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# The Rhetoric of Green Economy and the Politics of Environmental Change in the Niger Deltal Region



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## Abstract

The green economy pathway to sustainable development championed by the United Nations Framework Convention on Climate Change (UNFCCC) has been largely rhetorical. There is no rapid connection to create an opportunity to build consensus, especially as countries who themselves are at the forefront of climate change are somewhat responsible for environmental change in the Niger Delta region. These countries ought to bring pressure to bear on the international oil companies (IOCs) for their actions. Indeed, developed countries have greater responsibilities for environmental protection, but their implied action through companies established by them in developing countries creates unbearable socioeconomic conditions.

This paper argued that the problem of environmental change in the Niger Delta is further compounded by some deep seated political undertone; the manifestation is the basis of food shortages, poverty, low agriculture productivity and violent conflicts. The issue of environmental change is far more complex political and to approach it from purely academic, scientific, technological, geographical and economic perspectives without the political argument is a fallacy. The paper concludes environmental change occur within the historical complexity of oil and gas politics.

**Key Words:** UNFCCC; Environmental change; IOCs; Green economy; Climate change; Sustainable development

## Introduction

### Conceptualizing the background problem

The green economy pathway to sustainable development championed by the UNFCCC is a pragmatic choice to build consensus and to promote rapid action to strengthen international cooperation on climate change [1,2]. Studies revealed that it has not lived up to expectation [1] and has been more largely rhetoric which creates an opportunity for environmental change [3]. Obviously, the progress of greening discourse reinvigorates around climate change and sustainable development models for the 21<sup>st</sup> century [4]. The UNFCCC attributed climate change directly or indirectly to human activity that alters the composition of the global atmosphere in addition to natural climate variability observed over comparable time periods. Fundamentally, the contextual element that underpins the UNFCCC is the 'polluter pays principle' which implies that party responsible for pollution pays damage done to the natural environment [5].

The green economy is a 'black box' because those at the bottom, the vulnerable, the poor and the poorest countries are

not given the appropriate role to shape what green economies are and how it will work. The concept of the green economy is alien to those active in nature-dependant sectors like agriculture (fishing and farming) in the developing countries, at the very least. The current path is not sustainable, and has the tendency to bequeath material and environmental poverty for future generations. The lack of appropriate responsibilities to shape green economies is responsible for environmental change, the basis of poverty and socioeconomic deprivation.

Environmental change in the Niger Delta has a multidimensional character with direct consequences. Attempt to address the wider problem from a purely scientific, economic, geographical and technological perspective without capturing the rich complexity embedded in the political argument is a fallacy [1]. In addition, the politics among the major actors (IOCs and government) in the oil and gas industry have also helped to aggravate environmental change in the Niger Delta region [6]. Developed countries have greater responsibilities to protect the environment, but developing countries are more vulnerable and also have less ability to respond to the impact of climate change [3].

Nevertheless, Bina [1] argued that the environmental policy of the UNFCCC and academic literature on green growth, combines environmental and sustainability discourses with industrial and economic policy, in search of ‘win-win’ solutions and virtuous cycles of progress and prosperity. The severity of the problem caused by environmental change in the Niger Delta has clearly aggravated poverty UNDP [7], poor yield in agriculture productivity and food shortages [8]. Conceptualizing the politics of environmental change in the Niger Delta, Obi (2010:221) summarized the argument that the government assumed ownership of the industry by statutory monopoly through the Nigerian National Petroleum Corporation (NNPC), but institutionalized its partnership with the IOCs. They operate

through a joint venture agreements, production and risk sharing contracts. Accordingly, Bassey [6] concurred that although the government exercise controls of the industry through regulations and earned a larger share of the oil and gas revenue, however, production activities are entirely in the hands of the IOCs. They have considerable leverage over costs of production and the environment which the government has little or no capacity to monitor. Environmental change allocates benefits and burdens, empowers some groups and dis-empowers others. While the benefits of environmental change accrue to the IOCs and the government, the larger burden of environmental change from the activities of the IOCs is borne by the vulnerable local communities (Table 1).

**Table 1:** Environmental Change Impacts and Consequences of Food Production in the Niger Delta.

Climate Change Impact	Direct Consequences for Food System
Increased frequency and severity of extreme weather	Crop failure or reduced yields
	Loss of livestock
	Damage to fisheries and forests
	Destruction of agricultural inputs, such as seeds and tools
	Either an excess or shortage of water
	Increased land degradation desertification
	Destruction of food supply chains
	Increased costs of marketing and distributing food
Rising temperature	Increased evapotranspiration resulting in reduced soil moisture
	Greater destruction of crops and trees by pests
	Greater threats to human health (e.g. disease and heat stress) but reduce the productivity and availability of agricultural labour
	Greater threats to livestock health
	Reduced quantity and reliability of agricultural yields
	Greater need for cooling/refrigeration to maintain food quality and safety
	Greater threats of wildfires
Shifting agricultural reasons and erratic rainfall	Reduced quantity and quality of agricultural yields and forests products
	Either an excess or shortage of water
	Greater need for irrigation
Sea level rise	Damage to coastal fisheries
	Direct loss of cultivable land due to inundation and salinisation of soil
	Salinisation of water resources

**The Debate on climate change**

Since the 20<sup>th</sup> century, the UNFCCC on one side of the climate change debate has become increasingly politically sophisticated, deeply entrenched and legitimized within the international environmental politics [9,10]. There are deep rooted debates amongst academic scholars, NGOs, politicians and environmentalists about global environmental sustainability and development Bina [1], Sovacool [3]. Furthermore, the debate over green economy, environmental protection and sustainable

development has since the 1980s shifted dramatically from the domestic and national level, to the international arena, and from a scientific to a political advantage for the developed, developing countries and least developed countries [11,12]. Thus, Gupta (2010:43) had argued that “environmental change is a complicated problem involving the entire world tangled up with different issues such as poverty, economic development and population growth”. Tackling the issue is not an easy task but, at the same time ignoring it is a disastrous development experience.

While considering the contributions of the UNFCCC to climate change, Olsen & Fenhann [11] argued that it has become increasingly obvious that the world has become a very different place since the Kyoto Protocol was established. Climate change is inherently global, contemporary and of utmost priority, which every government around the world is struggling to tackle. It suffices, therefore, that the institutional experience established by the UNFCCC through economic, scientific, financial, developmental and political perspectives is sufficient to tackle the problem of environmental change globally.

The scientific literature of the UNFCCC appears to focus on the requirement of delivering cost efficient emission reduction that is real, measurable and additionally that contributes to the sustainable development [12,13]. Other authors [10,11,14] have explicitly studied the environmental integrity of the UNFCCC, but questioned the rigorous debate about climate change and its solution to environmental change due to steadily unfolding ecological crisis. Despite its contribution to global environmental debate, the UNFCCC remains a mechanism in transition, trying to find its rightful place within the international climate change regime [13].

### **The Politics of environmental change in the niger delta**

Oil exploration and production in Nigeria is carried out by the IOCs from the world leading and renowned industrialized countries of USA, Britain, Germany, Canada, France, Italy and Netherland. Undoubtedly, these countries are at the forefront of climate change. These IOCs, notably Adax, Chevron, Agip, Mobil, Shell and Total are exploring oil and gas in the Niger Delta region regarded as the heart of climate change injustices. Although some development projects like oil and gas exploration increased economic activities and growth, but from the Nigeria scenario, it creates endemic poverty inimical to the livelihood of the local communities, help to create population migration and rural-urban dichotomy [6].

Since the 1960s when oil and gas was discovered in commercial quantities in Nigeria, the activities of these IOCs have continued to exacerbate the environment. It is likened to the form of external aggression orchestrated against their host communities, with severe consequences on their means of livelihood, as farming and fishing severely castrated. The activities of these IOCs fell short and contravene acceptable international norms, standards and practices in the oil and gas industry [7]. It has become very obvious that environmental change as a result of the IOCs activities takes a toll on vulnerable communities, aggravating poverty, migration and population displacement in the Niger Delta region and beyond.

Remarkably, Nigeria and indeed some African countries is the beehive of economic activities reputed for the collection of all manners of certified emission reduction (CERs) credits from Clean Development Mechanism (CDM) projects in line with article Article 12 of the Kyoto Protocol. Rather than allocate

resources to the IOCs in the first place to halt the destruction of lands, waters and livelihoods of the poor, some researchers [3,6] have questioned the strong political will to allocate very scarce financial resources through CERs to enforce further dispossession and impoverish the people who are already rooted to their knees. The polluter pays principle that the party responsible for pollution pay the price is wittingly ignored. This amount to rewarding the IOCs with CERs rather than bring them to account, particularly as countries who themselves are at the forefront of climate change are somewhat responsible for environmental change in the Niger Delta.

To reward IOCs bountifully to half action which in the first instance is illegal is a deliberate measure, political gimmick, rhetoric and false market solution to climate change. The IOCs priority is to extract oil and gas with the least possible cost at a maximum profit at the expense of the environment [6]. This makes nonsense of the theoretical concept of climate change and a somewhat grand design to avoid tackling the problem of environmental change head-on. It also allows the IOCs to snatch huge financial benefit for research and development, while keeping with the primordial style of oil and gas exploration in the Niger Delta. This raises another question about the politics of UNFCCC environmental effectiveness, economic efficiency and regulatory functions, particularly in some developing countries? More importantly, the UNFCCC has grossly undermined the principle of Pareto optimality without holding the IOCs to account for environmental change in the Niger Delta.

It is expedient to generalize and without sounding alarmist that the Nigeria's and the UNFCCC response to environmental change threats in the context of policy development framework remains a major challenge. Thus, the next title explores the political and ethical dimension to environmental change. The issue of environmental change is far more complex politically, it occurs within the historical complexity of oil and gas politics in Nigeria.

### **Ethical dimension to environmental change in the niger delta**

Prior to the discovery of oil and gas in commercial quantity in the Niger Delta during the 1960s, agriculture was the mainstay and the cornerstone of the Nigerian economy. Revenue from agriculture was shared equally between the producing regions/states and the Nigeria government on a 50/50 basis. However, as soon as it became apparent that oil and gas was assuming its prominent position in the Nigerian economy, the Oil Pipeline Act 1965, the Petroleum Act of 1969 and later on, the Land Use Act 1978 were promulgated. These legislations lead to a sweeping change in the property rights, almost wholly in favour of the Nigerian government. In the latter stage, the Associated Gas Re-Injection Act 1979 and its amended provision was promulgated. These legislations have some deep political undertone; the manifestation is the basis of violent conflicts and armed struggle in the region. Simply put, that the issue of environmental change

is far more complex political and approaching the problem from a purely academic, scientific, technological, geographical and economic perspective like it has been done over the years is inimical to the development process of the people in the region. It is within the historical complexity of the oil and gas politics that gave rise to the activities of environmental change.

The Oil Pipelines Act 1965 confers power on the holder of the 'permit to survey' such as right to dig the soil and get free of charge any gravel, sand, clay, stone and other similar substance within any land and within the area covered in Nigeria territory. It also confers right to cut and remove any trees and other vegetation causing impediment to oil and gas exploration, and to do other acts necessary to ascertain the suitability of establishment of an oil and gas pipelines or ancillary installations. Oil Pipelines Act 1965 further averred that any person whose land or interest in land can lodge notice of objection in court of law and state any grounds of objection. Accordingly, consideration of the objection as contained in the Act is at the discretion of a Minister of Petroleum, whose interest, at the very least, is to ensure that oil and gas exploration is not hampered, and in most cases, with little or no regard to the environmental impact of the producing communities. Quite frankly, the Oil Pipelines Act usurps the legitimate rights and privileges of oil producing communities whose means of livelihood (farming and fishing) are disrupted by the operations of the IOCs.

Similarly, the Land Use Act 1978 unified all lands in Nigeria and placed them in the hands of the federal government and to be held in trust by the various States governments. Under the provision of the Land Use Act government has complete control over the land and provides local communities with very limited rights over land which they have traditionally and customarily used until 1978. This makes it possible for oil companies to ignore local concerns over land which they have used and lived for on for many years, and they are often not properly consulted on matters relating to land acquisition for oil and gas operations.

The implications of the Land Use Act for the Niger Delta people are that any land in which oil is found together with the oil itself belong to the government. That explains to a certain degree why local people are unable to exercise some degree of right to participate in the matter relating to oil production like the pre-existing land tenure (customary land law). In this regard, oil producing communities have no basis to claim any royalties for oil extracted from their lands or waters because of the provision of the Act.

The Land Use Act reduces the problem of acquisition of land for public purposes and considerably reduces the burden of land compensation and litigation. Thus, the oil producing communities get little or no compensation for land acquired by the government for oil operations. According to Mabogunje (2009), the provision of the Land Use Act leaves owners and occupiers of land everywhere in Nigeria vulnerable to the claim of any other individual who may succeed in getting a statutory

or even customary right of occupancy over land for which he has declared to have a possessory right under the Act [15].

The Petroleum Act 1969 accord the ownership and control of all petroleum in, under or upon any lands or waters within Nigeria territory in the hands of the federal government. Under the Petroleum Act, the Minister is empowered to grant oil prospecting licenses, oil mining lease and allocate oil exploration licenses, but does not take into consideration oil producing communities' consultation and objections. It only allows limited provisions within subsidiary legislation to prohibit or restrict activities that would harm the human population of the affected communities. The Act provides a loophole that had often been exploited by the IOCs to evade compensation.

### **The Associated gas re-injection act**

The Associated Gas Re-injection Act 1979 prohibits environmental degradation, especially gas flaring from January 1984. This Act makes it mandatory that from October 1980, every company producing oil and gas in Nigeria to submit detailed plans and programmes for the utilisation of the gas produced in association with crude oil production that are flared or submit a programme of re-injection of associated gas not required. The Act empowers the Minister of Petroleum, who is a political office holder, the discretionary power which he may choose to exercise in order not to disrupt oil and gas exploration where the government holds majority shares. Specifically, section 3(1) of the Associated Gas Re-Injection Act 1985 stipulates that, with a written permission, the Minister of Petroleum Resources can permit a company to continue to flare gas from a particular field(s) if he is satisfied that utilization or re-injection is not feasible [16,17].

### **Conclusion**

This paper x-rayed the relationship between the green economy and the political economy of the oil complex that gave rise to environmental change in the Niger Delta region. The rhetoric of climate change and the politics of oil exploration facilitated and reinvigorated environmental injustices. More importantly, the soft policy interventionist model of the UNFCCC, the IOCs and the Nigerian government are the root cause of environmental change. The poor implementation of the polluter pay concept, as the IOCs continue to be rewarded with CERs, left a serious question about the integrity, environmental effectiveness, economic efficiency and regulatory responsibilities of the UNFCCC. All the parties have responsibilities to significantly reducing environmental risks and ecological damage, eradicate poverty, promote green economy, generate sustainable development and alleviate the region from ram shackles of environmental degradation. Finally, the policy argument of the UNFCCC, the lopsided policy regarding the political argument against the Niger Delta communities and the theoretical discourse of this study are fundamental to the contribution of this paper.

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