

A Review of the Deficiencies Impeding an Effective Regulation of Environmental Standards in the Nigerian Oil and Gas Industry

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ABSTRACT: Oil and gas resource exploitation has hugely contributed to Nigeria's revenue. This is therefore an important contributor to the Nigerian economy. Nigerian oil and gas business has been mainly facilitated by multinational and indigenous oil companies operating in the industry. The study regards them as participants in the industry. It is noteworthy that this study will refer to company and corporation as one and the same entity. It has been observed that some oil and gas companies operating in Nigeria have clearly violated regulatory standards established in the Nigerian environmental regime. It has further been observed that the violations are repeated and persistent in nature. This is interesting considering that the Nigerian environmental regime has provided criminal sanctions (as a regulatory tool) to prohibit a violation of such standards and stipulates penalties that can be imposed for such violations. Moreover, other relevant

regulatory administrative enforcement mechanisms have been established in relevant legislation to enforce the standards. Hence, the regime has established enforcement agencies to carry out the enforcement. The persistent violations therefore, show evidence that the Nigerian regime has failed to utilise criminal sanctioning and administrative enforcement to prevent or control violations of environmental standards, hence has been unable to guarantee the required compliance. This article therefore, seeks to identify deficiencies in the regulatory framework of the environmental regime that have limited its utilisation of these regulatory options in the oil and gas industry to ensure compliance with the environmental standards. (Keywords: Standard, Environment, Pollution, Regulation, Enforcement, Criminal, Sanction, Deficiencies).

Biography

Chukwuemeka Chuks-Ezike is a law teacher at the Robert Gordon University. He has a PhD. in on environmental law and an LLM. Degree in Oil and Gas Law. He was called to the Nigerian Bar as a Barrister and Solicitor of the Nigerian Supreme Court in November 2013 upon a successful program at the Nigerian Law School where he graduated with a Second Class Upper. Mr Chuks-Ezike has since engaged in scholarly writings and research. He has also participated as guest and keynote speaker at several academic conferences.

Recent Publications

1. Chukwuemeka Chuks-Ezike (2020). An Analysis of the Deficiencies Impeding Regulation of Environmental Standards in The Nigerian Oil and Gas Industry and Possible Solutions Through Legal Transplantation from Other Model Regimes. PhD Thesis.
2. Chukwuemeka Chuks-Ezike (2018). Environmental Crime Liability of the Nigerian Government in its Oil Pollution Menace. Journal of Environmental Risk and Remediation. ISSN: 2529-8046 Volume 2 (Issue 2), pp.1-7.

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