled and monitored process which is planned on time.

Terminsky (2011), further stated that “forcing people to leave their homes without plans cannot be considered resettlement”. The writer further reiterates that for it to be classified as relocation, projects need to follow the guidelines by the World Bank or the IFC. It could be understood that resettlement programs failed to restore social community lifestyles and practices of the people, and rendered traditional and customary practices redundant, and creating difficult and challenging situations for the displaced to adapt to their new surroundings. The emphasis, therefore, is that there is the need for sustainable development and proper policy implementation in this community. This would facilitate economic and developmental growth from the present state of despair to an improved standard of living, this is believed to be the lowest requirements expected from the government and oil companies. And this will guarantee sustainable development for the for the

people to have the capacity to transform their lives and have control over their environment and its natural resources.

## 5.5. CASE STUDY TWO OGONILAND: ECONOMIC & OCCUPATIONAL DISPLACEMENT

### 5.6. Background

This section illustrates the analysis for case study two and the explored impacts of the oil and gas exploration and exploitation. Ogoniland is an oil-rich community and is the second case study selected by the researcher to investigate the impact of economic and occupational -induced displacement due to the extraction of oil and gas activities. According to the report by Amnesty international (2015), the livelihoods, health and access to food and clean water of thousands of people in the Niger Delta is closely linked to land and environmental quality. Oil spills damage both the soil and water system. Women, men, and children living in the region must drink, cook with, and wash in polluted water; they eat fish contaminated with oil and other toxins (if they are lucky enough to still be able to find fish); the land they use for farming has been contaminated. And after the oil spills, the air they breathe reeks of oil, gas, and other pollutants; and the local people complain of breathing problems, skin lesions and other health problems, but their concerns are not taken seriously, and the Nigerian government and oil companies provide them with almost no information on the impacts of pollution. Below is the map showing the location of the impacted five communities in Ogoniland investigated for environmental degradation for this study.



Figure 5.9: map of Ogoniland showing the five Investigated Oil Fields

### 5.6.1. Semi-structured Interviews

The semi-structured interview emphasizes on the needs and expectations of five sub-communities that have been impacted by activities of the Oil and gas companies and discusses on the perceived neglect by the Nigerian government as stated by the respondents and detailed in the literature review. Interview guidelines was developed to further assess respondent's opinions based on the emergent themes from the literature reviewed and the results from in-depth responses aided the researcher answer the research questions and objectives. Below is the table showing interviewed respondents from the five selected communities.

*Table 5.2: profile of Interview Respondents from each community in Ogoniland*

<b>Participant I. D</b>	<b>Stakeholder Position</b>	<b>Community</b>	<b>Years of Experience</b>	<b>Background</b>
RO8	Community Elder	BODO	25 years and above	Community negotiation and mediation
RO9	Elder	BOMU	25 years and above	Community negotiation and mediation
RO10	Community Representative	EBUBU	15-25years	Community mediation
RO11	Community Representative	K-DERE	15-25years	Community mediation
RO12	Women Representative	KPEAN	20-25yrs	Community mediation
RO13	Liaison Officer	OGONILAND	15-25years	Mediation and Community Relations

*Source: Researcher (2021)*

Therefore, the themes and sub themes presented below in PESTLE formation have emerged during data collection which has been developed from the coding process and abstracted from the semi-structured interviews across both communities. The themes that emerged from data collection and from literature reviewed suggests that there is a discrepancy in global characteristics of the resettlement and implementation process in Nigeria when compared to global standards. And according to Fentiman et al (2015), in its published work stated that the traditional experience of childhood and socialization of the people in Ogoniland has been significantly altered; social interaction has been adversely affected by a shift from communal to individual activities; material support for the elderly has also been significantly affected; social institutions relating to marriage and death have been impacted; and a sense of 'hopelessness' and 'despair' are prevalent. The

cultural erosion of indigenous institutions and activities which are the pinnacle of Ogoni identity and to the Bodo community are changing at an alarming pace.

*Table 5.3: Table showing themes and sub-themes from data collection*

KEY-THEMES	SUB-THEMES	DISCUSSION
Political	Monitoring and compliance	Government, MNC'S and Contractors
Environmental	Air Pollution and Oil spills	Involuntary Displacement/Resettlement
Socio-Economic	Poverty and loss of livelihood	Adequate Compensation and CSR
Technical	Education and Awareness	Community Participation/Training
Legal	Existing Policies and Laws	Updated guidelines of oil/gas laws
Health Impact	Risks and Hazards	Sickness, diseases, and premature deaths

*Source: Researcher (2022)*

### **5.6.2. Negative impact and Environmental degradation**

As stated in objective three, although there are environmental policy frameworks embedded in the oil and gas laws, the government have not done much to implement any of the environmental acts successfully as stated by Allen (2011). Natural resources in Ogoniland are very prevalent and as such have attracted both national and global interest in the extractive industry. When the activities of the oil companies began in Ogoniland, negative impacts like pollution, gas flaring, oil spills, impact on health, loss of livelihood, internal displacements and conflicts became a major problem for the people. The activities of the oil industry destroyed their farmlands, polluted the seas for fishing and dispersed hazardous waste into the rivers. Many communities were impacted but amongst those are these five major communities

### **5.7. Occupational and Economic Displacement in selected communities**

Identification of various factors influencing the effective implementation of existing policies of oil and gas emerged from the literature review as well as from the interviews conducted with the five communities which are Bomu, Bodo, K-Dere, Kpean and Ebubu all located in Ogoniland. And as Odoemene, (2011) reiterates, the consequence of this act has resulted in environmental degradation, loss of land use, internal population displacement, disease, hunger, poverty, and civil strife in the South-South region and especially in Ogoniland.

### **5.7.1. BOMU Community**

In 1958, the second commercial deposit of crude oil was discovered in Bomu oil fields, and this contributed significantly for exports of oil from Nigeria to the world. Oil spills is a major problem in the Bomu community as this also threatens their source of livelihood. The interview questions were based principally on the impact of oil spills but also realised that the impact of gas flaring which has hitherto been stopped for a long time still impacts the community. Major health issues from gas flaring and loss of farmlands since 1958 and 1975 respectively when oil was discovered has still been felt. Also, it was discovered that the frequency of oil spills in Bomu is much higher than other communities. As reported in the UNEP 2011 report, it was attributed that the cause of oil spills incidents is linked to equipment failure.

#### **5.7.1.1. Socio-economic impact of Oil Spills**

It was discovered that the people possess great skills as fisherman and farmers and profits from the oil obtained from the land can encourage and enable income generation by the people. This opinion gives backing to claims that oil as a strategic product has not economically or socially profited the Ogoni people. The Ogoni Bills of Rights contains important accounts relating to fiscal disempowerment of the people to resource extraction and its associated costs. The respondent's view on the impact of the oil spills on farmlands and on the creeks which led the loss of livelihood was a major problem that displaced the occupation of farming and fishing of members of the community causing many to go hungry and increased poverty. RO7 reiterates that *“the impact of oil spills is very personal as farmlands have been destroyed with very poor farm yields, we cannot cultivate many types of crops, and this is the main occupation of the community which has made us hungry and angry. Our women also have suffered losses because they depend on picking periwinkle from the creeks and rivers to sell for income and to feed their families, but they have no other option now and no handwork and have become beggars to feed their families”*.

#### **5.7.1.2. Pollution of Drinking water**

The respondent also claimed that the pollution of drinking water by the oil spills also led to sicknesses and premature deaths, skin problems, ingestion of hydrocarbons and crude oil from sea fishes and agriculture. The effect of oil spills on the creeks and rivers deterred the fishermen so badly that most were unable to earn income elsewhere. RO7, in response said, *“let me tell you that in 2008 and 2009, the community had major oil spills that flowed into our rivers and killed our fishes making it very difficult for our fisherman to catch edible products, even the fishes caught had crude oils in their belly and some big fishes die and floats on top of the river which makes us not to eat them.”*

### 5.7.1.3. Impact of Oil Spills

The negative environmental impact of oil spills in the community cannot be determined in monetary terms as the long-term effects on the people and the environment has been carried forward into generations and in as much as compensation is good, it can never replace human life. RO7 further complained that there has been no benefit to report from the government or from oil companies as the risks of oil spills, pollution of the creeks and farmlands and air pollution far outweighs any attempt of short-term benefits. *‘And our young men as they could no longer fish to feed themselves and create income now are into crime and other forms of unknown activities in order to survive, this is not what we expected to happen and if you look to other developed countries, people as well as their communities develop very well because of the presence of oil companies that operate within their lands’*’.

### 5.7.1.4. Health Impact

The presence of oil spills spreading into the drinking sources of water in the community is catastrophic according to the UNEP report of 2011. It found the contamination to be extensive and severe and stated that the people of the region have been exposed to it for decades. The report noted that “petroleum hydrocarbons can enter people’s bodies when they breath air, bathe, eat fish, drink water or accidentally eat or touch soil or sediment that is contaminated with oil”. The report also referred to raised concentrations of petroleum hydrocarbons in the air and drinking water. As RO7 responded that *‘our people suffered from skin redness, oedema, dermatitis, rashes, and blisters; inhalation exposure and red, watery, and itchy eyes, coughing, throat irritation, shortness of breath, headache and confusion and ingestion of hydrocarbons can lead to nausea and diarrhoea. RO7 complained that due to this oil spills we cannot drink good water so we drink rainwater because we cannot afford to dig personal boreholes to get good water which makes many of very sick especially on our children and women.’*

Name	Files	References
Economic Factors	1	5
Internal Displacement	1	3
Youth Restiveness	1	1
Environmental Degredation	1	3
Goverenment Neglect	1	3
Health Risks	1	5
Land Acqusition and Loss	1	2
Oill Spills	1	3

Figure 5.10: Coding Structure for Bomu Community showing Negative Factors of Oil Spills

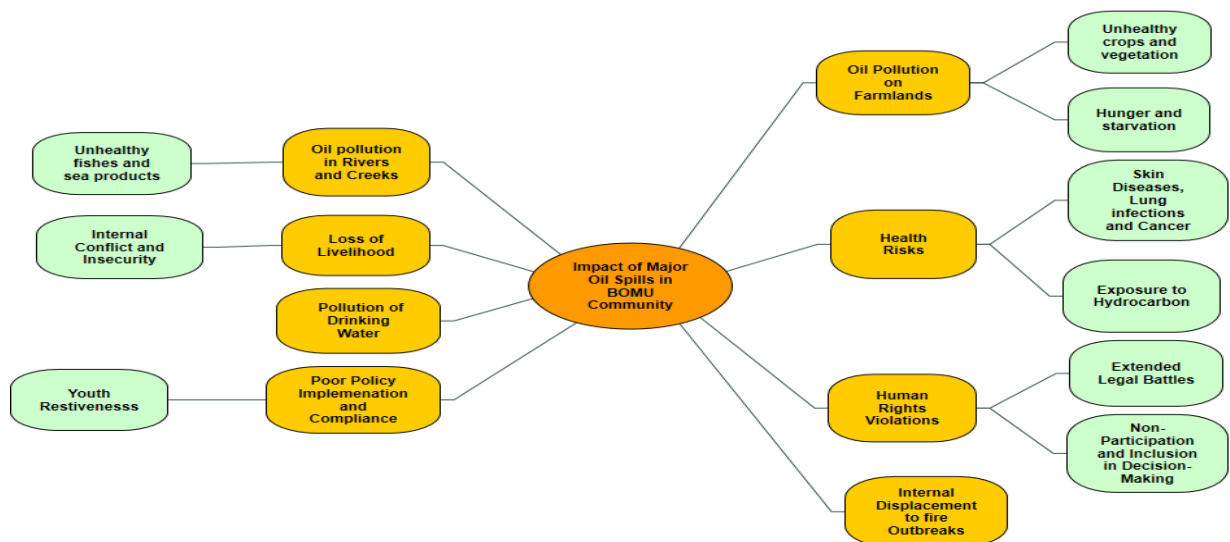


Figure 5.11: Cognitive Mapping for BOMU community

#### 5.7.1.5. Expectation and Needs

The expectation and needs of the Bomu community cannot be compensated for in financial terms but would be highly encouraged and appreciated as a benefit of the presence of oil in the land. Against this background, Kpae (2020), revealed that under the international human rights law, people whose rights are violated have a right to an effective remedy. This includes the right to reparation, which in turn encompasses restoring the victim to their original situation before the violation occurred, compensating people for economically assessable damage, rehabilitation, satisfaction - which should include effective measures aimed at verifying the facts, and full public disclosure of the truth, judicial and administrative sanctions against those liable for the violations, and a guarantee that the violation will not be repeated. RO7, *‘we want to be compensated for all the years that the oi companies and their contractors have destroyed our farmlands, our farmers need to be paid for the crops they planted and lost.’*

According to the existing oil and gas policy, NOSDRA and HYPREP are involved in the management of conflicts related to oil spills which was established by the federal government because of UNEP’s investigations became handicapped as political and financial factors impeded its activities to carry out the monitoring and compliance responsibilities. The role of stakeholders is very important in any ongoing project, but findings show that there was no adequate participation and representation, and this underscores the basis for human development because of the absence of representation and add a voice for the marginalised. And on the question of policy implementation and compliance? RO7, *‘there needs to be coordination between the agencies to*

*investigate oil spills as they occur every time, they are insensitive to our needs as a community and this inadequacy and lack of coordination of the government and agencies destroys every effort to improve the situation, we expect more from them. ‘‘We are yet to benefit from all this extraction activities you know, the decisions to report or clean up oil spills rest solely on the oil companies, and they must decide when to do it until instead of waiting for us to take them to court all the time, just like MNOC admitted responsibility in 2008 and started putting the plans for the clean-up in place.’’*

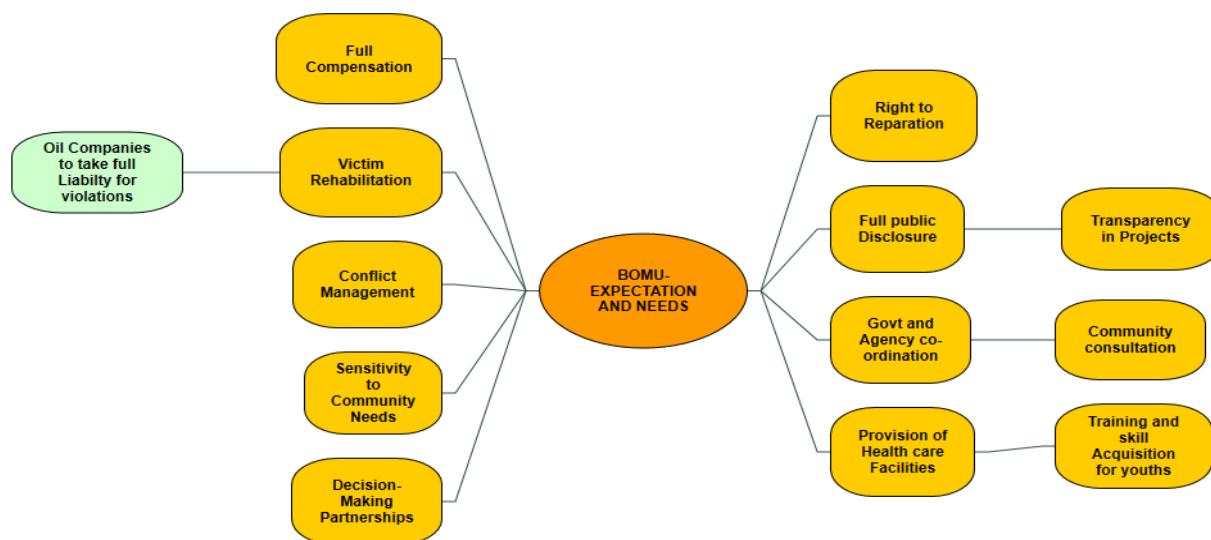


Figure 5.12: Cognitive mapping of Expectation and Needs- Bomu Community

### 5.7.2. BODO COMMUNITY

The Bodo flow station is in the west fields and is in the mangrove heartland of Bodo creek. According to Fentiman et al (2015), The Trans Niger Pipeline (TNP), which transports between 120,000 and 150,000 barrels per day of crude oil from the Niger Delta hinterlands to the Bonny oil terminal traverses the Bodo Creek. Despite the suspension of oil production following the high marks of the Ogoni struggle of the 1990s led by MOSOP, the TNP remains active and makes the environment along its tracks vulnerable to oil spills. Threats and incidents of oil spills in the Ogoni area are compounded by uncapped wellheads and flow stations, leaks from pipelines, spills associated with illegal tapping of wells, transport of stolen oil and artisanal oil refining as found in the UNEP report of 2011. Fentiman et al (2015), further stated that the environmental degradation is well documented, and the effects are clearly visible to the naked eye. The creeks and mangrove swamps show that oil is ever present; oil is visible on the surface of the creek water, the mangrove trees are decaying, fringing fruit trees are dying, canoes have been burnt, houses along the waterfront are unfinished and abandoned, and there is a pervading sense of ‘hopelessness’.

### 5.7.2.1. Negative Impact of Oil Spills

According to Kpae (2020), In August and December 2008, two major oil spills disrupted the lives of the 69,000 or so people living in Bodo. The spills continued for weeks before they were stopped, and estimates suggest that the volume of the spill was as large as the Exxon Valdez spill in Alaska in 1989. Three years after the spill, the oil company has refused to clean-up the oil that was spilled which continues to have catastrophic consequences on the Bomu community. In response to the question of impacts experienced by the community? RO6 pointed out that because of oil spills, *'the traditional waterfront activities like bathing in the rivers, medicinal use of the creeks which has healing powers especially in the cure of conjunctivitis, chickenpox and other infections is lost. For example there is a sickness with very high fever that attacks our people, but when they take you to the creeks you will go under a boat inside the creek, then we use palm oil and scrub you with cassava leaves inside the creek and that sickness disappears, this is because our water have healing powers, it is what God gave us but because of the oil companies we do not have them again, we are unhappy.'* The respondents' views on environmental degradation have formed an immeasurable social and economic loss and subsequently endangered a sustainable future for the people. According to the UNEP report, the environmental degradation of Ogoniland will take 30 years to clean up and may require a minimum of a billion dollars as noted by Micah et al (2013). Bodo Creek is mangrove-sheltered, with low energy tidal current, which makes the swamps and waterways excellent fish breeding and recruitment grounds, and as a refuge for the multispecies of fin and shellfish characteristics of the tropical estuarine system. No specimens were recorded post-spill at two of the sites investigated but surface and infauna communities suffered severe reduction in abundance and number of species reduced by 81% after these oil spills, according to Zabbey et al (2014).

### 5.7.2.2. Loss of livelihood due to oil spills

The tradition means of livelihood for the Bodo community is fishing and farming as a primary means of sustenance. Thus, the importance of the creeks and waterways cannot be overestimated but the negative impact of oil spills on the rivers and creeks have made it impossible for the fishes to be caught and most times are not edible as crude oil can be found in the stomach of the fishes. RO6, reiterates that the impact on the women is significant as *because 'we can no longer access the rivers to fish and collect shellfish from the creeks, they have had to look for other kinds of jobs or to travel into nearby lands to buy produce in wholesale quantities of dry fish instead of the previous ways of sourcing these fishes from the local fishermen within the community and this is also very expensive as it now incurs travel expenses. We need a thorough clean-up of oil spills in our land so we can go back to fishing and farming.'* RO6 decried that because *'our community*

depends on the creeks, rivers and land for farming, the oil spills have prevented us from enjoying the blessings of the land. For instance, the community relies on the mangrove for firewood and our women use these to making fishing racks and stakes to for yams, but this has been impacted by the oil spills.’’

### 5.7.2.3. Loss of culture and Traditions

The loss of culture and traditional rites of many years were notably absent and is attributed to the oil spills that overtook the water ways and creeks thereby causing less travels by some worshippers into the seas. RO6 further stated that rituals and traditional purposes are lost, ‘for example, when a woman gives birth in the community, she and the infant are escorted to the creek to bath in the water, this benefits the mother and child because the water provide strength to the mother and protects the child against diseases. When the waterfront had no issues, we used to go and sit there with our mates to enjoy fresh air under the shade of trees, and this builds us a s community now we have lost that. And again, the traditional new yam festival which has its shrines and beliefs connected to the water ways and creeks is not doing well’’.

### 5.7.2.4. Health Risk of abandoned machineries

Abandoned project facilities by the oil companies also pose a safety and health risk to the community. Interview would reveal that corrosion from these metallic leads to ground contamination by heavy metals and the interest of some people to recover these metals as scrap may lead to health risks and even deaths if not decommissioned properly. ‘most times when oil company finishes any projects, they were doing in our community, it takes them time to clear up their equipment and some are even abandoned which causes environmental hazards. We really feel neglected by the government as they don’t seem to care about our existence, they should sanction these oil companies to obey the laws of the land’’

	Name	Files	References
+	Environmental Factors	1	5
+	Government Neglect and Interference	1	2
+	Health Factor	1	2
+	Legal Factors	1	7

Figure 5.13: Coding Structure for Factors of Occupational Displacement in Bodo Community

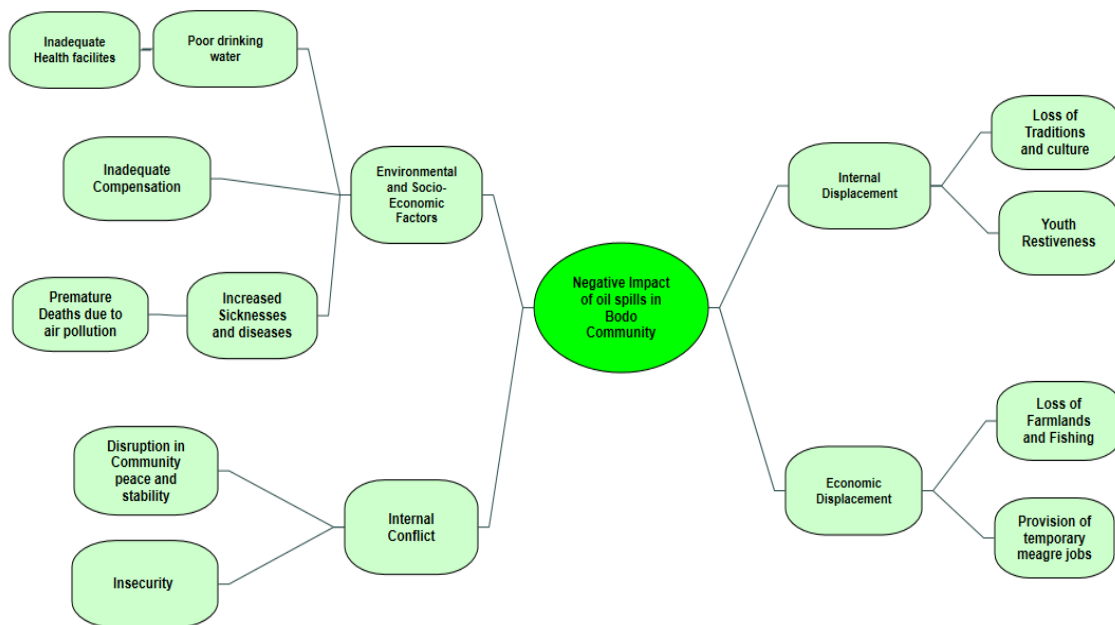


Figure 5.14: Cognitive Mapping for Bodo Community

#### 5.7.2.5. Expectation and Needs

The expectations of the community from the government and oil companies were that the presence of the oil companies within the community would upgrade an atmosphere of economic boom and enable self-sustenance and wealth generation because of the blessings of the oil in the land. In responding to the objective four of this study, associated requirements that challenges government structures to implement the policies on oil and gas in the community, is hinged on *legal* justification of the activities of the oil companies. This is so because the relationship with the community and government is noticeably absent as it features occurring agitations and protest by the people. Findings demonstrates that the Bodo community have accepted that democracy does not exist where laws do not protect minorities. They also believe that Ogoniland and the other Southern minorities have been ruined beyond repair by multi-national oil companies under the protection of successive Nigerian administrations. RO6 stated that, *the people of Ogoniland do not have representation in government level, therefore interference in the form of land seizures is very common. For example, many farmers have been displaced due to the lack of land acquisitions by the government. Like in NGO Lokiakia community, farmers protested to the government of Rivers State for using their lands for commercial banana plantation which was been operated by a Mexican company without consultation or compensation in 2011. This case went to the National Human Rights Commission and till date not all owners have gotten their lands back despite the company having left the area.* We therefore need to be fully represented during project plannings and negotiations''. RO6 further stated that, *we expect that we should have representation at the*

*decision-making table in these companies and with government, as it concerns us, we wear the shoes, so we know how it feels. Therefore, we believe that our human rights have been violated as a people, we had a voice in the person of Ken Saro-Wiwa and other notable Ogoni sons since 1995, but they were silenced for no just cause. And this has made us to take our battles with the MNOC to the world courts and to UNEP. In March 2012, we filed a lawsuit in the London High court to seek compensation for the two oil spills of 2008 and 2009 by MNOC which greatly impacted us of which we won in January 2015 for an out of court settlement of £55, million and we have won our case of which we are very happy that justice has prevailed. Although we have won, we are still waiting of the actualization of the clean-up activities in full scale in our community.’’*

#### **5.7.2.6. Maintenance of roads and drainage systems**

Maintenance of roads impacts on travel conditions for the people as findings revealed, and this is due in part to abandonment by the government and neglect from oil companies is noticeably present in the community, bad roads and poor drainage systems is very visible and the community in other for trade relations and to enable the people travel to purchase crops and other livelihood items travel frequently to neighbouring villages. Thus, the expectation from the oil companies through its corporate social responsibilities, is to provide good roads, modern infrastructure of schools and hospitals and training of the youths as deduced from discussions held with respondents. *‘‘We also need the companies to maintain the roads that they also use, it causes a lot of accidents due to heavy trucks and tankers moving on the road, it is not safe for our people at all, we have lost many people due to bad road conditions.’’ We have lost many people to accidents from the gutters on the roads as when it rains it gets flooded and our people fall into it and harm themselves. The oil companies don’t care if they use their heavy vehicles to travel to their sites.’’*

<input checked="" type="radio"/> BODO-Expectation and Needs	0	0
<input type="radio"/> Environmental Clean-Up	1	3
<input type="radio"/> Improved Compensation and Redress	1	1
<input type="radio"/> Improved Healthcare Facilities and Amenities	1	3
<input type="radio"/> Improved Laws and policies	1	2
<input type="radio"/> Provision of Permanent Jobs for Youths	1	4
<input type="radio"/> Reduce Internal displacement and migration	1	2

*Figure 5.15: Coding Structure for Expectation and Needs*

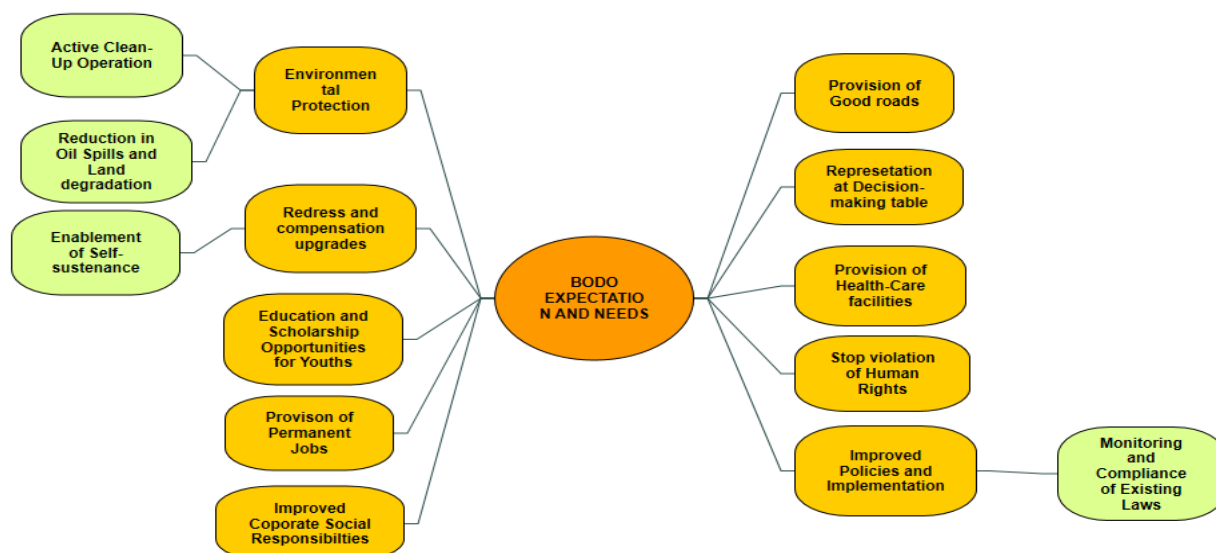


Figure 5.16: Cognitive mapping for Expectation and Needs (BODO Community)

### 5.7.3. K-DERE COMMUNITY: Impact of Oil Spills on farmlands

Kegbara-Dere (K-Dere) community is in Gokana local government Area in Ogoniland. It is one of the major communities that oils spills impacted and of which UNEP also investigated in 2011 during the 2-year study on “the environmental and public health impacts of oil contamination” of the area at the request of the Nigerian Government. It is unquestionably the most wide-ranging report in the history of the country’s oil industry. Oil exploration has greatly impacted the socio-economic and environmental status of this community which has also negatively impacted the inhabitants and their livelihood. During the interview, RO9, stated that *“the oil spills and pollution of the rivers have mainly caused in death of our people due to hunger, the reason why there is still some agriculture crops growing is because the oil company has not operated on the land since 1993 due to their negligence of looking after the land and its people from oil spills”*.

The impact of the exploration of resources in Ogoniland for national benefit and absence of environmental renewal laws including the denial by the multi-national corporations and the government is seen as crime against humanity by the United Nations. An explanation for the implementation of development projects in most communities which leads to any form of displacement or forceful acquisition of lands should be that these projects will have efficient use of the lands and generate income and prosperity for the affected peoples, but local indigenes see these developments as only serving the interest of the nation. Oil pipeline failures and the accompanying spills have led to infernos that caused destruction of life, homes, and property that is worth millions of dollars as stated by Oshwofasa et al, (2012).

And in response to that, ‘‘RO9 stated that, *the pipelines laid in the community experienced a fire outbreak in 2009 and oil spills occurred in the area which scared the community as it was a large fire outbreak and polluted the air for some weeks and destroyed nearby farmlands in the process.*’’  
*Our people went hungry as we could not farm or even healthy enough to work because of the air pollution.*’’

#### **5.7.3.1. Negative Impact of Oil Spills**

Interview discovered that the community prior to 1993, were non-reactionary due to ignorance to the devastation of the activities of the oil companies. Due to inability of fishermen and farmers to earn a living as farms are flooded by oil spills and contamination, there is an apparent lack of income for the farmers and fishermen. The respondent stated ‘‘*when incidents like oil spills and any problem of the oil activities arises, we call for a dialogue and always get no response from the oil companies, then the youths engage in protest which sometimes turns violent if the companies play deaf ear to their demands. As RO9 further reiterated that, the palliative response by the oil companies to provide suitable jobs and funds for our youths is inadequate and they become aggrieved and result to riots and blocking of the offices so the companies cannot perform their duties, this should not be so as the oil companies are taking oil freely from our lands and punishing us in the process?*’’

#### **5.7.3.2. Air Pollution**

In its executive summary, the UNEP Assessment of Ogoniland emphasized that the clean-up operation of Ogoniland should include skills training, employment, and career development of indigenes. The UNEP report 2011 stated that Petroleum products can contain thousands of individual compounds with potential impacts on people with regards to exposure and degree of toxicity. Thus, People of all ages might be exposed to petroleum-contaminated surface water or groundwater when used for bathing, washing, cooking, and drinking water. Members of fishing communities risk exposure to petroleum if they drink, bathe, or collect shellfish in contaminated water, or if they meet or accidentally ingest contaminated sediment while engaged in any of these activities. RO9 reinstates, ‘‘*even though there are no gas flares, the air is not breathable, there is constant heat in the community and no basic healthcare amenities is even provided as our people travel far to receive treatment. Some people suffer from cough, skin problems, high fever, and malnutrition due to this oil spills. Now our people have inherited long lasting disease that they treat daily with no health facility available, so we spend the money we don’t have to treat ourselves*’’

### 5.7.3.3. Policy Implementation

RO9 expressed dissatisfaction with the relationship between the community, the government, and the oil company which needs to be improved. The respondent retorted regarding how laws are put in place to protect communities, ‘*because government feels that we are a small community so we can be ignored, that is why they can allow pipelines to be built in our land but don’t compensate us properly, it is very unfair to us.*’

Environmental Impact of Oil Spills	1	3
Compensation	1	1
Coporate Social Responsibility	1	2
HealthCare and Welfare	1	3
Inadequate Compensation	1	1
Internal Displacement	1	2
Non-Policy Implementation	1	1
Social-Economic Impact	1	4
Government Neglect and Interference	1	2

Figure 5.17: Coding Structure of Negative Environmental Impacts in K-DERE Community

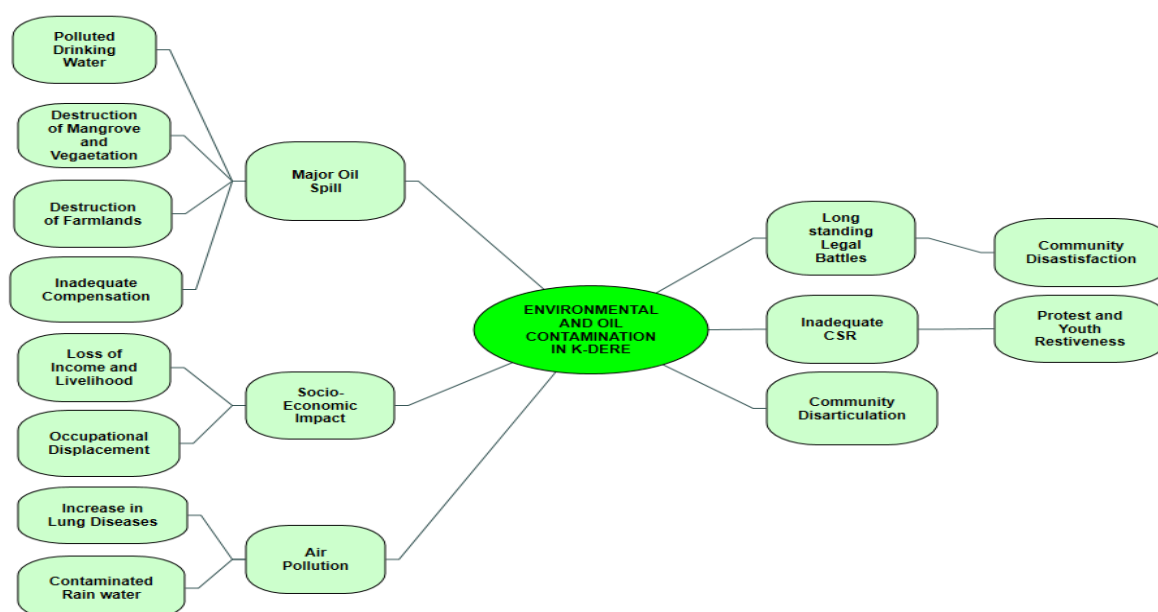


Figure 5.18: Cognitive Mapping of Environmental Impact K-Dere Community

### 5.7.3.4. Expectation and Needs

The neglect and marginalisation from the government was identified as an impact affecting successful implementation of oil and gas policies in the region. Over the years, the silent and ignorant communities after the declaration prior to Ken Saro-Wiwa under the Movement for the Survival of the Ogoni People (MOSOP) launched a campaign against oil company for due

diligence arose. K-Dere community had instituted legal action in 1991 against the oil company to seek redress both in national and foreign courts in the UK and the USA where they believe that they can obtain justice and be compensated for the injustices meted on them and to be recompensed for the devastation of the farmlands through oil spills and fishing creeks and the presence of corroded pipelines on the land which has economically displaced the community.

#### **5.7.3.5. Dialogue and Negotiation**

The dominant opinion according to the respondent is that the oil companies and government should build relationships with the local people other than just the shareholders or investors to promote a balance in participatory outcomes. It was stated that the government uses its influence to intimidate the minorities and thereby distract the oil companies from performing their responsibilities and promises to them effectively. And this factor hampers any kind of implementation in the community as they would be unwilling to participate because of the feeling of been left out from the planning process. *‘We expect the government to ensure that dialogue is used to resolve these conflicts between us and the oil companies and that the petroleum agencies must effectively perform their regulatory activities and include us in all the planning and negotiation of any project that concerns us’’. We have educated persons that can represent us at these meetings, that is why we need to be included’’.*

#### **5.7.3.6. Agency Monitoring and Compliance**

Another expectation of the people is for the government to develop the community with infrastructures. Transparency and dialogue between the community and the community is one of the needs of the community as this has been an unstable relationship with the community been ignored. *‘For example, they need to secure and maintain their facilities and flow stations from contaminating our lands as there have been too many oil spills over the years. If you look around the village you will see some abandoned facilities which are unkept and does not seem to have been contained by the standards of SPDC regulations. The oil companies need to be responsible in terms of the decommissioning of some of the machines that they no longer use any longer as they have now become dangerous hazards to us and are accidents wating to happen, all they need to do is to dispose of them to prevent it.’’*

<input checked="" type="radio"/> K-DERE EXPECTATIONS AND NEEDS	1	19
<input type="radio"/> Adequate Compensation from Govt and Oil Companies	1	2
<input type="radio"/> Adequate Health Facilities	1	4
<input type="radio"/> Community Development and Economic growth	1	3
<input type="radio"/> Conflict Resolution and internal Security	1	1
<input type="radio"/> Decommission of deplorable oil assets by oil companies	1	1
<input type="radio"/> Effective monitoring of existing policies	1	4
<input type="radio"/> Environmental Clean-Up and Negotiation with Govt	1	2
<input type="radio"/> Improved Corporate Social Responsibilities	1	2

Figure 5.19: Coding Structure of Expectation and Needs- K-DERE Community

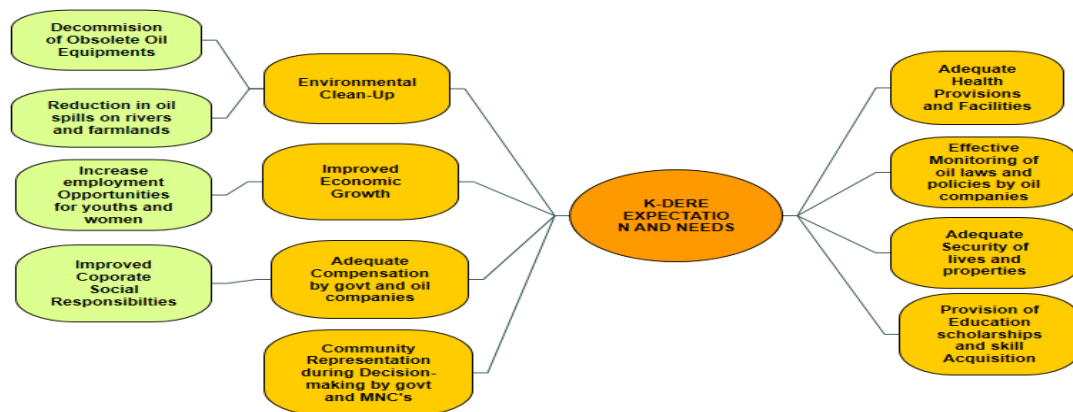


Figure 5.20: Cognitive mapping for Expectation and Needs (K-DERE Community)

#### 5.7.4. KPEAN Community

According to Wika et al (2013), the Kpean community is a rural settlement in the Khana Local Government Area of Rivers State. The community is located at the heart of the Niger Delta known to be Africa's largest delta, covering some 70,000 square kilometres. It became a well-known town when the MNOC discovered oil in its environs some years ago in the 1980's. This discovery brought about serious distortion of the cultural, ethics and norms of the people. Their economic life was not spared either. Before the advent of the "Yorla Oil Field" as the oil locations around Kpean are called by the MNOC.

##### 5.7.4.1. Loss of Livelihood for the women

Due to the presence of oil companies in the community, a new pattern of work arose with gender divisions as many young people sought for white collar jobs in the oil companies. Kpean women are known for their entrepreneurial activity in farming, trading, and fishing. Consequently, the impact of the environment affected their handwork and occupationally displaced the women making it difficult to feed their families. R10 emphasising on the impact of oil activities which

has destroyed the environment has more serious consequences on the women, ‘‘because *the women of the community are very hardworking and as the major farmers in the community constitute a largely marginalised percentage in the distribution of resources generally. As they have lost farmlands, hunger has increased for them and their families. The women are unhappy as the cannot work in the oil companies as most are not educated enough and almost elderly. For instance, in 2012, the RSSD introduced a one-off programme to support widows so they can start small scale business learning skills and trainings, but only 200 women benefited from this program and not one woman came from Kpean community*’.

#### **5.7.4.2. Negative Impact of Oil Spills**

The oil extractive processes resulting in oil spills have led to the discharge of toxic chemicals in the air, which has resulted in acid rain, climate change, and contamination of soil, water, and air. These environmental threats have triggered adverse effects nonstop to the environment and affected the community greatly and this has continued for many years. Decades of oil spills since the discovery in the 1950s have devastated the creeks, rivers, and farmlands to the detriment of the people. Onuh et al (2021), however argues that while the activities of multinational oil corporations contribute significantly to oil pollution and environmental degradation in most oil-producing countries, the extent to which illegal artisanal refineries contribute to the environmental problems in the region remain unclear, but extant literature attributes this to the expanding activities of the artisans as well as the use of crude technology in illegal oil refining. The study by the writer links the continual failure of the clen-up program to the artisanal crude oil-refining economy in the region.

#### **5.7.4.1. Health Impact and Loss of Livelihood**

Wika et al (2013), stated, that the people’s health is at very high risk as weekly death is placed at 3-5 persons. ‘‘*RO10, the oil spills have made us very sad as we have for many years suffered indescribable pain and losses of health, wealth, and happiness. R10 emphasized that ‘‘ our people do not sleep well because of the flames they inherited when there was gas flaring in the village, and this always takes people to the hospital to treat cough and chest pain. And asthma.*’’

Kpean is one of representative communities in Ogoniland and remains the most underdeveloped in the country, it is lacking modern infrastructures, such as roads, education, medical facilities, electricity, etc yet the community is scattered with numerous unprotected oil wells, pipelines and flow stations with huge oil spills which has totally overwhelmed the farmlands and fishing creeks. The presence of oil in the community is seen as a curse rather than a blessing by the Kpean community, as the alienation of women from their farmlands caused untold hardship, poverty, high

mortality rate, malnutrition, and communal conflict. RO10. Stated ‘‘land was withdrawn from use for the women of the Community because of the activities of the oil companies, we uprooted various food crops and economic trees to enable the oil company workers get to the oil wells, and the roads are of very low quality, and it is always breaking down before the end of a rainy season after the construction.’’ The women have found this very hard as we are also providing for our families, we contribute to the community as well, but this has been taken away from us and have made us redundant. Not all of us can go back to school or start learning a trade now. RO10 further stated that ‘‘some parents could not pay school fees, so the youths were out of school and due to insufficiency of provided schools by the government, and the oil companies not even helping to maintain the ones we have, this often leads to running battles and confrontation with the oil companies for financial settlements which mostly results in community disturbances and youth restiveness’’.

#### 5.7.4.2. Internal Displacement and migration

Due to the installations of large oil wells and pipelines over farmlands, these run across the doorsteps of families thereby displacing families internally as they need to relocate to other areas to rebuild their houses. RO10, ‘‘when they want to expand their projects and place those big pipes, the government and the oil companies will just start digging and putting the pipes without talking to us, they don’t negotiate with us at all, and they also build them so close to our houses and cut of the frontage of the buildings, so we just have to manage the remaining spaces left to build houses and to live or to find another place and move to and this has displaced many of our young people because the remaining lands left cannot contain all of us, so they have to relocate to other parts of the village.’’

<input checked="" type="radio"/> Impact of Oil Spills	1	2
<input type="radio"/> Environmental Failure	1	5
<input type="radio"/> Health Factor	1	2
<input type="radio"/> Inadequate Compensation	1	2
<input type="radio"/> Internal Conflict and Displacement	1	4
<input type="radio"/> Legal Claims	1	1
<input type="radio"/> Occupational Displacement	1	1
<input type="radio"/> Policy Implementation Failure	1	4
<input type="radio"/> Poor Corporate Social Responsibilities	1	4
<input type="radio"/> Internal Displacement	1	1

Figure 5.21: Coding Structure for Factors of Occupational Displacement in KPEAN Community

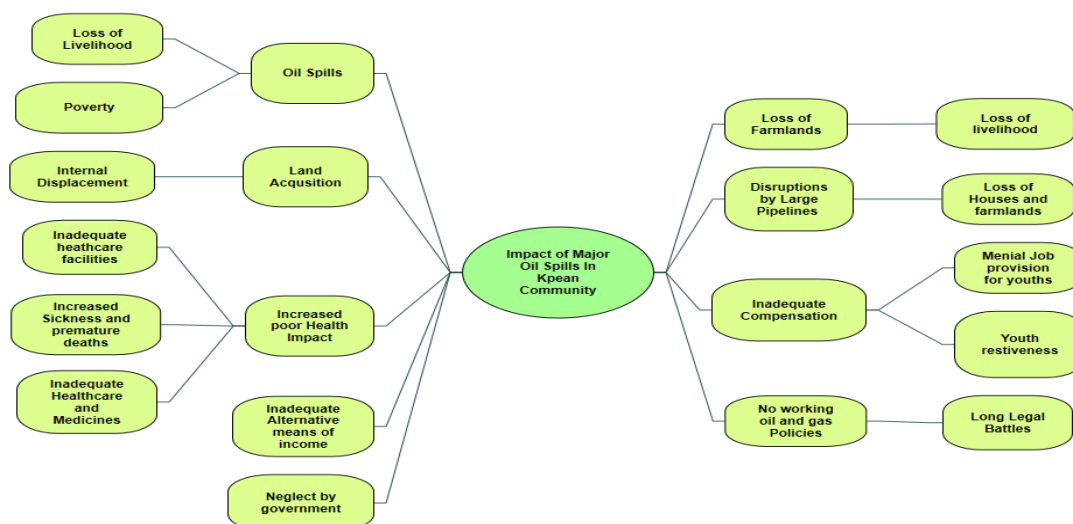


Figure 5.22: Cognitive Mapping for Kpean Community Impact

### 5.7.4.3. Community Needs

It should be clearly understood that community needs are mostly on the basic needs which usually includes housing, food, health, and transport for everyday living. In the context of this study, exceeds the basic needs, and this is because of the presence of the MNOCs and based on the expected resource benefits and in mutual agreements. Thus, the community identified the following needs that requires more focus by the government and from the oil companies.

### 5.7.4.4. Monitoring and Compliance

Expectations of oil and gas regulation and monitoring by government agencies and compliance by oil companies is highly demanded by the community to forestall the delays of cleaning up oil spills and repairs of aged pipelines which causes fire outbreaks and destruction of lands and properties as revealed by the respondent. RO10, *the government does not always come to inspect what is going on with these oil companies in our land, how would they know if they are keeping to the laws? We need them to monitor them all the time, so they do not break the laws set for them''*

### 5.7.4.5. Compensation and Benefit Sharing

Wika et al (2013), stated that a critical factor stated by the community was on compensation and rent on damaged crops and economic trees, shrines, fishing gears and land that were paid was to the Community was inadequate as given the patriarchal structure of inheritance in the entire Ogoniland. In terms of compensation and payments for crops destroyed because of oil spills, RO10 stated that *''as women, we were not paid, and we were not involved in any kind of the negotiation our lands rather it was paid to our community heads who in turn determined what to pay back to the family heads who then give us what they want for our losses, we want to be involved in making decisions that concern women. We expect the government to have a good structure of*

compensation and to involve the community during these negotiations so that we can discuss our terms and how much destruction has happened to us as a community.’’

KPEAN EXPECTATION AND NEEDS	0	0
Clean-up of Oil spills on Farmlands	1	5
Compensation for damaged Farms and loss of livelihood	1	2
Improved Coporate Social Responsibilty by Oil Companies	1	4
Improved Healthcare and Welfare	1	4
Legal Access	1	4
Occupational Displacement and Adequate Resettlement	1	2
Oil policy implementation and monitoring	1	4
Revenue Allocation and Compensation	1	3

Figure 5.23: Coding Structure for Expectation and Needs in KPEAN Community

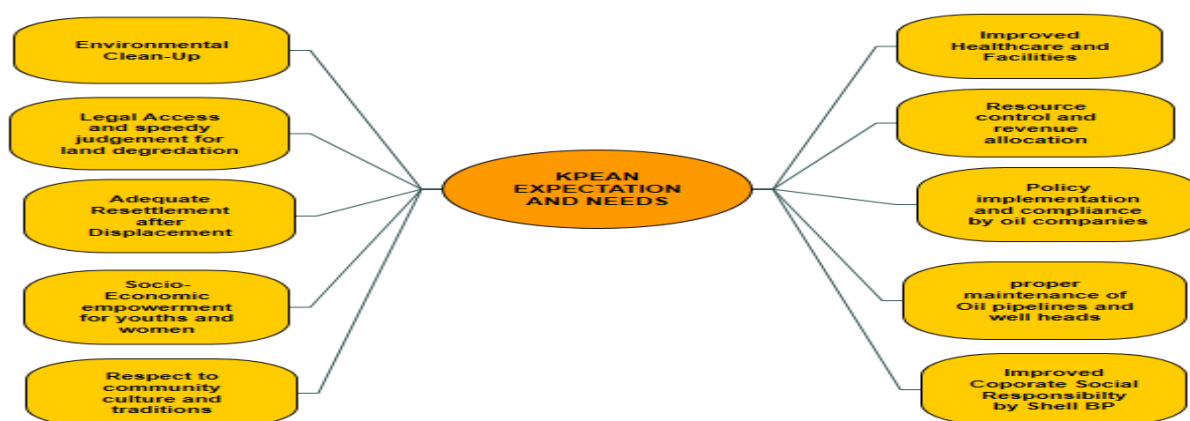


Figure 5.24: : Cognitive mapping for Expectation and Needs (KPEAN Community)

### 5.7.5. EJAMA-EBUBU Community

The UNEP report found heavy contamination present 40 years after an oil spill occurred, despite repeated clean-up attempts. The economic and occupational displacement on the community is evident because of the impact of oil spills, it has affected the social, cultural and traditions in such magnitudes that the recovery process is very distant. Internal displacement because of the effects of oil spills and corrosiveness of the air on the housing infrastructures impacted the financial status of some members of the community as RO8 explained that *‘‘we are constantly changing our roof tops and it makes it very expensive, so some people left their houses and relocated to other villages to rent and to live. Also, when the blowout of the pipeline happened years ago in our community,*

*so many people fled and some are yet to return to us, this has also caused family disunity and brokenness.’’*

#### **5.7.5.1. Negative Impact of Oil Spills**

The exploration of oil and gas is a national economic activity for Nigeria and according to the Land laws of 1958, land does not belong to anyone but to the federal government, including the oil producing communities in the South. According to RO8, *‘we did not grant access to oil companies to operate in our lands so there are no signed agreements signed leases given to them to operate, the government gives them access to our lands for national economic growth but they need to look after us so we can all have a good relationship for their business to thrive.’’*

#### **5.7.5.2. Policy Implementation**

The fourth objective of this study seeks to establish the requirements that challenges successful policy implementation. Therefore, the failure of the regulators like NOSDRA was found by the UNEP report of 2011 to be lacking in funding which meant that the agency has no hands-on capacity for oil-spills and must rely on reports from oil companies or civil society concerning the incidence of a spill. It also has very little reactive capacity – even to send staff to a spill location once an incident is reported. Interview revealed the dangerous living condition of some members of the community, an example is of a family living very close to the pipelines and farming dangerously close to it. The risk to life and health to the nearness of these unprotected oil wells and pipelines cannot be exaggerated. Atmospheric contaminants from oil spills into rivers and farmlands is a key issue of the environment in these communities. The degradation is very evident on ground and cannot be taken lightly, it is clearly visible flowing on the rivers, wells, creeks, and farmlands when dug.

#### **5.7.5.3. Environmental Degradation**

Interview revealed that the basic socio-economic activities of the people are fishing, and farming and that oil spills affected the vegetation and farmlands of the community which remains within the soil for a long time and makes it difficult to plant new crops thereby affecting the income of the farmers. RO8 reiterates, *the mangroves which we collect firewood from is decaying due to oil spills, fruits don’t germinate very well, we have canoes and houses that have been abandoned as it can no longer be used on the waterfronts’’*.

#### **5.7.5.4. Loss of farmlands**

Regarding the question of the impact of oil spills on farmlands, the respondent stated that *‘and our farmers can no longer farm or plant crops to feed talk less of to sell, the oil spills into the farms and have destroyed it to the point that whatever you plant does not cultivate well to produce*

*much harvest and even if it does it smells of crude oil. We are under-developed as we cannot boost of the benefits of having oil in our lands.’’*

Policy Failure and Implementation	1	2
Environmental Issues	1	3
Economic Losses	1	2
Inadequate Health Care Provision	1	6
Oil Spills and loss of Livelihood	1	1
Lack of CSR	1	2
Non-Consultation and Participation	1	1
Youth Restiveness	1	1
Internal Conflict	1	2

Figure 5.25: Coding Structure for Ejama-Ebubu Community

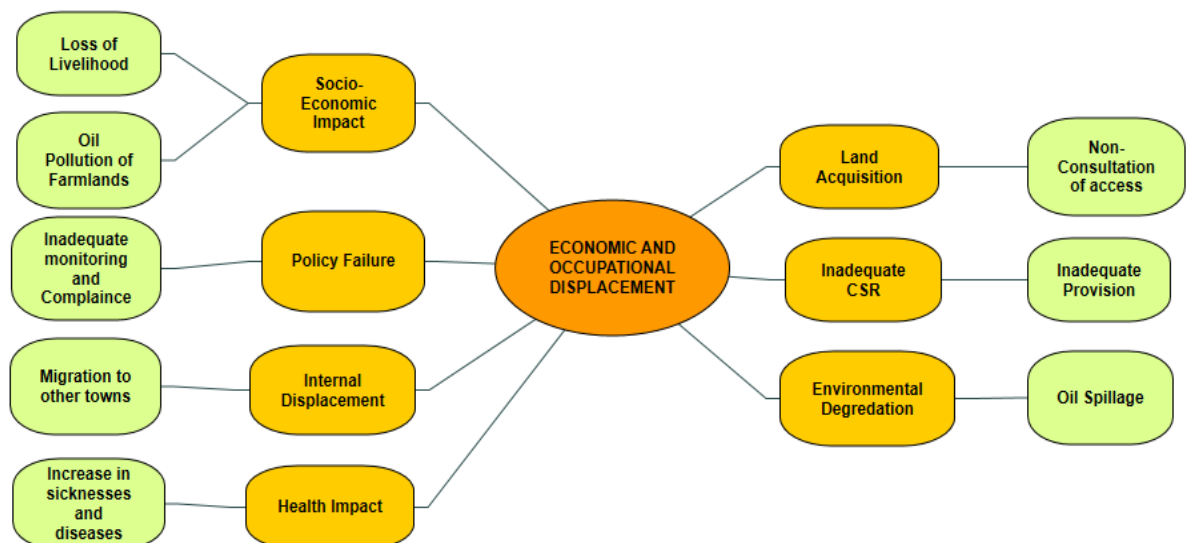


Figure 5.26: Cognitive Mapping of Impact of Ejama-Ebubu Community

### 5.7.6. Community Needs

The inadequacy and failure of government to implement the existing oil and gas policies is very evident in the communities investigated. The prevention of oil spills should be a priority and when it does occur should urgently be tackled and cleaned up to protect the impacted communities.

#### 5.7.6.1. Community Participation and Decision-Making

On the question of community involvement in the decision making of these projects? ‘‘RO8 retorted that the relationship between us and the government and oil companies is worse than slavery as they do not consult us or include us in decision making on anything. They also exclude us from all plans and projects decision making and allow oil companies to do as they please. We also have educated people that are qualified to be at these meetings too.

#### 5.7.6.2. Provision of Modern Infrastructures

The provision of modern infrastructure is a major need for the community. As findings reveal that ‘‘we also need them to develop our community by giving us good schools for our children, provide good drinking water and we need the government to build modern houses and hospitals for us. Our young people need good university education, good skills acquisition programs and permanent jobs within the oil companies.’’ We need good schools for our children and scholarships too so they can go further in their education’’.

#### 5.7.6.3. Effective Monitoring and Detection

The need for an effective spill detection facility and a proper clean up instrument is required in place as discovered during the interview. This will prevent and assist any future and devastating occurrence of oil spills at the onset to prevent accidents and destruction within the community. ‘‘No monitoring or compliance of laws by this company is done and we want this to be corrected. The government needs to visit the land and see for the destruction of our community for themselves that they will understand our cries.’’









 EJAMA-EBUBU EXPECTATION AND NEEDS	0	0
 Adequate representaion of community at decision-making	1	2
 Environmental Clean-Up of Oil spills	1	2
 Govt to build modern hospital	1	3
 Improved policy implementation and monitoring	1	4
 Provision of good schools for children	1	2
 Provision of permanet jobs due to loss of livelihood	1	1
 Transparency in Coporate Social Responsibility	1	2

Figure 5.27: Coding Structure for Ejama-Ebubu Community Expectation and Needs

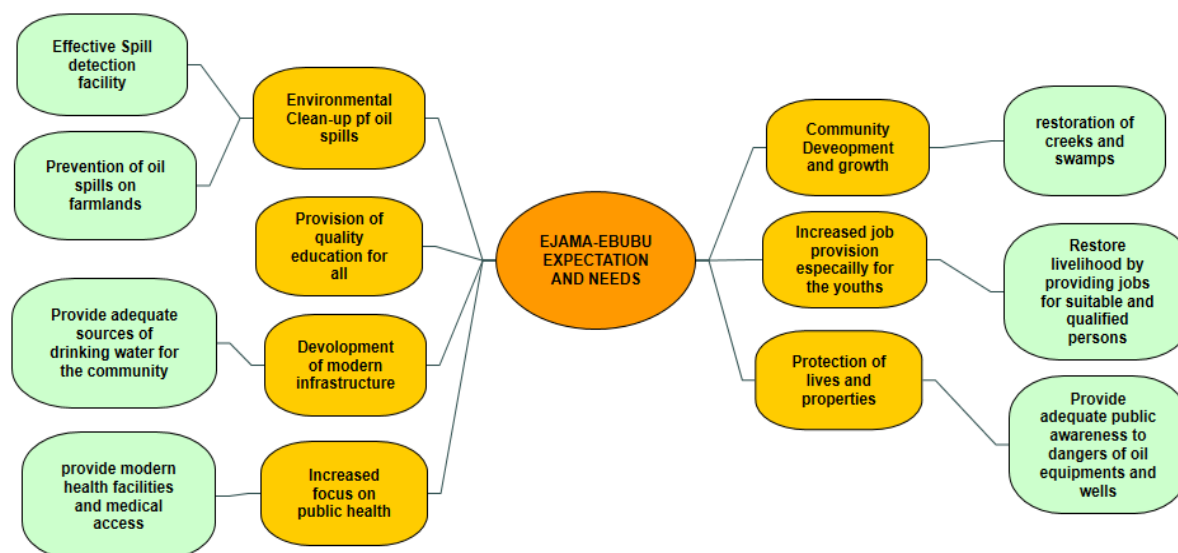


Figure 5.28: Cognitive Mapping of Impact of Ejama-Ebubu Community Expectation and needs

## 5.8. Discussion on Ogoniland Findings

The Environmental, social-economic, and occupational displacement price paid by Ogoniland has been very high and consistently led to economic loss for the people which has been extensive. It has included the destruction of wildlife, damage to farmlands and oil spills in rivers causing loss of fishery for the fishermen, pollution in the air causing illnesses such as asthma and bronchial infections and contamination of drinking water. It should be noted that the impact of the enormous oil spills that has impacted the land has severely disrupted the livelihood and socio-economic lives of the people.

The region has a complex and extensive system of pipelines running across the land with huge amounts of oil incidences due to old and decayed pipeline facilities. The delay to clear these sites after a project is completed has caused pipeline corrosion, ground erosion, material defects and sabotage of oil spills as claimed by the oil companies. Notwithstanding, the environmental and consequences suffered by the displaced community in Ogoniland cannot be over-estimated. The consequences of the environmental degradation as suffered by Ogoniland made the people to demand for a clean-up, compensation, and stoppage of the pollution as it negatively impacts them. Consequently, this led to the intervention by the Nigerian government who invited the United Nations Environmental programme (UNEP) to carry out a comprehensive environmental assessment in October 2006.

Accordingly, the presence and activities of the oil companies have thus negatively impacted the displaced communities which mostly blame the government for total neglect and abandonment of the people, for non-implementation of existing policies and failure to monitor the activities of these oil companies. The call therefore is for compliance of all oil and gas laws which these companies like the MNOC's to adhere to the rules of the land, and for the government agencies like National Oil Spill Detection and Response Agency (NOSDRA), and the Niger Delta Development Commission (NDDC), to monitor them and be stricter than usual. Invariably, the cry of the people as discovered during findings, is for a sustainable development to be achieved, for the government and the oil companies operating in the Ogoniland to clean-up the environment and restore it back to its natural state if possible; allocate more resources for development and compensation; take greater care of the environment as reported in UNEP report and continue tirelessly with the clean-up exercise as stipulated by the courts in order to find lasting solution to the degradation of the environment for the people.

The Nigerian government also has a duty to protect the human rights of the people whose livelihoods and health have been affected by this environmental hazard because people have a right to know what kinds of pollutants they are exposed to. MNOC's have a responsibility to ensure that its business operations do not cause or contribute to human rights violations or abuses as both are failing and must take decisive action to address the issues raised in the UNEP (2011) report. In addition, the impacted communities who have suffered the loss of land and livelihood can be fully compensated for to forestall agitations and more protests.

According to the UNEP recommendation as contained in the report of (2011) stated that the,

- Government must Undertake an independent audit of how NOSDRA certified as clean the sites that Amnesty International and CEHRD investigated and publish this audit.
- It must Publish all oil spill clean-up and remediation certificates and other documents relating to remediation.
- Substantially strengthen the capacity of NOSDRA to ensure that it functions to a high professional standard and that staff are held accountable; Ensure that representatives of the Ogoni people have a proper say in how the recommendations are implemented.
- Use the UNEP report recommendations as a template for responding to the harm caused by decades of oil pollution across all the oil producing areas.

It further recommended that major oil company in the area like SHELL BP must carry out effective clean-up and remediation operations at the oil spill sites and especially in Bomu Manifold site to mention but a few; Ensure that all communities affected by failed or delayed in the clean-up of oil

spills receive adequate compensation for their losses; Publish the data that underpins oil company's claim that it cleaned up and remediated sites named in the report; and also to Publish the criteria by which Shell selects clean-up and remediation contractors, including the weight now given to different criteria, as well as quality control measures.

And according to Terminski (2012), at least ten million people a year will be forced to relocate following the implementation of large investments (especially the construction of dams and reservoirs, or network communications links) and while DIDR occurs all over the world, according to cautious estimates, over the past two decades at least 220 million people were resettled because of large investments. The writer further reiterated that Nowadays development-induced displacement and resettlement (DIDR) constitutes the largest category of internal displacement and over the past two decades at least 220 million people were resettled because of large investments. In Ogoniland, findings indicate that environmentally induced displacement also contributed to internal migration as the people were forced to migrate due to the negative environmental changes from oil spills, polluted drinking water and air pollution.

## **5.9. Discussion and Summary**

In summary, on the impact of oil-induced economic displacement on the people of Ogoniland, much has been written and legal recommendations have been documented to further ameliorate the sufferings of this people. The decisions of the MNOC's and the government have social and economic outcomes in any location that they operate in. As the impact of the extractive industry have been mostly negative with serious consequences, these changes and requirements if not managed well, is likely to lead to more problems for the people. The current predicament in the delay in meeting up to the required standards as stated by global best practices line the UN guiding principle and UNEP recommendation need to be address urgently.

## **CHAPTER 6.**

### **DISCUSSION**

## **CROSS-CASE ANALYSIS AND**

### **6.1. Introduction**

The previous chapter identified the positive and negative impacts and the outcomes of oil and gas-induced involuntary displacement and resettlements across cases. Therefore, the objective of this chapter is to demonstrate the similarities and differences from the data collected which then forms the general explanation and presents the overall summary of the research findings of the qualitative data from both case studies. Thus, by understanding the similarities and differences across cases, more understanding of the impact of oil and gas-induced resettlements in the communities is increased. This is because there are several important differences between the occupational and economic displacements in Ogoniland and the physical resettlement of Finima Community. According to Yin (2014), cross-case analysis serves to explore whether the cases studied replicate or contrast with each other. This chapter will further discuss on the findings of data collected across cases and as it led to the development of the proposed research framework, as stated in the literature review.

### **6.2. Key findings**

This study sought to develop a framework by which oil and gas-induced resettlement policies can be improved. It described the process of document review and expert interviews to understand the implementation of existing legislations as it concerns oil and gas activities on the impacted communities as discussed in chapter two. According to McDowell (1996), as stated in section 2.5. If resettlement must happen, the basic steps must first be enacted from firm policies and legal framework, allocate commensurate resources that will allow internalisation of costs and then empower the resettled to enable them to have a voice and participate in decisions and procedures regarding the relocation. And in section 4.2, it equally stated that there is the need for appropriate legislative framework that allows both the multinational corporations and stakeholders the legal and approved background to exchange a common and beneficial exploration and commercial plan.

And although there are positive impacts of the presence of the multi-national corporations, like modern infrastructures, employment and contracts, provision of basic amenities like internal roads and health centres, payment of compensation and CSR in these impacted, however, findings reveal that there are more negative impacts and evident neglect by the government and the MNOC's on the displaced and resettled communities, the environment, and the socio-economic impact across case studies. In line with the conceptual framework stated in section 2.15 and refined in chapter 6, key findings indicate that if appropriate legislative framework is in place, during displacement and resettlement issues like, landlessness, joblessness, homelessness, marginalisation, increased morbidity and mortality, food and job insecurities and loss of access to common property as stated in Cernea's IRR model (2007), if understood clearly by the government could be avoided with a thorough and effective plan and policy in place.

### **6.3. Positive Outcomes of the Resettlement**

As stated in section 5.2.1, there are positive outcomes which included improved welfare, secured livelihood and sustainable development which were identified across cases as expressed by the resettled community in case study one and the displaced community of case study two. In case study one, after the subsequent relocation of the indigenes of Old Finima to the new Finima in 1990, the community witnessed a radical change in occupation and in the provision of basic amenities. Amostuka (2010), mentions that there was also an increase in real estate business because of the influx of foreign workers from the cities, from sub-contracting firms and from private employments amongst the people. And some of the factors largely identified as positive outcomes included availability of internal and link roads, modern buildings, and provision of basic infrastructures like a health centre and primary school building. Electricity power supply and provision of drinking water. In case study two, in some communities the youths had access to jobs and scholarships to trainings and to acquire skills. There was strong evidence that irrespective of the context, these communities appreciated the access to basic amenities provided by the government and MNOC's.

The positive outcomes listed above are common across the cases, but the table below lists context specific that emerged from both analyses.

Table 6.1: Positive Outcomes across case studies

Positive Outcome	Finima Community	Ogoniland
Availability of Temporary Jobs and contracts	x	x
Availability of modern Infrastructure (i.e., Health Centres)	x	
Availability of Electricity	x	x
Provision of drinking water	x	
Provision of Training programs and Skill Acquisition	x	x
Provision of Modern Houses	x	
Modern and Spacious houses	x	
Availability of physical and social infrastructure	x	x
Proximity to town centre	x	x
Internal roads and links	x	x
Modern worship centres	x	
Provision of constant Electricity	x	

Source: Researcher (2022)

The positive outcomes listed above are shared across cases and this evidences that regardless of the circumstances of the displacement, impacted communities value access to basic amenities as essential to human existence like clean environment, drinking water and housing. According to (Kumar, 2015), the absence and inadequacy of infrastructure provisions including basic household amenities points to widespread poverty and/or poor standard of living. Responses from the study indicate that these communities suffered from the inadequacy of these basic amenities but the presence of the MNOC's within the communities provided these facilities for them, some because of mutual agreements and from the corporate social responsibilities of some of the oil companies. In addition to this, majority of the respondents agree that the provision of modern houses and the provision of basic infrastructure was also a positive outcome. This is so because prior to the resettlement in case study one, some families lived in zinc houses with no in-built toilet system, some lived in temporary built homes, and some did not have the financial backing to own permanent homes. Therefore, the possession of modern built house was noted as a positive outcome of the resettlement in case study one. Training programs and skill acquisitions introduced by the MNOC's were also seen as positive outcomes by these communities, as it gave the youths basic foundations to acquire knowledge and skills in areas like baking, sewing, welding etc. These findings above identified the positive outcomes that were specific across cases. For instance, cases study one, identified modern and spacious houses as a favourable outcome of the resettlement. These houses in the New Finima had inbuilt toilets, kitchens and was spacious enough for families

that were not too large as on the other hand some houses provided for some families were inadequate and thus separated majority of them across the community. Also, the availability of constant power supply was noted by the respondents as a positive outcome, as these ensured that streetlights and electrical gadgets operated well for them. Some attributed the constant power supply as a blessing to their private business. Internal link roads and access to the city was also noted as a positive outcome although the provision of transportation was highlighted as a negative outcome, road connectivity was still noted as a positive as it allowed for easy access to travel to the major cities for business, work and for trading.

#### **6.4. Negative Outcomes**

As with favourable outcomes, there were also negative outcomes experienced by the displaced and resettled communities. Chapter 5 has fully discussed the negative outcomes of the resettlement by cases study one and on the occupational and economic displacement suffered by case study two. It thus demonstrated that the highest indicator of the negative impact caused by oil and gas activities, like oil spillages, air pollution and the citing of gas pipelines and industries in these communities is the absence of a workable oil and gas-induced policy specific for displaced and resettled communities affected by the activities of the oil industry as demonstrated in section 2.7. It is expected that the presence of MNOC's operating in a community will invariably draw attention of the labour force into the area and bring a vibrant commercial presence into the community. Such situations will therefore increase traffic of humans and activities thus the findings indicate that regardless of the context, displaced and resettled communities need more lands to extend homes and business areas to accommodate immediate this increase. Accordingly, findings reveal that the houses were inadequate for families and future increase as consideration for large families during planning was not taken into deliberation. Also, the use of inferior building materials for construction in the provided houses is a negative outcome as the newly built houses began to show signs of cracks on the wall, leaking roofs and corrugated roofing materials, and this was argued to be because of poor-quality materials by contractors who are also corrupt. And according to Jordan et al (2015), these problems are also due to the inexperience of the people about structural maintenance and lack of care to carry out regular maintenance. Another negative outcome identified by the members of the communities was the lack of good transport facilities and proper road maintenance. The bad roads when not repaired or maintained early is always a major hazard to the people as lives have been lost in the communities when they travel. And because of the inadequacy of transportation, travels for work, school and to access the cities becomes difficult and expensive, and as Jigyasu et al (2016), agrees, lack of transport is a typical

unfavourable condition in large-scale resettlements in developing countries. And irrespective of the context, factors have been recognised as a negative outcome across cases.

Table below lists these negative outcomes identified across cases:

*Table 6.2: Table: Negative outcomes across cases*

<b>Negative Conditions</b>	<b><u>Finima</u> Community</b>	<b><u>Ogoniland</u></b>
Air Pollution	x	x
Oil spills and Gas flares	x	x
Policy implementation failure	x	x
Land acquisition and losses	x	x
Loss of livelihood of fishing and farming	x	x
Inadequate provision of Houses	x	
Internal displacement of families	x	x
Inadequate Compensation	x	x
Increased cost of living	x	x
Internal conflict and insecurity	x	x
Government Neglect	x	x
Disruption in social and family articulation	x	x
Inadequate provision of health facilities	x	x
Inadequate policies and poor CSR	x	x
Disruption of economic life and traditions	x	x
Increase in health issues and premature deaths	x	x
Youth restiveness	x	x
Inadequate community representation	x	x

*Source: Researcher (2022)*

## **6.5. Factors of Resettlement Across Cases**

It should be clearly understood that community needs are mostly associated with existing service provision and what should be. In the context of this study, the perceptions and expectations of the impacted communities transcends the basic needs, and this is because of the presence of the MNOCs and based on the expected resource benefits and in mutual agreements. The community identified the following needs that requires more focus by the government and from the oil

companies. Findings from interviews identified five major factors that influenced oil and gas policies as it concerned decisions affecting the displaced and resettled communities in Nigeria. These factors are found to be the indication countering effective policy implementation in the displaced and resettled areas. Consequently, the identified policies and gaps were grouped and discussed under these main factors of political, environmental, socio-economic, technical, and legal and represented below:

1. Political Factors- Issues of Landlessness, ownership, relocation
2. Environmental Factors- impact of oil spills and pollution
3. Socio-economic Factors- loss of livelihood and compensation
4. Technical Factors-lack of skilled personnel
5. Legal Factors- compliance, monitoring, and community participation

#### **6.5.1. Environmental Factors**

#### **6.5.2. Impact on Displacement and Resettlement**

According to Terminski (2011), Oil-related resettlement and displacement differ from other categories of development induced displacement, and this is because crude oil exploitation causes much more environmental damages than most of the causes of displacements. It is also stated that the extraction industry presents an increasing social problem which leads to more environmental damages and violation of human rights. Accordingly, the UNEP (2011) environmental report included damages like oil spillages especially in Ogoniland, exposing extensive oil pollution and severe health risks including polluted drinking water caused oil company huge sums of compensation as stipulated by the world courts.

#### **6.5.3. Compliance and Monitoring**

Therefore, although the government have mandated MNOC's through its agencies like NOSDRA charged with the responsibility of detecting and responding oil spills to monitor clean-up activities and alleviate the sufferings of the impacted people, nevertheless according to scholars it is not an immediate fix as it will take another thirty years before this clean-up exercise can be fully successfully implemented as stated in section 5.7.2.1. Consequently, though there are existing oil and gas policies enacted to protect communities undergoing such extractive activities, findings point to a lack of considerations, monitoring, and compliance by the multi-national corporations operational in the region. According to Ojo (2012), affirms that oil companies are substituting

operational requirements for managing environmental standards with CSR projects like gifts and special projects to evade adherence to environmental liabilities.

## **6.6. Legal Factors**

### **6.6.1. The Resettlement Processes**

As Terminski (2011), reveals, oil-related displacement and resettlement, observed in different parts of the world, are phenomena rather similar in nature, this is because common element is the growing economic, social, and cultural marginalization of indigenous people.

Findings proof that the overall displacement policies and resettlement process in Nigeria identified in chapter four is a common procedure regardless of the nature of the cases. Nevertheless, from the viewpoint of the communities, resettlement is understood to begin with talks of interest, then land selection and acquisition. Then the process continues with the negotiation, housing design plans and infrastructural construction before the development commences. These processes as believed by the communities is in line with the views of the experts, but this has not been the case. This is due to a lack of consultation and effort by the agencies to recognise the need for the correct housing structure and cultural preferences of the people, these were not considered correctly. This fully shows that the communities did not have adequate synopsis of the resettlement process in order to make informed decisions with the planners. Land selection and acquisition was one of the negative outcomes of the resettlement. This is because the community's non-involvement in the decision-making and a proper consultation in terms of compensation for the acquisition was absent. The resettlement process described above are common across cases and the table below shows a list of specific contexts identified from the analysis across cases.

Table 6.3: Resettlement processes across cases

Resettlement Process	<u>Finima Community</u>	<u>Ogoniland</u>
Land Selection and Acquisition	x	x
Issues with Agreements and compensation	x	x
Housing Design and construction	x	
Infrastructural Development	x	x
Relocation and settlement	x	
Financial assistance for housing improvement	x	x
Clean-up exercise		x
Risk assessment to prevent further oil spills		x

Source: Researcher (2022)

According to the respondents of the displaced villages, the frequency of oil spills into farmlands and rivers is very hazardous to their health and livelihood. On-going protest and agitations for a clean-up exercise have resulted in legal cases and compensations. Thus, the importance of impact assessment to prevent these oil spills into farmlands and seas cannot be over-emphasized. According to Erhun (2015), the general inability of agencies responsible for the safeguarding of the environment to enforce appropriate laws and regulations is a major factor responsible for continued degradation of the environment. And Ikelegbe et al (2012) reiterated that this is attributable to several factors such as limitation to legal framework, institutional bottleneck, corruption, inadequate funding, bad governance, intimidation, and ignorance among others. This concludes that the ineffectiveness of environmental governance has contributed in part to the failure of oil and gas policies on the impacted communities which have been deprived of the protection from the hazards of the extractive industry. Studies show that although the provision of housing assistance during relocation process is necessary as evidenced in case study one by the government and oil companies, it is still not adequate to achieve the aim. Internal displacement of families because of the allocation of houses in different zones of the village divided and disarticulated the social formation of families, as they no longer had close relatives to run to for help and advice due to the setting of the new houses. As a result, the resettlement became a mix of families from different backgrounds and beliefs. The findings indicate that the absence of infrastructure provisions, community consultation, negotiation and inadequate provision of facilities equates to social imbalance. Considerations for social justice in these cases were not substantial.

## **6.6.2. Socio-Economic Factors**

### **6.6.2.1. Livelihood and Inadequate Infrastructure**

Similarly, the decline in agriculture in both case studies due to the activities of oil spills and gas flares in the region is mutual as the destruction of farmlands and agricultural crops have caused huge losses to livelihood of the impacted communities. Similarly, findings indicate that the analysis for each of these negative outcomes apply to specific cases. For instance, as indicated in section 5.3.8, inadequate provision of houses is another negative outcome as a reduction in the number of rooms in the agreed 247 bungalows (Type 1-7) categories by the MNOC and the non-provision of 50 detached houses consequently led to housing shortages and internal displacement of some families. Evidence indicate that the new town master plan was not preceded by an in-depth empirical study which should have provided background information for the new town plan and development as argued by Izeogu (2018) in the Finima community. This showed a lack of consideration and awareness of the personal ideologies and needs of the people as some family became internally displaced. Disruption in family life and social disarticulation was mentioned as a negative outcome by the respondents as there was a loss in culture and traditions, increased alcohol consumption, marriage breakdown and changes in interactions between the youths and the elders. This is due in part to some youths earning high paying salaries and the presence of foreigners within these communities as revealed during findings.

### **6.6.2.2. Compensation and benefit-sharing**

According to Akujuru et al (2015), compensation as developed in relation to compulsory acquisition of land, whether the property taken is real or personal should be appropriate to the owner the complete cash equivalent of what has been deprived. The writer reiterated that Compensation, prima-facie means recompense for loss and when an owner is to receive compensation for being deprived for real or personal asset his perfumery loss must be ascertained by determining the value to him of the property taken from him. And the writer, further explained the hypothesis upon which the injury into value must proceed, is that the owner had not been deprived by the exercise of compulsory powers of his ownership and of his consequent rights of deposition existing under the general law at time of acquisition". Particularly, it is mostly possible to settle claims for compensation for disturbance or from oil activities amicably, as explained by Akujuru et al (2015),

### **6.6.2.3. Corporate Social Responsibility**

Findings showed that there is a propensity for communities to rely on the provisions from the government and on corporate social responsibilities from the MNOC's for the provision of basic amenities. In certain cases, the voluntary compensation paid by such for pollution by far exceed awards made by companies the courts. Such generosity arises from the reluctance of oil companies and communities to pursue litigation for fear of delay in courts. However, where there is a dispute, it is usually referred to court for settlement. In such scenario, in case of oil spill, negligence ought to be proved or that it is the spillage that caused the damage complained. The failure and basis of liability therefore is generally thought to arise from the Land Use Act<sup>12</sup>, Oil Pipeline Act<sup>13</sup>, Petroleum Act<sup>14</sup> and Mineral Act<sup>15</sup>. And these have resulted in unrest and agitations by the impacted communities because of land acquisitions by the government. Section 29(2)<sup>16</sup> excludes compensation for acquisition that- "In determining compensation in accordance with the provisions of this section, the court shall apply the provisions of the Land Use Act so far as they are applicable and not in conflict with anything in this Act as if land or interests acquired by the president for public purpose as found in section 33(8), (1990) of the act. It is very clear on the stipulations of reimbursement and compensation that this has not been very well articulated or clear across the case studies. In effect this has not been fully the situation for both cases studies.

### **6.6.3. Community Needs Across Cases**

The community needs across case studies were identified during analysis. Table below shows the expectation and needs identified across cases.

Table 6.4: Community needs across cases

Community Needs	<u>Finima Community</u>	<u>Ogoniland</u>
Adequate Physical Infrastructural/ Upgrade		
Environmental Protection		
Dialogue and Negotiation of opportunities	x	x
Community Participation and Decision-Making	x	x
Transparent Resettlement process	x	x
Monitoring and Compliance of laws and policies	x	x
Adequate Compensation and Benefit Sharing	x	x
Adequate project planning and Risks Management	x	x
Safety and Security during projects	x	x
Economic Empowerment and livelihood restoration	x	x
Adequate Compensation	x	x
Involvement in Planning and Management	x	x
Effective Monitoring and Detection system	x	x
Improved transportation system	x	x
Upgraded Health facilities	x	x
Improved CSR by MNOC's	x	x
Community Needs Assessment	x	

Source: Researcher (2022)

Infrastructure inadequacy in any resettlement projects weakens the functionality of the process and hampers adaptability for the users. Findings suggests that the inadequate provision of these physical and social infrastructures delayed the settling into the new land for case study one. For instance, housing shortage caused internal displacement within the community due to the influx of foreign workers and contractors from the urban cities, therefore there was a rise of indiscriminate inferior housing attachments and the rise of shanties within the community. Also, adequate provision and upgrade of existing structures have been seen by the communities as a prerequisite for lasting resettlement.

Results reveal that communities did not participate in decision-making of many projects that affected that affected them and according to Allen (2011), existing environmental and oil related policies exclude oil-bearing communities from playing a role at the level of policy formulation

and implementation. The writer further stated that although the federal government has created basic institutions such as the Federal Ministry of Environment and the Department of Petroleum Resources, these institutions lack adequate representation from the oil-bearing communities whose interests and contribution to policy should be considered indispensable. This frustration led to many legal battles and protests by the communities in order for their voices to be heard. Transparent resettlement process was also an expectation by the people. Findings indicate that the people complained that the laws and policies were unclear and that they could not understand it. Therefore, discussions and meetings need to be held with the communities for the project take-off and in order for them to contribute to the sustainability of the project and for safeguarding.

The need for economic empowerment for the youths and women of the communities is an expectation. Although the communities have seen some improvement in the standard of living of some employed youths, there is room for improvement. Results indicate that corporate social responsibilities by the multinational corporations is inadequate as most of the donations come through as voluntary programs by the companies. It is expected that these companies take up the responsibility of giving back to these communities in terms of adequate compensation and the delivery of basic amenities that is lacking within the environments they operate in. Further statements indicate that the community expect the oil companies to be involved in community and in social development not only in donations and in philanthropy.

Findings show that a community-based needs assessment is paramount for case study one as the respondents stated that the resettlement disposed them of their traditional skills and craft that existed before their forefathers. They suggested that the presence of the MNOC's should integrate or bring back these skills by way of training geared specifically towards recovering of the old tradition's alike cloth-weaving, mechanised farming, and other traditional crafts. This shows a lack of key information retrieved during planning by the government and multi-national corporations in decision-making of the relocation as it shows that the community was not consulted to understand their specific needs for economic and cultural empowerment. It is expected that focus group forums, community surveys and discussions with key members of the communities would give an overview of the specific needs for which development would occur as a resource benefit. This would have analysed the gaps as well as strengthen the available assets found in these communities.

### **6.7. Significant findings of the Study**

One of the more significant findings to emerge from this study is described by the concepts explained in the literature review in chapter two, it confirmed that displacement and resettlement

impact induced by war, disasters, conflict, and development is the same as oil and gas-induced displacement and resettlement and should be treated as such according to Vanclay (2016). It is very likely that development projects induced by oil and gas will continue in Nigeria and this will displace and resettle more communities, but it is also necessary that the government and policy maker provide maintainable living for the resettled. This means that long-term plans and updated policies that monitors the after effect of the resettled continues after a project has been concluded. Dias et al (2016), points out that sustainable resettlement program is not just the reconstruction of a set of houses but should re-establish the socio-economic and cultural life of people and placing them back, if possible, in better positions before they were originally displaced. One of the objectives of this study was examine and review the associated policies that challenges government structures to manage oil and gas-induced displacement and resettlements, and then develop a framework that will improve the identified gaps in oil and gas resettlement policies. The cross-case analysis identified the similarities and dissimilarities across the selected case studies. This study further indicates that although there are identified positive and negative outcomes, expectation and needs based on the resettlement process can be grouped based on specific limits, nevertheless oil and gas-induced resettlement need not to be treated differently. And the following constraints were thus identified across cases:

#### **6.8. Identified Constraints of Displacement across cases:**

- Types of displacement
- Involvement of the communities
- Phases of the resettlement
- Restoration and resettlement Risks

##### **6.8.1. Types of displacement**

A major difference across cases was the type of displacement and impact. Flynn et al (2015), further reiterates, that economic displacement is when people do not need to be physically moved but is when their means of making their living (livelihood strategies) are adversely affected by the project's land-take (e.g., loss of access to farming land, fishing grounds. And Terminski (2012), also noted that oil exploration by international oil companies, , has turned the Ogoni homeland in Nigeria into a wasteland of pollution with a poisoned atmosphere and widespread devastation caused by acid rain, oil spillage, and oil blowouts. The writer further stated that lands, streams, and creeks are totally and continually polluted, the atmosphere has been poisoned with hydrocarbon, vapours, methane, carbon monoxide, carbon dioxide and soot emitted by gas.

Terminski (2013), further described that population displacement or resettlement caused by the extraction of oil which is a common phenomenon in many regions of the world and fearing for the safety of pipelines, national authorities often force the violent displacement of local communities, sometimes involving many thousands of people.

### **6.8.2. Involvement of the communities**

Also, the involvement of the stated communities was a limitation in the type of displacement and resettlement as it was diverse in disruption and impact. For instance, infrastructure, economic and social requirements for the physically resettled community was different for the economically displaced community. The impacts within the community were not similar as there were different effects suffered by different families within the community. Thus, adequate infrastructure like housing provision for specific families, economic provision like jobs as livelihood of fishing and farming was lost need to be in place in advance. As a result of this inadequacy, problems and internal conflicts arose within the resettled communities and companies as the resources were minimal. And although compensation for lost assets is measured as a vital process, many scholars agree that it is frequently insufficient because of the fundamental foundation of the true cost of land. In Nigeria, for instance the land use act predominates individual, family or community rights, as such communities lose their voices in terms of negotiations and compensation during land acquisitions.

### **6.8.3. Phases of the resettlement**

The phases of the resettlement and direct displacement involved various process as the needs and expectations of the community changes continuously. Involuntary resettlement in this context is understood to be induced by oil and gas have caused both physical, environmental, and economic displacements on the impacted communities. According to Cernea (2009), the risk and reconstruction model (IRR) indicated that displacement and resettlement expose project affected people to some opportunities, but largely associated with more risks. Consequently, as Ogbonnaya (2011) reiterates, a comprehensive and effective regulatory commitment to environmental monitoring and enforcement of standards are the bedrock of sustainable development, but unfortunately, environmental protection agencies have inadequate capacity, weak enforcement, over centralisation as well as the political will to enforce relevant environmental laws to checkmate the activities of the MNOCs. And in suggesting ways to deal with these risks to reconstitute economic livelihoods and socio-cultural systems, the internal logic of the risk and reconstruction model (IRR) model as a planning tool propose that in order to defeat its impoverishment

predictions, it is necessary to attack the looming risk early during preparation of a project for instance from landlessness to land-based resettlement, from joblessness to re-employment, from homelessness to house reconstruction, from marginalization to social inclusion, from increased morbidity to improved health care, from food insecurity to adequate nutrition, from loss of access to restoration of community assets and services, and from social disarticulation to rebuilding networks and communities.

#### **6.8.4. Restoration and Resettlement Risks**

According to Gamaathige (2014), it is important to understand resettlement risks for different persons, households, and communities before preparing an income restoration assistance program. Impoverishment risks can be understood not only through the analysis of poverty data, but also from examining a combination of economic and social conditions and psychological perspectives. The mapping of variables of impoverishment and understanding the ways in which these variables are interlinked and influence one another need more statistical analysis. Findings across cases indicate that restoration in the resettlement programs on the impacted communities is very important as apart from compensation, additional payments from the government agencies and MNOC'S to restore the communities back to how they were if not fully should be implemented. This will improve the living standards of the displaced families and create more economic opportunities for the people. One very important process in any resettlement plan is to clearly state the restoration plans for the resettled impacted by any kind of displacement as this will reduce confusion and improve direct assistance for the people. Results shows that there was no complete data of families and incomes before the relocation, which contributed to the failure of classifying the poor and vulnerable among the project affected families.

Prior to the relocation in case study one, some families were involved in subsistence living while others worked in the white-collar jobs. Of those impacted, majority were farmers, fishermen and crafts women who have found it difficult to re-establish their livelihood in the new land. It is also noted that the government agencies failed to adopt a clear framework to collect and analyse data in order to understand the income levels of the communities before the relocation. This inadequacy short-changed the affected persons and increased internal protests and complaints till date. In addition, although the resettlement process in case study one exposed the community to several impoverishment risks, there were benefits for the resettled. Some compensation was also paid out to poor families which assisted them in restoring lost income. The oil companies and government agencies who relocated these community assisted in the resettlement by providing cash

compensation, paid for structures and lands acquired, provided jobs, skills training and some basic social facilities and attempted to minimize project risks in the communities. Some have abandoned their traditional roles to work in the oil companies and have thus improved their incomes and others have established successful businesses. The table below shows the severity of impact and impoverishment risks suffered by the displaced communities:

Table 6.5: *Showing Impoverishment risks across cases*

<b>Impoverishment Risks</b>	<b><u>Finima</u> Community</b>	<b><u>Ogoniland</u></b>	<b>Impact</b>
Landlessness	x	x	High as it led to loss of land which could not be adequately replaced
Joblessness	x	x	Loss of livelihood, farmlands, fishing, and traditional handcraft
Homelessness	x		Inadequate of housing to accommodate large families leading to internal displacement
Marginalisation	x	x	Government neglect and inadequate working policy and monitoring
Food security	x	x	Loss of farmlands and fishing leading to travel to long distance to buy expensive food
Social Disarticulation	x		Families were scattered across the village due to poor zoning systems and inadequate housing size
Increased morbidity and mortality	x	x	Poor health facilities, no medicines, and staff
Loss of access to common property and resources	x	x	Loss of ancestral homes, places of worship, traditional buildings, and heritage

Source: Adapted and Modified from (Review of STDP documents and UKHP website)(2022)

## **6.9. Development of The Framework**

This framework is developed based on the findings of the research gap and barriers identified from literature review. According to Sapkota et al (2017), there have been several conceptual frameworks developed since the 1970s to analyse and understand displacement and resettlement issues. Also, in a study conducted by Sridarran, (2018), the writer explained that that over time, development-induced internal displacements and resettlements have attracted much interest in the research spectrum and have thus attracted many scholars. Accordingly, the result of this study is reasonably organised and thus developed a framework to enable clarification on the issues examined. Scudder and Colson development of a four-stage model to study voluntary resettlement; to the impoverishment risks and reconstruction (IRR) model developed in the 1990s by Cernea and McDowell's framework for forced displacement, sustainable livelihoods, and impoverishment risks", all these combined the elements of sustainable livelihoods approach previously used in poverty reduction and development fields and the outcome is dependent on multiple sets of factors.

The findings therefore of this study is intended to assist policy makers in the oil and gas industry in Nigeria make decisions, legislations and implementation that would impact on the displaced and resettled communities in the region. And in addition to the literature reviewed in chapter 2, there is evidence of the growth of development-induced displacements and resettlements globally. The framework identified policy gaps in the resettlement process and provided the proposed framework that would enable future progress in the research of oil and gas-induced displacement and resettlement process. This was also tested which based on literature reviewed, and through documents analysed and from expert interviews to assure for authenticity.

### **6.9.1. Development and Structure of Framework**

This framework also produced the evidence to suggest that this may be a reasonable path of policy improvement amongst the activities of displacement, resettlement, and positive outcomes for the communities. And to refine and validate the proposed framework, an integration of the research findings and endorsement was undertaken with four stakeholders representing both the government agencies and MNOC. The questions for the framework validity were asked on:

- The major ideas of the framework
- The relevance and clarity of the main issues as captured in the framework
- If the framework would be considered as a tool for policy improvement within their organisation
- And if the framework is typical for real-life requirements and implementation

And of the four requests respondents contacted, two were representatives from the government agencies and an academic consultant, and a representative of the MNOCs. The responses were in the affirmative regarding the developed framework with some minor corrections. The validation questions were asked over the telephone as a semi-structured interview for the respondents to validate the framework add further remarks deemed necessary. All four response were positive, and modifications were made to the framework as suggested regarding the major concepts of the framework. Respondents were satisfied with the relevance and clarity of the framework as it captured the risks and reconstruction of resettlement issues. Below shows the development of the Framework.

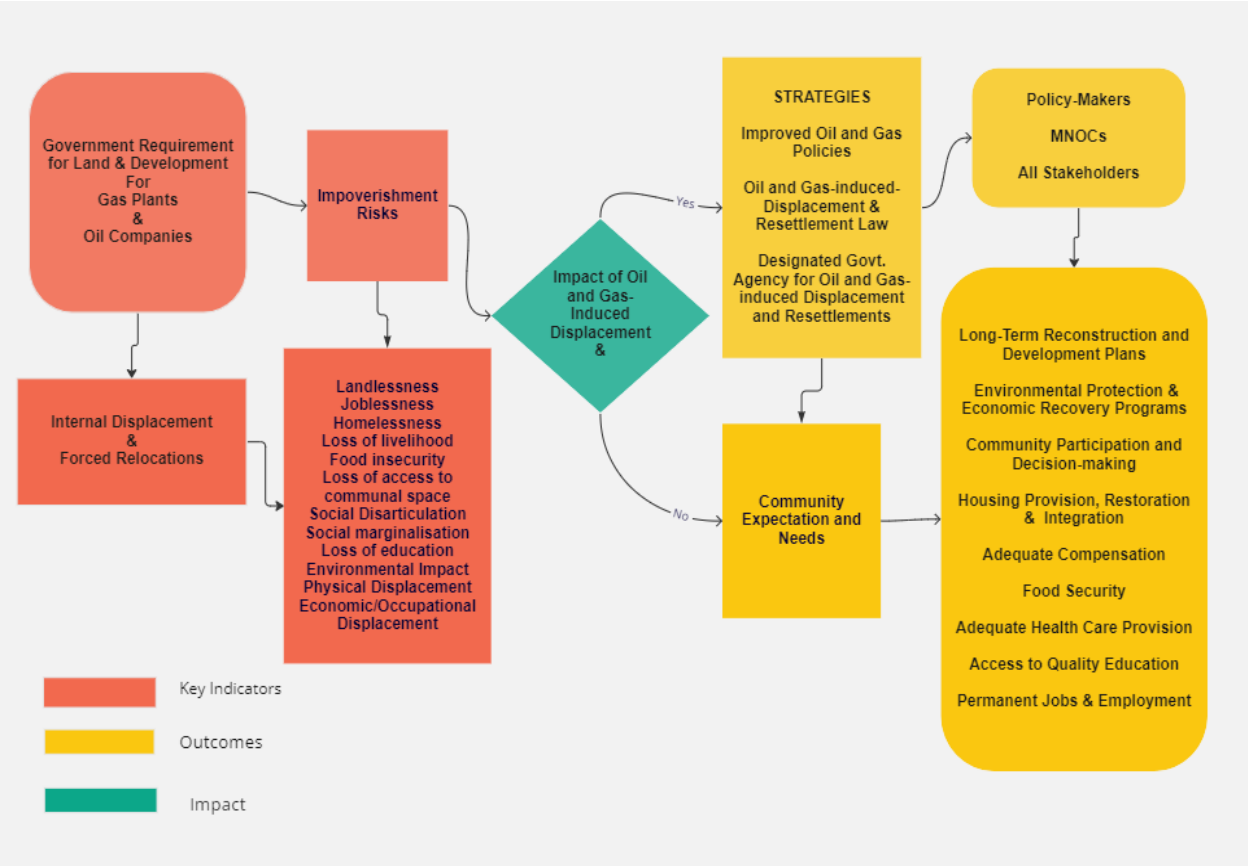


Figure 6.1: Development of Framework for Improvement of Oil and Gas-Induced-Resettlement Policies

In developing a framework, crucial requirements need to be in place to achieve either minimizing the impact or ending displacement completely. This research thus extends knowledge for oil and gas-induced displacement and resettlements specifically in the South-South region of Nigeria. The purpose of this framework having assessed the positive and negative impacts of displacement and resettlement induced by oil and gas extraction activities in Nigeria. it is intended to guide project planners, policy makers and the governments to assess the risks and impacts of long-term resettlement and reintegration programs for the displaced communities. Also recommended is effective monitoring of compliance by the MNOC’s in areas of operations. Thus, the development

of the framework identified the Key elements of oil and gas-induced displacement and resettlements challenges, which is explained in detail below and suggests that:

As when displacement and resettlement occur, the evicted, displaced, and redundant communities must be protected and provided with economic recovery programs so they can enjoy their full rights as citizens. Also, marginalization must be discouraged at every stage of the project, this includes from the decision stage by the government for the need of land, to the type of project to be undertaken then to the reconstruction, dislocation, and resettlement progression. The framework also shows that there must be emphasis on food and livelihood security to minimize hunger and for sustenance during the displacement process, this is to ensure that the planned relocation does not negatively impact the people in their health and mental wellbeing. Lastly, the land restoration and long-term reconstruction of infrastructures is very essential and must be in the project plans, and this ought to include the environmental, health, and socio-economic development strategies for the resettled communities.

It should be noted that long term plans guide successful resettlement projects thus detailed statistics must be taken to ensure that it is in correlation with the project plans. This will also assist in addressing specific needs and vulnerabilities of the displaced and resettled community. It is thus expected that the ideas in the presented framework will facilitate an improved oil and gas-induced displacement and resettlement policy for reconstruction and development, it is also expected that it will be reasonable, and fair to the impacted communities. This framework is thus intended to guide policymakers to manage project matters and achieve successful resettlement and integration outcomes to ensure for sustainable growth.

#### **6.9.2. Final Framework to Reflect the Aim and Findings of the Thesis**

Hence, the final framework amalgamated the preliminary ideas from the adapted conceptual framework in chapter two and presented the refined final framework according to objective 5 of this study. Key indicators in the framework presents the need for policy improvement activated by key stakeholders and it is intended as:

- A guide to improve existing policy and implementation
- An Effective Approach and Evaluation Practice in oil and gas industry
- An all-inclusive Stakeholder's Representation in policy -making, planning and negotiation.

The feedbacks and comments made for the validation were received, and the recommendations applied on the final version of the framework presented below:

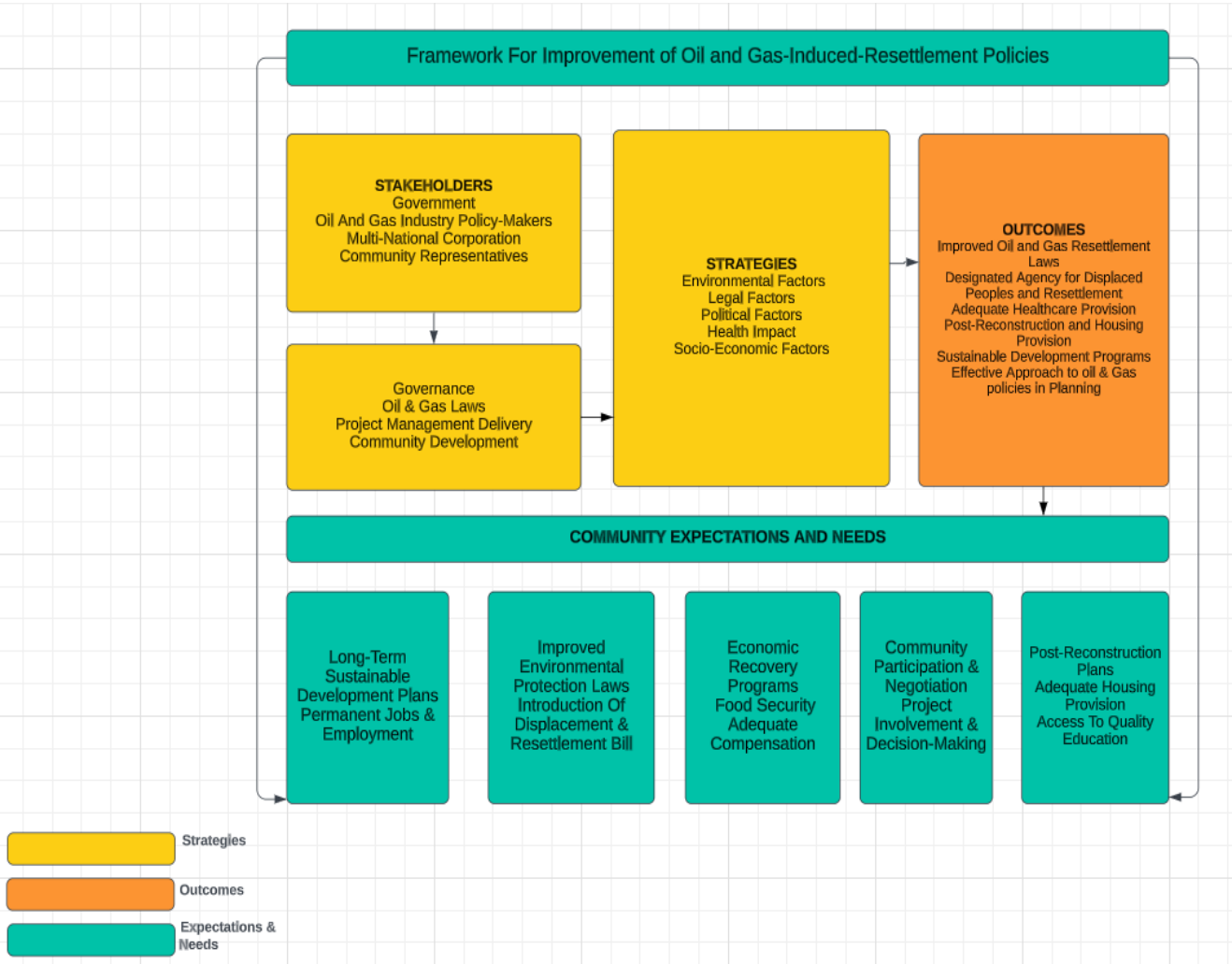


Figure 6.2: Final Framework for Improvement of Oil and Gas-Induced-Resettlement Policies

Source: Researcher (2023)

### 6.10. Discussion and Summary

This section summarises the findings of the study and linked it with the research objectives and explained the final refined conceptual framework. The development of the framework thus presented the findings of the empirical data of the resettlement process. And lastly explained the validation process. The next chapter concludes the study and discusses the limitations and recommendation future studies.

## **CHAPTER 7. FINDINGS, CONCLUSIONS, CONTRIBUTION AND RECOMMENDATION**

### **7.1. Introduction**

This study sought out to investigating oil and gas-induced displacement and resettlement policies in the South-South region of Nigeria. And to further corroborate the findings, existing documents relevant to the oil and gas industry were also reviewed and analysed. Therefore, the first section in this chapter recaps the research thesis and considers the implications of policy gaps in this study. The second section summarised the study objectives, whilst the third section, states the limitations and areas for further research.

#### **7.1.1. Summary of Research Thesis**

In addition, it employed the cases study approach using qualitative method and focused on the following: it explored the nature of oil and gas-induced displacement; evaluated the major impacts of oil and gas industry on the impacted communities; identified the related policies and examined the gaps of the industry and examine the associated policies that challenges government structures to policy implementation. The study employed the use of qualitative methods which included semi-structured interviews with key stakeholders in the region and from government agencies and the MNOC to ascertain their understanding of existing oil and gas policies for displacement and involuntary resettlements.

The findings from also demonstrated that oil and gas as the major economic activity in Nigeria with its associated impact results not only in incidences of environmental degradation and pollution but also on displaces people triggering involuntary resettlement in the region. This has increased major adverse effects around many displaced and resettled communities. Therefore, it should be noted that these communities who depend solely on the natural resources and the environment, any contrary impact on the ecological state summons disaster not only on the environment but also on human lives.

Therefore, as stated in chapter one, this research sought to develop a framework by which oil and gas-induced displacement and resettlement policies in Nigeria can be improved (see section 1.7) and thus identified the gaps in the existing policies regarding oil and gas-induced displacement implications on the resettled communities by reason of the extraction activities, (see section 2.2). It then concluded that the identified gaps in the existing policies and the inadequacy or absence of

a specific oil and gas policy for displacement and resettlement, needs to be improved for better conditions on the impacted communities as stated in (see section 4.3).

Hence, the four objectives of this study, gives credence to the overall aim of this research, which is to develop a framework by which oil and gas-induced displacement and resettlement policies in Nigeria can be improved. (See section 1.8). This was achieved through the medium of literature reviewed, semi-structure interviews with key stakeholders and relevant document review of the oil and gas industry in Nigeria, which enabled the researcher to achieve the overall aim for this study. Thereafter, the development of the framework (see section 6.8), that will guide policy makers and the government to improve existing policies for oil and gas-induced displacement and resettlement for impacted communities by any development-induced projects is presented.

### **7.1.2. Main Findings and Research Objectives**

The purpose of this study is to highlight the absence of a workable oil and gas-induced displacement and resettlement policies that guides the government agencies and MNOC's in the South-South region to increase effective policy implementation of oil and gas as it concerns displacement and resettlement in Nigeria. The evidence from the findings suggests that there is a different approach in policy implementation to oil and gas-induced resettlement as against other types of induced displacement. Thus, the following objectives as stated in section 1.7 were investigated and a summary of the following outcomes is presented below:

#### **Objective 1: Explore the nature and characteristics of development-induced displacement and involuntary resettlement.**

As stated in section 1.1, development-induced displacement has widespread impact on the social, environmental, and economic changes that usually follow a well-established planned project. Thus, the findings show that the extractive industry in this context is not in the exception when it comes to community displacement, as oil and gas exploration activities have displaced communities, either directly through physical relocations and evictions or indirectly by destroying their sources of livelihood and networks through which they derived a living. Findings revealed that the discovery of oil and gas in most nations should bring happiness and an expectation for enhanced economic development but thus, has not been the case, as the presence of the MNOC's and absence of policy has not construed into sustainable development and growth for many deprived impacted communities. This chapter further expanded on the knowledge gap with empirical evidence to demonstrate that oil and gas-induced displacement and resettlements policies have not been fully invested in displaced communities in the region, neither is there adequate studies that have investigated oil and gas-induced displacement and involuntary

resettlements policies unlike studies of oil and gas impact on the environment, conflict, and disasters.

**Objective 2: Evaluate the major impacts of oil and gas induced activities on the affected communities of the south-south region of Nigeria.**

As stated in the chapter two, the presence of MNOC's across cases point to the characteristics of large developmental projects that have adverse effects on not only the economic, but on social, health and environmental impacts of local communities no matter the positive developmental outcome foreseen by the government. The existing gas plant project in case study one, was a major project that subsequently displaced the community and resettled them in a new land according to the plans of the government through its major national company. Findings revealed that the presence of oil and gas industry and the working oil companies negatively impact the hosting communities during extractive activities. These impacts are in the form of oil spills, air and water pollution, loss of livelihood, internal displacement and forced internal migration. It also confirmed the outcomes as shown in chapter five of the study, through the responses across case studies that there is a need for policy improvement in the oil and gas industry geared towards displaced and resettled communities for sustainable development.

**Objective 3 & 4:**

Objective 3: Identify the related policies and gaps of the oil and gas industry in Nigeria and involuntary resettlements. Objective 4: Examine and review the associated policies that challenges government structures to manage oil and gas-induced displacement and resettlements.

As stated in section 4.2, the Nigerian oil and gas regulations centres around protection of the environment and the host communities and this is manifested in the various environmental policies, oil and gas laws, acts and regulations found in the constitution. The objectives 3 & 4, aimed at providing an understanding of the legislative context and background of oil and gas displacement and resettlement policies in Nigeria, presented a full assessment of the regulatory guidelines that permit the extractive industry activities and showed the limitations for effective resettlement programs. In fairness to the government, most development projects require land, and the government would argue that according to law it is justified because it is for the national interest. Overall, displacement and resettlement have directly or indirectly impacted people and majority of the time negatively, this is because as a long-term project, the losses triggered by the oil and gas projects have alienated the people from both their homes, their rights, and the proportionate reimbursements from these projects as findings would reveal. Thus, this study examined and presented the associated and relevant existing oil and gas laws and legislations and

the relationship of good practice that would constitute best practice for resettlement of the impacted communities after oil and gas-induced displacement have occurred.

#### **Objective 5:**

**Develop a framework that will improve the identified policy gaps to enhance sustainable resettlement policies for host communities.**

To accomplish the final objective of this study, a conceptual framework that guided the journey was developed through an extensive literature review. The findings as stated in chapter two, expounded on the concept of development, displacement induced by various activities and involuntary resettlement. This section established key themes for the study which guided the empirical journey for the researcher. A major finding in literature was on the impact of induced displacements and resettlements induced by various forms as published by other scholars, and the conclusion is that oil and gas-induced resettlements should be treated and handled in the same way as displacement caused by other factors like disasters, conflict, war, and development were handled. Chapters 4 and 5 presented the findings from semi-structures interviews with oil and gas experts and community representatives across selected cases, these data reinforced the need for a framework to be developed for this study in terms of understanding the current state of existing policies for displacement and resettlements. Then in chapter six, the proposed development of the framework that will guide policy makers in Nigeria to improve oil and gas-induced resettlement policies was presented. This framework is intended to act as a recommendation for the government and the MNOC's to accomplish best practices for sustainable resettlements induced by oil and gas activities on impacted communities specifically located in the South-South region of Nigeria. The answer to the research questions drawn from this study is that oil and gas-induced resettlements impact severely on the lives of people and communities. Therefore, governments and the oil industry need to take into consideration these impacts and set out long-term plans and create development solutions to stabilise the resettled people.

#### **7.2. Research Limitation**

Although the research aims and objectives for this study was achieved yet there were limitations encountered. The scope and qualitative data collection of this study was limited only to the selected case studies, the representatives from the MNOC's and government agencies and did not include the general population as stakeholders in policy decision making or implementation, even though the impact of these decisions is experienced by all. Furthermore, even though the documents used

in this study provided a valuable source of data, these were not treated as detailed, precise, or comprehensive recordings for this investigation.

Secondly, this research focused on empirical data of oil and gas-induced occupational/economic displacements and involuntary resettlement specifically on two selected communities which have experienced both positive and negative impacts. Consequently, this scope excluded other communities in the same South-South region that have also been impacted by the activities of the oil and gas industry in Nigeria. Also, although the researcher inability to travel for the majority part of this study for data collection, was impacted due to the Covid-19 restrictions, travel bans and security issues in Nigeria at the time, the data collection was limited to online mediums like phone calls, emails, zoom meetings etc and this also limited the sample size for the interviews. Notwithstanding, the data collected is adequate and valid for the purpose intended and findings needed to complete the study.

### **7.1. Recommendation**

The present study confirmed literature by many scholars that development-induced displacement and resettlement will continue in Nigeria and this study thus contributes additional evidence that suggests that there is a need for improved policies for oil and gas-induced displacement and resettlements in Nigeria. Hence, key priority for these recommendations will be that the improved policies:

- should limit, if possible, land acquisition for project implementation where these projects and its attendant oil and gas activities can result in huge socio-economic impact and displacements of communities.
- Should guarantee that adequate consultation with the affected or displaced community is done and on time.
- Should guarantee that where the acquisition of land in any community is required, this is planned as a justifiable project to enable the community profit from it.
- Should plan strategies that will or mitigate unexpected negative outcomes of these projects to meet the needs of the impacted communities for sustainable developments.
- To pursue policy implementation effectively and monitor compliance by the stakeholders involved in oil and gas activities particularly as it impacts displaced and resettled communities in the South-South region of Nigeria.

## **7.2. Research Contribution to practice**

This research offers contribution to the advancement of knowledge and practice in oil and gas-induced displacement and resettlements in Nigeria. Thus, the theoretical contribution of this study is demonstrated in the significance of the study

From the perspective of practical contribution, this research proposed a framework that will benefit government and MNOC involved in the oil industry and particularly s it affects oil and gas-induced displacement and resettlement. For instance, the framework presented components that address issues of displacement and very important for resettlements of the impacted communities. This framework will therefore act as a guide for policymakers when issues of displacement and resettlement occurs in the South-South region of Nigeria. The practical indications are summarized below:

- I. It presented a list of guidelines to inform and guide policy makers on best practice for oil and gas project-related issues to avoid or minimize the impact of displacement and resettlements in the South-South region.
- II. It proposed recommendations to address identified challenges as these will act as a guide to improve existing policies for oil and gas-induced displacement and resettlements.

### **7.2.1. Research Contribution to Knowledge**

The significance of this research contribution is that it will enhance an understanding of the key difference in oil and gas-induced displacements and involuntary resettlements in comparison to other types of induced-displacements. Although previous studies have investigated on other forms of induced-displacements like from disasters, conflict, wars, development and involuntary resettlements, this study has based its scope on a small sample of two impacted communities in the same area of the South-South region of the Niger Delta Area in Nigeria.

The findings suggest that there is a need for improved oil and gas policies as it impacts displaced and resettled communities. This is highly required as adequate resettlement policies should consider all the aspects of oil and gas-induced displacements and resettlements and not only focus on just Internal Displaced Persons' (IDP) caused by developments, disasters, conflicts, and war. Through conducting this study, one unanticipated finding was that there is a gap in oil and gas policy as it relates to displacement and resettlement. This was identified and examined, from additional knowledge from other scholars who had contributed to mostly on environmental studies and socio-economic impact of oil and gas in Nigeria. Thus, as stated in chapter 2, a general review on displacement and resettlements were examined to understand the premise that supported the

concepts which includes the risks, vulnerabilities, and existing national and global policies for best practice of displacement and resettlements especially in oil and gas. Then in chapter 4, it provided the selected document lists with and reviewed oil and gas legislations as it impacts displaced and resettled communities in Nigeria.

In addition, the presented framework is new knowledge developed specifically for oil and gas-induced resettlements in Nigeria and the data must be interpreted with caution because it was limited to a small sample from within the same region. This study also established that oil and gas-induced-displacement and resettlement ought to be treated and handled equally as internal displacements caused by various impacts like war, conflict, and development-induced projects. In conclusion, this study has gone some way towards enhancing our understanding of oil and gas-induced displacement and resettlement because it complements the body of knowledge regarding the improvement of oil and gas policies as it pertains to displaced and resettled communities.

### **7.3. Areas for Further Research Study**

This research developed a framework by which oil and gas-induced displacement and resettlement policies in Nigeria can be improved, therefore making it specific to displacement and resettlement of communities impacted by the activities of the oil and gas industry only. Therefore, for further research, this is an important issue as there is a need for further studies to be undertaken using a different methodological approach to investigate the impact of oil and gas-induced resettlements and long-term effects after the projects are completed. This research has also thrown up more questions that need further investigation, as there is also essential to understand the perception of the general population of host communities that welcome displaced persons migrating into their communities due to these displacements. Also, literature reviewed showed gaps in knowledge persists, as there is a dearth in existing works for oil and gas-induced-displacements in the South-South region of Nigeria, and this will need further studies to be carried out.

### **7.4. Final Note**

This chapter has summarised the main findings from the literature, semi-structured interviews and from policy documents reviewed. This provided more insights into the existing policies and a better understanding that the oil and gas policies in Nigeria needs to be improved.

## APPENDICES

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<http://www.indiaenvironmentportal.org.in/files/file/turning%20the%20tide%20on%20displacement.pdf> accessed 06/12/22

<https://www.downtoearth.org.in/news/governance/number-of-people-forcibly-displaced-crossed-100-million-in-2022-undp-86329>, accessed 06/12/2022.

[https://libguides.uta.edu/quantitative\\_and\\_qualitative\\_research](https://libguides.uta.edu/quantitative_and_qualitative_research) accessed 19/07/23

## **APPENDIX A: ETHICAL APPROVAL**

Prior to the commencement of the data collection phase of this research, approval has been sought from the university of Salford's research ethics committee to ensure compliance with ethical regulations and committee codes of conduct. Ethical considerations included informed consent being obtained from all participants (Yin,2009) with an explanatory note describing the true nature of the research projects aims issued to interviewees prior to the collection of data. Research participants will be provided with as much information needed to make an informed decision about whether they wish to participate in the project.

## Ethics Application: Panel Decision

① This message was sent with Low importance



ethics  
Sat 10/17/2020 4:55 PM  
To: Magdalene Iheme



The Ethics Panel has reviewed your application: AN INVESTIGATION OF OIL AND GAS-INDUCED RESETTLEMENT POLICIES IN SOUTH-SOUTH REGION OF NIGERIA.  
Application ID: 250

The decision is: Application Approved.

The Chair of the Panel made these comments:

Enter Applicant Feedback

Please use the Ethics Application Tool to review your application.

[Reply](#) | [Forward](#)

## APPENDIX B: THE SEMI-STRUCTURED INTERVIEW GUIDELINE

The aim of this interview is to understand the issues related to oil and gas-induced displacement and resettlements in the South-South region of Nigeria. The data collected from the interviews will help provide useful insights into understanding the interaction between climate change impacts, vulnerability, and adaptive capacities for informed policy. Accordingly, there are no right or wrong answers for the questions rather it will be regarded as material that reflects your lived experience with the phenomenon.

The study methods involved semi-structured interviews, which will be recorded with your permission. The tapes and transcribed text will only be accessible to the researcher and her academic supervisors. All information will be treated confidentially, and participants will remain anonymous. You may decide to

stop being a part of the research study at any time without explanation. You have the right to ask that any data you have supplied to that point be withdrawn or destroyed. You have the right to omit or refuse to answer or respond to any question that is asked of you. You have the right to have your questions about the procedures answered (unless answering these questions would interfere with the study's outcome). If you have any questions because of reading this information sheet, you may query the researcher at any time

## **Section A: General Information**

### **Basic Information, roles, field of profession/community and years of experience**

## **Section B: Characteristics of Oil and Gas Resettlement Policies in South-South Nigeria**

### **Section C: Key Questions:**

**Questions 1: How has the activities of oil and gas industry induced displacement and resettlements in communities and how have the impacts been limited?**

#### **Government Officials: Finima**

- What informed the choice of the location of this project and subsequent displacement of the Finima community to a new land?
- How did the government ensure that adequate productive land and other assets are made available for the displaced old Finima to the New Finima?
- What informed the choice of the location of this project to be Finima Community?
- How was the process of acquisition carried out by you?
- What discussions was held with the Finima community in order to understand the interest of natural gas found in the old Finima?
- To what extent has the government ensured that those displaced are rehabilitated both economically, socially, and physically, like in Ogoniland?
- How has the government protected the displaced persons in terms of social exclusions from a particular community as they migrate to other villages?
- Who is responsible for monitoring the infringement of human rights issues that arise as a result of these displacements?
- What are the monitoring agencies responsibility regarding transparency and accountability during environmental impact in these communities?

#### **Oil Company Officials:**

- What informed the choice of the location of this project and subsequent displacement of the community?

- What relocation laws and policies did your company adhere to in order for the displacement of the Community to occur in Finima Land?
- What legal frameworks backed the displacement and resettlement of Community from the old land to the new land?
- How did your company ensure that legal instruments that govern the process of displacement and resettlement were strictly adhered to in Finima Community?
- How has your company ensured that it has involved the community in project plans and planning especially in Ogoniland?
- To what extent have your company gone in terms of project information and awareness to the community?
- What has your company done to curb the environmental impact on Ogoniland?
- What are your company's responsibility regarding transparency and accountability regarding environmental impact as it affects the displaced communities?
- To what extent is the impact of your company's corporate social responsibility gone in communities that you operate in?

#### **Community Representative :Finima**

- To what extent do you understand why the displacement happened in your community from the old to the New Finima?
- How was the information of the project and land acquisition explained to you?
- How was the relocation and the impact explained to you?
- How was the consultation done and what was your reaction to the project?
- What was your general feeling of the plans for the relocation and the project?
- Were you afraid, worried, sad, or happy?
- To what extent did the acquisition of your land cause you any substantial loss in terms of income?
- To what extent did the acquisition of your community cause you loss of identity and culture?
- To what extent did the acquisition of your community impact the health of people?
- In your understanding, how has the presence of the MNOC in your community impacted you financially, (prompt in terms of jobs, employments and increase in income?)

#### **Community Representative :Ogoniland**

- Do you know why internal displacement happen in your community?
- To what extent is project information and the oil companies' operations explained to you?
- How was the consultation done and what was your reaction to the oil project in your community?

- To what extent has the acquisition of land cause you any substantial loss in terms of income?
- To what extent has the presence of the MNOC's in your community impacted your livelihood, culture, and identity?
- In your understanding, how has the presence of the MNOC in your community impacted you financially, (prompt in terms of jobs, employments and increase in income?

**Key Question 2: How has the government implemented key policies related to oil and gas activities in the South-South region especially on impacted communities?**

**Government Officials: Finima and Ogoniland**

- To what extent does existing displacement and resettlement instruments measure up to global yardsticks in terms of scope and relevance for the extractive industries?
- What is the government doing to ensure that it has adequate environmental policy instruments for dealing with the challenges of oil exploration and production in your community?
- How is the government ensured that adequate monitoring of the environmental impact of oil and gas industrial activities in your community is done constantly?

**Oil Company Officials**

- What is your company doing to ensure that it has adequate environmental policy guidelines for dealing with the challenges of oil exploration and production in your community?
- How has your company ensured that the Nigerian environmental policy requirements and guidelines of oil and gas are being adhered to?
- What is your company doing to ensure that oil and gas activities in the host communities impose minimum environmental impact?

**Community Representative -Finima**

- What specific efforts can you identify or are aware of that have been carried out by oil companies to ensure compliance with key oil and gas policies in the community in terms of air pollution?
- How has the construction of house in the land mitigated the issue of inadequate housing currently?
- What impact are the fishermen facing in accessing the rivers and sea due to the activities of these oil companies?
- To the best of your knowledge, what specifically are oil companies doing regarding oil spillage?
- To the best of your knowledge, what specific effort is the government doing to stop gas flaring as it affects your health.

**Community Representative -Ogoniland**

- What specific efforts can you identify or are aware of that have been carried out by oil companies to ensure compliance with key oil and gas policies in the community in terms of air pollution?
- How has the construction of house in the land mitigated the issue of inadequate housing currently?
- What impact are the fishermen facing in accessing the rivers and sea due to the activities of these oil companies?
- To the best of your knowledge, what specifically are oil companies doing regarding oil spillage?
- To the best of your knowledge, what specific effort is the government doing to stop gas flaring as it affects your health.

## **APPENDIX C: SEMI-STRUCTURED INTERVIEW FOR FRAMEWORK VALIDATION PROCESS**

### **Semi-Structured Interview to Validate the Framework for Oil and Gas-Induced Displacement and Related to Oil and Resettlements Policies**

Name of Respondent (optional):

Sector:

Title:

Organisation:

#### **Questions:**

1. What in your opinion is the major ideas of this framework and is it easy to understand?
2. In your opinion, is the relevance and clarity of the main issues captured in this framework?
3. Would you apply this framework as a tool for policy improvement within your organisation?
4. In your opinion, is the framework typical for real-life requirements and implementation?

Is there any further suggestion you wish to add for the improvement of this framework?

Thank you

## APPENDIX D: PARTICIPANT INVITATION LETTER



University of Salford  
School of Science, Engineering & Environment  
M5 4WT, Salford, Manchester  
+44 161 295 6943

### INFORMED INVITATION FOR PARTICPATION IN AN ACADEMIC RESEARCH

Dear Participant,

**You have been invited to take part in research titled: An investigation of oil and Gas-induced Displacement and resettlement policies in the South-South region of Nigeria. (A case study of Finima Community and Ogoniland).**

I am a PhD student in the School of Science, Engineering & Environment of the University of Salford, Greater Manchester in United Kingdom. As part of the program requirement, I am developing a framework to improve the implementation of oil and gas polices in the South-South region of Nigeria.

I will be very pleased to gain your consent for an interview to facilitate the achievement of my research aim. The data collection will be through an interview that is expected to take up to 45 minutes, therefore your kind participation would contribute immensely to the timely collection of data and facilitate a working tool that will enable the framework to be completed. This will lead to an improvement in existing oil and gas related polices especially when it concerns the resettlement of host communities because of the activities of the extractive industry.

May I also assure you that this study will not in any way disrupt your working environment and any data collected from you and your organization will remain confidential and highly protected, also your identity and that of your organization shall be anonymously uphold. It will remain so in the research report and any further publication which will be carried out in future. You are also at liberty to withdraw from the research at any time as it remains a voluntary exercise.

For any further question, please do not hesitate to contact me by email at [m.a.iheme@edu.salford.ac.uk](mailto:m.a.iheme@edu.salford.ac.uk). Below is the participation consent form for your details and return through your preferred medium.

Yours Sincerely,

Magdalene Awongo Iheme

## APPENDIX E: RESEARCH PARTICIPANT CONSENT FORM

### RESEARCH PARTICIPANTS CONSENT FORM

**Title: An investigation of Oil and Gas-induced Displacement and Resettlement Policies in the South-South Region of Nigeria. (A case study of Finima Community and Ogoniland).**

**Name of Researcher: Magdalene Awong Iheme**

**Tick as appropriate (X)**

S/N		Yes	No
1	I can confirm that I have read and understood the information sheet for the above study and what my contributions will be.		
2	I have been given the opportunity to ask questions about the study		
3	I agree to take part in the interview		
4	I agree to the interview being recorded and archived		
5	I understand that the information provided will only be confidential and any information about me will not be disclosed to a third party.		
6	I understand that my participation is voluntary and that I can withdraw from the research at any time without any prior reason given and my information destroyed immediately		
7	I agree to digital images to be taken during the research process		
8	I agree that the information provided will only be kept for the duration of this research		
9	I agree to the research experience and to take part in the above study		

**Name of Participant:** .....

**Signature:**

.....

**Date:**

.....

## **APPENDIX F: Annotated Images of oil and gas displaced Communities (Finima and Ogoniland) in Rivers State, Nigeria**

### **Finima Community**



Figure: Aerial view of New-Finima Community

Source: Kristina Reports (2022)



Figure: Finima Community Peaceful demonstration to be recognized as host community

Source: Sun News (2022)

### **Ogoniland Images-Impacts of Current Oil Spills On Farmlands**



Figure: river overflowed by oil spills

Source: Social Action (2022)-



Figure: Farmlands overflowed by oil spills

Source: Social Action (2022)-



Figure: showing Clean-up exercised in Ogoniland

Source: Bloomberg-(2022)

## **APPENDIX G: LIST OF REVIEWED DOCUMENTS AND SUPPLEMENTARY INFORMATION**

1. Land Use Act, Cap L5, (2004).
2. Minerals and Mining Act, Cap M12, (2004).
3. Oil Pipelines Act, Cap 07, (2004).
4. Petroleum Act, Cap P10, (2004).
5. National Oil Spill Detection and Response Agency (Establishment) Act, 2006
6. Nigerian Minerals and Mining Act, 2007.
7. Finima Community Agreements with NNPC
8. Finima Resettlement for the Nigeria LNG (IAIA Special Symposium on ‘Resettlement & Livelihoods)
9. Ogoni Bill of Rights (1991)
10. National Policy on The Environment (Revised 2016 )
11. Environmental, Social and Health Impact Assessment (ESHIA) For the Train 7 Project
12. Clean It Up (Amnesty International (2015)
13. Defining an Environmental Development Strategy for The Niger Delta (Vol.11)
14. Environmental Assessment of Ogoniland (2011)
15. Petroleum Industry Act (2021)
16. Ogoni: Timeline of the Ogoni Struggle (UNPO)

## **APPENDIX H: LIST OF PUBLICATIONS AND PAPERS PRESENTED**

- Itheme, M., & Keraminiyage, K. Oil and Gas Induced-Displacement and Resettlements in South-South Nigeria. In 14th International Postgraduate Research Conference 2019: Contemporary and Future Directions in The Built Environment (P. 558).
- Oil And Gas Induced-Resettlements and Sustainable Relocations in Nigeria. Presented At the Salford Post-Graduate Annual Research Conference Sparc (2019)
- Itheme, M., & Keraminiyage, The Impact of Oil and Gas-Induced Displacement and Involuntary Resettlement: A Case Study of Finima Community In Rivers State, Nigeria. (Presented At the International Postgraduate Research Conference, Manchester, 2022).