



**BABCOCK**  
**UNIVERSITY**

ILISHAN-REMO, OGUN STATE, NIGERIA

# COLLEGE OF POSTGRADUATE STUDIES

## 2022/2023 PhD Thesis Abstract

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**RT:** Appraisal of Environmental Legislations Regulating Oil and Gas Pollution by International Oil Companies in Nigeria

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**AB:** In many countries around the globe, particularly the developed countries, environmental laws are effective and efficient instruments of environmental protection and preservation. On the contrary, studies have shown that there has been non-compliance with the extant environmental legislations in Nigeria which had led to widespread ecological devastation and environmental ruins with negative impact on plants, animals and human beings in many communities across Nigeria. This is, apparently, due to unending oil spillage, gas flaring and environmental toxicity, thereby making Nigeria one of the countries with highest frequency of oil spillage and worst environmental pollution worldwide. Previous studies have repeatedly underscored that the Nigerian numerous legislations have contradictory and conflicting legal statements that encourage non-compliance among the international oil companies with ample opportunity to evade sanctions or swing justice in their favour. This study therefore, critically appraised the Nigerian environmental legislations regulating oil and gas pollution by the international oil companies in Nigeria, using a proposed Legislative Appraisal and Compliance Evaluation (LACE) framework.

This study adopted a cross-sectional descriptive survey design. The study population (non-specific) comprised of law students, legal and academic scholars, environmental lawyers/specialists and professional experts (government officials, law enforcement officers,

legal desk officers in State or Federal Ministry of Justice and Ministry of Environment), and environmental rights organizations, with rich information and practical experience of oil and gas pollution and related litigation process in Nigeria. Sample size of 422 was determined using Cochran's formula and additional 77 participants with inclusion and exclusion criteria; totaling 499 respondents. Purposive sampling technique was adopted in selecting respondents. A structured and validated questionnaire was used for data collection with Cronbach's alpha reliability coefficient for the constructs ranging between 0.76 and 0.96. The response rate was 100%. Data were analyzed using descriptive and inferential (multinomial regression) statistics at 5% significance level.

The study found that 49.9% of the respondents rated that legislative compromise contributed minimally to non-compliance, while more than half rated that regulatory capture (53.5%), enforcement paralysis (67.5%) and community instability (65.7%) contributed substantially to non-compliance with environmental legislations. Overall, 64.7% rated that there is high level of non-compliance with environmental legislations in Nigeria. Multinomial regression analysis showed a significant relationship of level of legislative compromise ( $p < 0.05$ ), level of regulatory capture ( $p < 0.05$ ), level of enforcement paralysis ( $p < 0.05$ ) and level of community instability ( $p < 0.05$ ) with overall level of non-compliance with environmental legislations.

The study concluded that there is high level of non-compliance by international oil companies with environmental legislations regulating oil and gas pollution in Nigeria. The study recommended that special independent environmental court with trained Judges and Lawyers in environmental jurisprudence be set up by the National Judicial Council. Furthermore, comprehensive reforms aimed at enforcing strict compliance with environmental legislations should be put in place by the Nigerian government; involving both the executive, legislative and judiciary arms accordingly.

**Keywords:** Community instability, Enforcement paralysis, Environmental legislations, LACE framework, Legislative compromise, Non-compliance, Regulatory capture

**Word Count:** 488

**Abbreviations:** *RFN: Researcher's Full Name, RD: Researcher's Department, RS: Researcher's School, RE: Researcher's Email, RAE: Researcher's Alternate Email, RP: Researcher's Phone Contact, RT: Registered Title, MS: Main Supervisor, ME: Main Supervisor's E-mail Address, SP: Main Supervisor's Phone Contact, CS: Co-Supervisor, CE: Co-Supervisor's E-mail Address, CP: Co-Supervisor's Phone Contact, AB: Abstract*

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