
A Human Rights Perspective to a Responsible and Accountable Land Ownership and Use in Niger Delta

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Introduction

The aim of the paper is primarily to articulate the human rights needs in the Niger Delta of Nigeria. It examines the issues from the perspective of corporate governance in respect of the land grabbing tactics of Multinational Oil companies (MNOCs) like Shell, Total, Agip, Chevron. These companies have a passion for oil exploration, exploitation and exportation and do operate with the tacit endorsement of the federal government, but sadly without leaving any traces of reasonable benefits in the hands of the local communities whose landed properties are expropriated in the process. Moreover, this article also shows that in a case where rights of inhabitants are violated without any hope of redress, the multinational companies (MNCs) have a moral obligation to see to it that such violations are stopped, and that the needs of the host communities are promptly addressed. Stakeholders, in order to fulfil their roles as stewards of the earth's resources as deposited in the Niger Delta have both a legal and moral obligation to exercise ownership of the land and use it in a way that is not only sustainable, but also in a responsible and accountable manner.

It is the argument of this paper that where neither the federal government of Nigeria (henceforth referred to as FGN) nor the multinational oil companies (henceforth referred to as MNOCs), are willing to assume the obligations imposed on them legally and morally in addressing the problems created by their operations on land and sea in the area, then the people themselves have no alternative than to seek this redress by any other means possible and within the ambits of the law, the law in this case being the United Nations Universal Declaration of Human Rights (henceforth referred to as UN UDHR)!

1.1 Problem and Presupposition

This is a study intended to provide a strategy for addressing a long standing human rights problem in the Niger Delta (ND) with respect to land use and ownership rights. The problem consists of land grabbing (or *latifundia*) and

violation of human rights in the ND area. We therefore explore the extent to which human rights to land and to a sustainable means of livelihood has been compromised by the FGN in collaboration with profit-motivated MNCs which grab the land of peace-loving and unsuspecting citizens of ND solely to achieve their profit oriented goals. Besides land grabbing, MNCs have been known to have openly violated the rights of people within the areas of their operations, and the government seem not to do anything to protect the inalienable rights of her own citizens.

The government has a legal duty to protect her citizens from abuse by privileged persons or group, and where it fails to do this, the MNCs have a moral obligation to address the negative effects suffered by their host communities (henceforth referred to as HCs) as a result of their operations in extracting and exporting natural gas and crude petroleum from the area. This they have so far not done, although in their code of conduct it is stated that they ought to have done it. Instead, they have carried out their operations in total disregard for the ecological harmony and environmental cleanliness of their HCs. This might not be surprising considering the fact that there is no monitoring agency which determines whether or not a MNCs is meeting her obligations adequately or not.

Neither has there been an enabling legislation from any Nigerian parliament on the issue since the discovery of oil in 1956. They have also not been accountable to the people whose oil and land is being exploited. Although Nigeria signed the Rio declaration of 1992, she has so far not enacted the relevant legal conditions for ensuring that multinational oil extractive and exporting companies (occasionally referred to as MNOEEC) do their work according to international environmental impact assessment standards.

Our hypothesis is that MNCs - like Shell, Total, Agip, Chevron etc. and their subsidiaries in the ND - take advantage of weak policies of both the FGN and state governments (henceforth referred to as SGs) in Nigeria to trample on citizens' collective rights to environmental safety, clean air, and sustainable means of livelihood. They do this in their desperate bid to extract and export natural and crude petroleum and gas from the land and natural resources belonging to the ND inhabitants.

In places where puppet governments collaborate with MNCs in the latter's desperate bid to extract natural oil resources from land belonging to the former, it is the human rights of the inhabitants of those areas that is being compromised, and so the MNCs are morally obliged to adjust their modus operandi in order to safeguard the rights of their HCs to life, clean air and sustainable means of livelihood. In the case of the ND we regard the FGN

and SGs, the aforementioned MNCs with particular reference to Shell and Totalfinaelf, and the more than 10 million people of the ND as stakeholders in the oil industry going on in that part of the continental shelf of Africa.

1.2 Data Sources and Resources

A research of this nature could not be carried out successfully without the use of books, journal articles, and publications which deal with the issues. In addition the present author have had extensive discussions with human rights agencies in Nigeria and specially with Amnesty International Business group (AIBG) in Sweden. During such discussions interview some of the issues raised in this research were discussed, namely, the corporate social responsibility (CSR) of MNCs towards their HCs in cases where the FGN is weak in governance and unable to address pressing human rights violations in the areas of MNCs' operations.

What moral obligations do MNCs have towards their HCs in cases where FGN has shirked her legal obligation to protect her citizens due to weak governance and corruption? Other questions such as the following also received answers:

- a) Human rights is an issue between the State and her citizens. If so what are MNCs moral obligations to intervene where government seem to have failed in her civic and legal responsibility to protect citizen's rights?
- b) How do you determine the ratings of a Company's performance on human rights and how do you put the result of such ratings into practice?
- c) What is Amnesty's role in sensitizing stakeholders on human rights standards in places where the victims of human rights abuses are incapable of speaking for themselves?¹

The answers elicited by these research questions have been highlighted in the appropriate sections of this paper below. Suffice it to say that the interview has enabled me to obtain first hand report of what moral obligations MNCs have towards their HCs, using Amnesty Sweden as a case in point, and to some extent I have extrapolated this to an understanding of the ND situation.

A third source of data is the empirical research on Stewardship, land use and ownership which I carried out in the ND before and after October 2007 in which over 40 participants - men and women - were engaged in focus group discussions with the subject of rights and obligations of all the stakeholders in ND as the main theme. This project is part of a research begun by the

author since 2005, and which has involved an extensive field trips to the Niger Delta, particularly the Ogba and Ekpeye communities. Multinational companies like Shell, Total and Agip carry out intensive extractive operations in parts of the Niger Delta without due respect to the peoples' living conditions, need for clean air, environmental safety and ecological standards. However, the brevity needed in this present paper does not permit an extensive use of data collected in this field which is what we have done in a doctoral dissertation². Therefore, only crucial highlight will be posted on those points closely related to the issues presently at stake. We shall take advantage of such empirical data to further provide a human rights perspective to the present discussions at various points.

2. Background

A brief background discussion of the ND will help us appreciate the depth of the problem which both the FGN and MNCs have foisted upon ND inhabitants by denying them access to sustainable means of livelihood, clean air and to the royalties and gains of the crude oil business carried out on their land and territorial waters for more than 50 years now³.

2.1 The Niger Delta

The ND is the outlet through which the Niger River - second longest in Africa - empties into the Atlantic Ocean. It is also the second largest wetland in the world. It covers an area of about 70,000 square kilometres and consists of land ridges interspersed by rivers, rivulets and canals. The area is one in which verdant and luscious vegetation of both mangrove and rain forests grow. It is a major oil bearing terrain in Africa today, and several mining companies have been exploiting natural gas and crude petroleum for several decades now. There is also an on-going quest for human rights in the Niger Delta because of foreign economic interests which has been preserved by successive Nigerian governments to the detriment of the populace, and with an adverse effect on both the ecological, environmental, and economic integrity of the area. Not only has the mining rights of the inhabitants been denied, but also their agricultural and fishing culture has been adversely impoverished, distorted and devastated.

2.2 Niger Delta Inhabitants Rights to Life, Liberty and Property

It is necessary at this point to give below a brief highlight of how this has been done by means of unpopular decrees, lack of environmental impact assessment of decades of MNCs operations, and non-recognition of the rights of the Niger Delta inhabitants to gains from oil produced on their land and territorial waters which implies a denial of rights to life, liberty and property.

Firstly, in 1978 General Olusegun Obasanjo's regime entrenched a bogus land use and allocation act in the Nigerian constitution, with a proviso that all land in Nigeria was now the corporate property of all Nigerians with the Federal Government as the chief land lord. The FGN promulgated this land use act and by law moved both land ownership from the natural to the civil domain, and stewardship of land from the communal to the civil sector. The Multinational oil companies have taken advantage of this decree in grabbing more and more land in the Niger Delta.⁴ In other words all land ownership rights are now invested in the FGN and SGs, instead of the usual communal owners duly recognized by conventions and customs of various Niger Delta peoples. Thus making land ownership and acquisition a civil rather than an inalienable right. By making land ownership a civil rather than an inalienable right, the FGN constituted itself as the chief custodian of all land in Nigeria, and so paved the way for the MNCs to collude with key government officials in "grabbing" land in the ND particularly in large areas richly endowed with hydro-carbon.

Secondly, the MNCs particularly Shell, Total and Chevron - which has been in the business of mining oil in the region for several decades now, have all ignored global standards of environmental impact assessment. They give the flimsy excuse that unlike in Norway, Texas (USA) and Saudi Arabia where such environmental impact assessment is carried out periodically, there is no enabling legislation from any Nigerian parliament by which they can do the same in the ND in order to address the issues such as pollution, degradation and deforestation. Moreover, they argue that the FGN receives a bulk of the profit from their operations and so should be in a position to address some of the environmental issues raised by their operations as is the case in partnerships. Thus the ND inhabitants have suffered progressively from violations of their human rights life, to clean air, green environment, free speech and sustainable development.

It is unfortunate that Totalfinaelf (or Total) applies different environmental policy in Nigerian which is not like she does elsewhere. In the Code of Conduct governing the operations of Totalfinaelf for instance, it is stated that Totalfinaelf *strives* to uphold the principle of the UDHR, the key conventions of the ILO, the OECD guidelines for Multinational Enterprises, and the principles of the UN Charter on non-interference in the internal affairs of host countries⁵. Such double standards are a violation of both the Rio declaration of 1992, of the UN UDHR, human right culture and values of HCs, and a flaunting of Total's Code of Ethics (henceforth referred to as CoE).

Accordingly, principle 11 of the Rio declaration 1992 stated it in these words: 'States shall enact effective environmental legislation to reflect the environmental standards, management objectives and priorities which reflect the environmental and developmental context to which they apply'⁶. By this token, the environmental standards applied by some countries may be inappropriate and of unwarranted economic and social cost to other countries, in particular developing countries. Therein lies the predicament of the ND environment wherein neither appropriate legislation has been put in place, and in which a different environmental requirement than what is prescribed for the West or developed countries is likely the vogue.

Consequently, the inhuman treatment meted out to persons, animals, and other creatures in the ND by MNOCs has not been taken as serious human rights violations by the international community as a result of lopsided reports from Amnesty International's London office.⁷ The net result of these long years of human rights abuses in the ND has been economic and social exploitation and environmental degradation with the attendant massive impoverishment, youth and women restiveness, industrial pollution, civil unrest, and the spread of pathological ailments such as the HIV/AIDS. Apparently, it endorses the view held in most scholarly quarters that "decolonization" has brought in its wake a detrimental effect to sexual, cultural and ethnic minorities since the mid twentieth century (see Benhabib 2002:54).

Thirdly, the various HCs in the Niger Delta particularly the Ogoni, Ijo and Ogba have confronted both the FGN and MNOCs with the reality of

deprivations imposed upon them by the same corporate bodies and their agents. Every attempt to confront the MNOCs and the FGN with the gross human rights violation in the ND have so far been repulsed either with hollow promises or with treason charges which go with imprisonment or downright execution as the punishment attached. There is a politics of equal dignity going on in the area right now which space will not permit us to recount. It is unfortunate however that neither the FG, the MNCs, nor the HCs have so far come up with an effective strategy for addressing the perennial problems of the ND. The implications of such a dilemma are multifaceted, and can only be taken up below with the human rights perspective in view. Suffice it to be said that stakeholders in the oil mining business in the ND must take cognizance of the facts of equality of persons (if not of cultures) which necessitates the conferment of dignity and worth on the human person irrespective of culture or origin. The benefits accruing from oil must be bestowed on property owners in the ND as a step towards sustainable development in the area. The new democratic dispensation in Nigeria seems to be pushing in that direction.

With respect to host countries or communities (HCs) Total for instance defines her Code of Ethics as commitment to “respect the natural environment and cultural values of host communities, respect the sovereignty of states and refrain from intervening or funding the political processes”. For instance the promise to stop natural gas flaring in the ND was mooted in 1976 as necessary for environmental health of oil producing communities. It is unfortunate that gas flaring have continued even until now. Total has set a date unknown to the HCs and FGN for 2015⁸ short of the AD 2000, 2002, and 2008 respectively variously envisaged by both the FGN, the SGs and the HCs. By the year 2015 envisaged by Total, how many inhabitants will remain in the area alive, virile and in good health if the present spate of gas flaring in Ogba and Ekpeye areas continues unabated?⁹

3. An Accountable and Responsible Land ownership and use

Against the foregoing background the Niger Delta suffers what in our opinion constitutes a distortion of an accountable and responsible ownership and use of land. This is true especially from a human rights perspective. An examination of the practical outworking of natural and inalienable or special rights to a responsible and accountable land use and ownership in the Niger

Delta, is considered particularly in the lights of people's experience in reality. A distinction can be made between natural and inalienable or special rights on the one hand and between these rights and what is generally termed "civil" rights. Natural rights are synonymous with moral rights which in turn are limited to inalienable rights. In Nigeria for instance such rights as the right to life, rights to freedom of person, conscience, movement, association, speech, opinion, and rights to personal safety and integrity or self actualization are deeply entrenched in the constitution. It is doubtful if the same can be said of the right to personal property in a primary sense. Although the constitution recognizes an individual's right to acquire land or property in any part of the country, this right is recognized only in connection with private or corporate business interests.

One can register a land bought or owned in connection with a business name, or obtain at some statutory cost, a certificate of occupancy over a land one has acquired in a secondary sense. Whereas in the culture land is owned as a natural or birthright by individuals belonging to particular kinship groups and communities, this category of ownership can be undermined if a new land law of modern Nigeria enacted since 1978 is ratified by her Federal parliament of today. So far the new law on land ownership and use has not been ratified in Nigeria, but successive governments and the multinational oil companies have taken advantage of the provisions of the law in their practice of *latifundia* in the Niger Delta. The net effect on this is land degradation, environmental pollution and human impoverishment.

4 Civil Rights, Natural Rights and Human Dignity

It is instructive to note the various views expressed in the human rights discourse, particularly as it is reflected in the Niger Delta situation, and to see how non governmental agencies like Amnesty International views any contravention of these rights by either national governments or multinational oil companies in the case of Nigeria. This we will do using three interrelated concepts: civil rights, natural rights, and human dignity.

4.1 Civil or Natural Rights?

A right is civil if it is one that can be claimed from or enforced by a civil government. All rights are however subject to claims as has already been pointed out. On the other hand, a natural or inalienable rights would include the rights to life, liberty, equality and the pursuit of happiness. However, one does not claim one's right to life from the State in the same way as one's right

to a particular political viewpoint such as socialism, liberal democracy, private ownership can be asserted or claimed. One's right to life is inalienable, whereas one's right to political participation is a civil right. The same line of distinction can be extended to special rights. The latter would include the rights to property, inheritance and self-fulfilment - all of which entail human dignity and worth.

In the event of all or one of these special rights being moved into the realm of civil rights, the implication from the point of view of the human rights debate is that a primary right is being made civil or secondary. In other words a right which inheres in one's status as a human being is being made dependent upon one's viability in being able to assert or claim such rights without which State protection is denied or deferred. God created human beings with certain natural and inalienable rights which of course includes civil rights. This is also true of norms, laws and values which govern the use and enjoyment of rights over land in the broader communities within the Niger Delta. However, as has been hinted at earlier, Government has attempted through unilateral "decrees" to withdraw from the private sphere the enjoyment of individual property rights in order to relocate the use of property rights at the corporate or public sphere (Ayandele 1969:69, Yakubu 1985:263). This is an example of an inalienable right being transformed into a civil right, which is the reason why the federal Parliament since 1999 has refused to recognize or ratify the new so called land use and ownership laws in Nigeria. That does not detract from multinational companies' use of it as a legal backing for the land-grabbing tactics they employ in the oil producing communities.

4.2 Human Dignity

Another name for human dignity is human worth. When individual rights are violated the personal worth is diminished, but when such violations are redressed or reclaimed, then dignity is restored or enhanced. Thus human dignity is closely associated with the way both civil and human rights are addressed in various contexts. For instance, in contexts where equal rights of participation in the political process were withheld as was the case in pre-1994 apartheid South Africa, and in others in which equal rights of enjoyment of benefits accruing from the society to which one belongs is denied as is the case in the Niger Delta, such abnegation or marginalization is tantamount to a destruction of human self-respect or dignity.

In a brief paper such as this, it is difficult to consider all the ramifications of human dignity in contexts in which either through marginalization or elimination of vocal interests human dignity and self respect is diminished.

Suffice it to say that even where such is the case, human dignity can be understood differently in various contexts. When applied to the various minority groups most confronted with the issue of a denial of human rights such as ethnic nationalities, women, children, immigrants, the poor and other marginalized people the difficulty in providing or even proffering a uniform solution begins to loom large. Each context has to define its own human dignity or worth.

Nevertheless, human dignity is an essential component of human and civil rights particularly in the contexts in which the latter are recognized and positively applied. On the other hand, the individual struggle to reclaim lost rights - whether natural, moral or civil - is an inevitable one in those societies in which human and civil rights are violated. The individual's or group's ability to activate the processes of restoration of such rights is tantamount to an activation of their human dignity. We shall for the rest of this paper discuss the issue of stewardship, land ownership and use in the Niger Delta using these three interrelated concepts: civil rights, human rights and human dignity.

5. Contextual Human Rights Implications

Our understanding of human rights have been contextualized in order to avoid ambiguity. There is a Universal Declaration of Human Rights (UDHR) which is intended for all nations on earth, but which are not enforceable or claimable - in the event of a violation - at the international level without the intervention of local, or national agencies. On the other hand there is for instance, the American, or the South African “bill of rights” or in Nigeria “the fundamental human rights” which are entrenched in the 1999 constitution. In each of these aforementioned countries a violation of these rights can be redressed legally using through their individual judicial systems. Yet the practical outworking of human rights differs from country to country. In Nigeria and perhaps continental Africa, the emphasis is laid on “freedom clauses” which are considered fundamental to human survival and self actualization. It was Lawrence Blum (1998:77) who pointed out that the greatest challenge to the human rights debate globally is the issue of multiculturalism and relativism. Each human rights context and constituency must define its own predicaments and proffer its own solutions without, however, ignoring the collective experiences emanating from other contexts. Theologically, and from the perspective of Christian and Islamic laws, human rights is understood as pointing to the rights of the individual to a share of and from the land; to a personal pursuit of happiness, to life and liberty which

are in conjunction with numerous other rights deeply entrenched in the Canon of both religions. For instance in the Decalogue individual human rights protected includes such rights as to conscience, to recreation, to life, to family, to property, to a good association or reputation, and the right to liberty. In this way the individual's relationship to God was protected, so that a violation of an individual's rights was considered an interference with that individual's commitment or devotion to God¹⁰ (Wright 1990:136). There is a congruity existing between biblical Israelite and African culture which makes any discussion of the theological underpinnings of human rights relevant especially with the Nigerian experience in view.

All three stake holders in the oil industry in Nigeria need land to carry out their businesses - the federal government, the multinational oil companies and the 10 million inhabitants of the Niger Delta - and this imposes stewardship obligations which means that property has to be used responsibly and accountably with everyone keeping the interests of everyone else in mind. This of course has not been the case in Nigeria, where rights are claimed and demanded at all levels without a commensurate duty or obligations.

The implications of all these is that all the aforementioned stakeholders have a role to play in the restoration of human dignity. There are many ways to do this, but the present emphasis is to see that the gains from oil exploration, exploitation and exportation are transformed into some concrete agricultural, industrial and commercial ventures. This for the Niger Delta means investing in more sustainable development programs because oil minerals are a depleting resource and there have to be projects on ground to keep the population thriving.

Furthermore, individual and group rights in ND have to be promptly and consistently activated. The activation of rights will moreover result from several interacting factors which space may not permit us to delve into. Suffice it to be said that protection of citizen's rights to life, to clean air, green environment, free speech, and sustainable development by the FGN is a necessary precondition for sanitizing various MNC operations in the ND. Since the FGN in the past decades have so far proved incapable of doing this effectively, it is the moral obligation of MNCs to assume the responsibility of restoring and refurbishing the ND land and environmental resources. Hitherto, the land and environment of ND¹¹ have been subjected to

degradation, pollution, and deforestation as a result of oil exploration, exploitation and exportation activities of MNCs for more than five decades now.

Using the same process of an ongoing debate on human rights which cuts across various social groups including ethnic and cultural minorities, women, children and indeed religious groups, we can envisage an implication of the land grabbing tactics of both the federal government and multinational oil companies for the ongoing human rights discourse. There is presently an intensive struggle over land ownership and use in the area, but without a sense of stewardship roles which both government and multinationals are expected to fulfil.

On the part of the HCs, the implication is that their concern for clean air, green environment, freedom of movement and sustainable development should be holistic. It should not include a non-objective evaluation of the problems of the ND, nor should it stop with agitation. Furthermore it implies a sensitization of human rights agencies both at home and abroad with the realities of ecological disharmony and environmental pollution resulting from the reckless operations of MNCs in their areas. These are the basic factors capable of contributing to an orderly and immediate restoration of the people's rights to the gains of oil mining, land ownership and use in the ND.

5. Conclusion

In this paper we have discussed the human rights implications of land ownership and use in the Niger Delta with respect to oil exploration, exploitation and exportation. Generally, the issues raised are such as concerns all the stakeholders in the whole oil mining business going on in the ND including the FGN, the MNCs and the HCs. It is the legal obligation of states to protect their citizens from all kinds of human rights abuses. Otherwise, citizens should be free to take up such violations or neglect with appropriate non-governmental agencies at both local and international levels. This is with a view to sensitizing the local, national and international community on the gross human rights abuses in the ND in order to gain the necessary support for stopping same.

On the other hand MNCs should abide by their so called “code of ethics” in ensuring that they carry out their moral obligation of not only promoting but also pursuing the human rights of their HCs. In most cases governments such as we have in Nigeria have not been able to fulfil their legitimate oil-related development obligations to her citizens in the oil producing communities. In the opinion of AIBG, Sweden, “MNCs are either guided by an agreeable

code of ethics without which Amnesty International considers them unfit for global economic activities”.

Today, Total for instance is one major MNC whose industrial and chemical operations covers a wide section of ND particularly in Ogba, Ekpeye and Ikwerre areas. They should rightly assume their responsibility for the various levels of environmental pollutions and economic deprivations imposed on ND inhabitants as a result of their decades-long operations. In partnership with the FGN they should beef up government commitment to the human rights of the inhabitants of oil bearing communities to clean air, green environment, freedom of persons and sustainable development. On their own part they should be committed to environmental impact assessment, stop all gas flaring points, and participate along with the HCs in the process of refurbishing and rebuilding the ecological system of the ND. Finally, Total and the FGN should divest themselves of a significant percentage of the gains from oil and invest the same in sustainable agricultural, industrial and commercial development in the ND areas in particular and the surrounding sub-region as a whole.

End Notes

1. Paper originally read in Stockholm, Sweden at a Conference of Amnesty International Business Group (AIBG) with the title “Stakeholders and Human Rights: Implications for Accountable and Responsible Land Ownership in Niger Delta (Nigeria)” in May 2006 as part of Postgraduate Exchange programme Sweden/South Africa.
2. Three more questions were asked in addition, and the answers are reflected in appropriate sections of this paper (see below). Due to communication and timing difficulties the conversation was carried on telephone for more than 20 minutes on Thursday 27th April 2006. Ms Emma Ihre Amnesty's technical officer in Sweden spoke with the present author / researcher.

3. A. Ahiamadu “Re-defining stewardship – A Nigerian Perspective on accountable and responsible ownership and use of land according to the Old Testament” Doctoral Dissertation, University of Stellenbosch, 2007.

4. This is being written at a time when the Nigerian government is proposing a 10% share by Host Communities (HCs) in royalties accruing from oil minerals obtainable from their land or communities. The modalities should be clearly spelt out such that the royalties actually get to their bona fide owners in the HCs.

5. A. Ahiamadu “Living with oil exploration, exploitation and exportation in Niger Delta: A Case Study of OML 57,58,100-101” A paper presented in a Postgraduate Seminar, Department of Environmental Ethics, University of Stellenbosch, 2003, pp.7

6. Total Code of Conduct 2005 Courbovole, France Corporate Communications website <http://www.total.com/> p.6

7. In 2002, ten years after Rio de Janeiro, where a Global environmental convention was signed, a conference was held in Johannesburg in which issues pertaining to water, energy and access to healthcare, as well as agriculture and biodiversity were addressed. Energy emerged as a central theme, but its implication for human rights in participating nations and communities were not touched upon. Each national unit was left to enact its own environmental laws and enforce it within her own national boundaries. Nigeria is a signatory to the Rio convention. Since then it has remained on paper and not been implemented. There has been the Bali conference of 2008, and the more recently concluded Copenhagen conference of 2009 – all on environmental issues such as international treaty on global reduction of green gas emissions to which all countries except United States have been signatories.

8. Amnesty International interview on 27th April 2006 admitted that most reports reaching them have always been ones sent from the MNCs through Amnesty International's London office, and none from either the FGN or the HCs

9. Visit <http://www.total.com/> - Investor relations 2005 pp.4.

10. Two prominent activists - Messrs Asari-Dokubo and Peter Alamiesiegha, an ex-governor of the oil rich Bayelsa state, has on separate charges of militancy been incarcerated for daring to take up arms in defence of human rights of ND inhabitants both to share the gains of oil and gas production, and to live in a clean, safe and healthy environment among many others who lost their lives for daring to confront the FGN on their lapses with respect to enforcing resource control and environmental safeguards. Militants since then has detained several expatriate workers of MNOCs and released them only when either the FG or MNOC has undertaken to tackle the issues at state objectively.

11 Such laws and the sanctions which went with them provided Israel with a social organization built upon a substructure of tribal or communal solidarity and mutual responsibility. This is what made the relative strength of the tribe as a whole desirable. Not only were laws enforceable at various levels of kinship organization, but they also provided the moral resource for the retention of kinship wealth within a broader kinship group. It also made it possible for individual nuclear families to enjoy the ownership and use of property - particularly land (Fager 1993:91).

12 “Land” here generally refers to the solid part of the surface of the earth, in contrast to the water of oceans and seas, but includes the nations’ continental shelf usually linked to countries, regions or localities. By this definition, land Nigeria and especially in coastal areas such as the Niger Delta will include both its geologic and marine areas.