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# Women and access to Environmental Justice in Nigeria

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## Introduction

Historically, oil and gas exploration and production activities in the Niger Delta region of Nigeria have negatively impacted the livelihood and wellbeing of vulnerable groups, especially rural women.<sup>1</sup> These activities directly affect the women's ability to source for food, water, wood energy, and other natural resources. These resources support women's traditional care-giving role in the society, and without access to the resources, they are more vulnerable to poverty and other broader multidimensional socio-economic challenges such as gender inequality, domestic violence, lack of financial empowerment and lack of access to quality education amongst others.<sup>2</sup>

As one of the most affected groups, women have been actively involved in seeking redress for the negative environmental impacts flowing from exploration and production activities in the oil and gas sector in Nigeria. They use both formal (mainly litigation) and informal (such as protests and customary processes) strategies.<sup>3</sup> However, there have not been a great deal of litigation initiated to address the violations of rights and livelihoods of women in the Niger Delta.<sup>4</sup> This post focuses on women-led protests in the Niger Delta region in Nigeria.

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<sup>1</sup> Ikelegbe, Augustine. "Engendering civil society: Oil, women groups and resource conflicts in the Niger Delta region of Nigeria." *Journal of Modern African Studies* (2005): 241-270.

<sup>2</sup> NOI Polls, 'Socio Economic Challenges women face in Nigeria' August 15, 2019 <https://noi-polls.com/socio-economic-challenges-women-face-in-nigeria/#:~:text=The%20top%20five%20challenges%20affecting,gender%20inequality%20and%20domestic%20violence.>

<sup>3</sup> Turner, Terisa E., and Leigh S. Brownhill. "Why women are at war with Chevron: Nigerian subsistence struggles against the international oil industry." *Journal of Asian and African studies* 39.1-2 (2004): 63-93.

<sup>4</sup> Ugochukwu, Basil. "Engendering access to justice in Nigeria: The role of public interest litigation." *Gender, Poverty and Access to Justice*. Routledge, 2020. 115-132.

## Women-led protests in the Niger Delta

Women have been actively involved in redressing the negative effects caused by the operations of multinational corporations (MNCs) in the oil and gas sector in Nigeria.<sup>5</sup> Furthermore, environmental disasters or degradation arising from the operations of oil MNCs in the Niger Delta have impacted negatively on the livelihoods of women. In Ogoniland in the Niger Delta, the women 'produce most of the family's food, but the twin pressures of land grabs and oil pollution are making it impossible for them to survive.'<sup>6</sup> Hence, the impacts of oil MNCs operations in the Niger Delta have considerably weakened women's access to 'pollution-free farmlands and fishing waters.'<sup>7</sup>

Furthermore, women bear the brunt of environmental injustice in Nigeria and the negative consequences of the operations of the oil MNCs have also impacted negatively on the health of women in the Niger Delta. For example, in a recent study conducted by Bruederle and Hodler which was the first academic study to explicitly link 'environmental pollution with new-born and child mortality rates in Niger Delta', demonstrates that children and babies in Nigeria are 'twice as likely to die in the first month of life if their mothers were living near the oil spill before falling pregnant.'<sup>8</sup> Also, the UNEP report 2011 on Ogoniland revealed the shocking levels of oil pollution in Ogoniland in the Niger Delta caused by the operations of an oil MNC and which to date is yet to be cleaned up.<sup>9</sup>

Global frameworks such as the United Nations Sustainable Development Goals (SDGs) reflect international minimum standards for human development outcomes in a way that suggests universal human needs and priorities. Goal 16 of the SDGs recognises the importance of access to justice. For women to enjoy environmental goods in the country, barriers to environmental justice must be eliminated. It has been contended that women 'suffer uniquely from

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<sup>5</sup> Oluwaniyi, O. "Women's protest in the Niger Delta region", In, Obi, C. and Rustad, SA." *Oil and insurgency in the Niger Delta* (2011): 150-166.

<sup>6</sup> Ruth Maclean, 'Toxic mud swamps fortunes of Niger Delta women years after oil spill', (Guardian Newspaper) 19 December 2018 <https://www.theguardian.com/global-development/2018/dec/19/toxic-mud-swamps-fortunes-of-niger-delta-women-years-after-oil-spill> m

<sup>7</sup> Ukeje Charles. "From Aba to Ugorodo: gender identity and alternative discourse of social protest among women in the oil delta of Nigeria." *Oxford Development Studies* 32.4 (2004): 605-617, 613.

<sup>8</sup> Bruederle, Anna and Hodler, Roland, The Effect of Oil Spills on Infant Mortality: Evidence from Nigeria (September 14, 2017). CESifo Working Paper Series No. 6653, Available at SSRN: <https://ssrn.com/abstract=3043605>. Also see Kate Hodal, 'Absolutely shocking: Niger Delta oil spills linked with infant deaths' (Guardian Newspaper) 6 November 2017 <https://www.theguardian.com/global-development/2017/nov/06/niger-delta-oil-spills-linked-infant-deaths>

<sup>9</sup> Amnesty International, 'Nigeria: No Clean-Up, No Justice: An Evaluation of the implementation of UNEP'S Environmental Assessment of Ogoniland, Nine Years on' 27 June 2020 <https://www.amnesty.org/en/documents/afr44/2514/2020/en/>

environmental injustices' in different parts of the world, including the United States.<sup>10</sup> These unique effects have also been exemplified in the Niger Delta wherein women and children tend to bear the brunt of environmental injustices.<sup>11</sup> Consequently, women have relied on different strategies (such as protests) in improving access to environmental justice in Nigeria.

Notwithstanding that women in Nigeria face state-sanctioned discriminatory practices, and economic and social barriers, they have stood up against the negative activities of the oil MNCs by protesting those activities and eventually pushing the companies to concede to some of the women's demands.<sup>12</sup> Women have relied on dramatic strategies, such as naked protests, to protest the operations of the oil MNCs in the Niger Delta and other parts of Nigeria.<sup>13</sup> Protests by women is not a new phenomenon in Nigeria, and dates to the colonial era. Women-led protests have been largely successful in the Niger Delta. There have been a series of women-led protests in the Niger Delta protesting the oil-related activities and negative impacts arising from the operations of the oil MNCs in different states in the Niger Delta.<sup>14</sup> This post focuses on the women-led protests in Ugborodo community in the Niger Delta.

In 2002, some women in some oil-producing or oil-bearing communities took over the premises of Chevron and other oil MNCs and stripped themselves naked - which is a local shaming mechanism and in some communities can be used as means of laying curses on people and objects.<sup>15</sup> Due to the women protest in Ugborodo community (located in Delta state in Nigeria) in July 2002, Chevron/Texaco was forced to 'declare a *force majeure* clause in its contracts with its exporters' which led to massive losses in its revenue and this was a major factor which led to a swift resolution of the conflict.<sup>16</sup> As a result of the demands made by the women protesters, in July 2002, Chevron/Texaco signed a memorandum of understanding

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<sup>10</sup> Unger, Nancy C. "The role of gender in environmental justice." *Environmental Justice* 1.3 (2008)

<sup>11</sup> Generally, see Hodal (n 8); Babatunde, Abosede Omowumi. "Oil pollution and water conflicts in the riverine communities in Nigeria's Niger Delta region: challenges for and elements of problem-solving strategies." *Journal of Contemporary African Studies* (2020): 1-20.

<sup>12</sup> Generally, see Eghosa Ekhaton 'Protection and Promotion of Women's Rights in Nigeria: Constraints and Prospects' Michael Addaney (ed) *Women and Minority Rights Law: African Approaches and Perspectives to Inclusive Development* (Eleven International Publishing, Netherlands 2019) pages 17-35  
[https://www.researchgate.net/publication/334480675\\_Protecting\\_and\\_Promoting\\_Women%27s\\_Rights\\_in\\_Nigeria\\_Constraints\\_and\\_Prospects](https://www.researchgate.net/publication/334480675_Protecting_and_Promoting_Women%27s_Rights_in_Nigeria_Constraints_and_Prospects)

<sup>13</sup> Bright Alozie, 'Undressing for redress: the significance of Nigerian women's naked protests' The Conversation, 3 September, 2020 <https://theconversation.com/undressing-for-redress-the-significance-of-nigerian-womens-naked-protests-144823> ; Turner and Brownhill (n 3)

<sup>14</sup> Ikelegbe (n 1)

<sup>15</sup> Oshionebo, Evaristus. *Regulating transnational corporations in domestic and international regimes: an African case study*. University of Toronto Press, 2009. Also see Okogbule, Nlerum Sunday. *An appraisal of the mutual impact between globalization and human rights in Africa*. Diss. University of Glasgow, 2012.

<sup>16</sup> Okogbule *ibid* 256

(MOU) with the Ugborodo community.<sup>17</sup> The MOU included the following: upgrading 15 members of the communities who are contract staff to permanent staff status; the employment of an individual from each of the five Ugborodo villages every year; the building of one house each for their traditional rulers of the communities, provision of vital infrastructure; and the provision of monthly allowances to the elderly and establishment of income generating initiatives among other demands.<sup>18</sup> Furthermore, some of these vital infrastructure included the building of a community hospital and other community projects amongst others. Thus, the women negotiated terms that were beneficial to the larger community.<sup>19</sup> Unfortunately, the MOU is yet to be fully implemented by the oil MNC.<sup>20</sup>

Recently, in September 2020, women in Ugborodo protested the non-implementation of some of the provisions of the MOU and alleged breach of the MOU by the oil MNC.<sup>21</sup> However, it should be noted that MOUs entered between oil MNCs and communities in the Niger Delta are not legally binding contracts.<sup>22</sup> Notwithstanding that MOUs are not sacrosanct, Niger Delta communities consider them to be binding and oil MNCs are expected to enforce them.<sup>23</sup> Arguably, women protests have had modest but significant impacts on the various oil MNCs operating in the Niger Delta. However, some scholars have argued that the impacts of the women protests have been negligible in Nigeria. For example, Ukeje argued that “the demands of the women were essentially ‘bread-and-butter’ in nature.”<sup>24</sup> Also, Oshionebo averred that ‘it is of course debatable whether such aggressive tactics [of the women] have effected substantive changes in the behaviour of TNCs.’<sup>25</sup>

Notwithstanding the various criticisms of the utility of women’s protests in Nigeria, their protests have impacted other protests and actions in the country and served as inspiration for similar protests in the other parts of the world.<sup>26</sup> For example, women in California protested

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<sup>17</sup> Okogbule (n 15)

<sup>18</sup> Turner and Brownhill (n 3)

<sup>19</sup> Akiyode-Afolabi, A., and T. Iyare. *The 11-Day Siege" Gains and Challenges of Women's NonViolent Struggle in Niger Delta*". Women Advocates Research & Documentation Center, 2005  
<http://www.awdflibrary.org/handle/123456789/45>

<sup>20</sup> Vanguard Newspaper ‘Ugborodo c’tee demands implementation of MOU’ 17 September 2020  
<https://www.vanguardngr.com/2020/09/ugborodo-cttee-demands-implementation-of-mou/>

<sup>21</sup> Sylvester Idowu, ‘Ugborodo Women sustain siege on Chevron Tank Farms’ (Thisday Newspaper), 12 September 2020 <https://www.thisdaylive.com/index.php/2020/09/12/ugborodo-women-sustain-siege-on-chevron-tank-farms/>

<sup>22</sup> Ekhatator, Eghosa O. "Regulating the activities of oil multinationals in Nigeria: A case for self-regulation." *J. Afr. L.* 60 (2016): 1.

<sup>23</sup> Ekhatator *ibid*

<sup>24</sup> Ukeje (n 7) 612

<sup>25</sup> Oshionebo (n 15) 99

<sup>26</sup> Turner and Brownhill (n 3)

naked, and this has become a new anti-war protest tactic.<sup>27</sup> According to Turner and Brownhill (relying on Ivan Gale) women protests in the Niger Delta were the inspiration for this tactic utilised by the women in California and show how this style of protesting has become a global phenomenon.<sup>28</sup>

## **Conclusion**

Women have relied on different strategies (such as protests) in improving access to environmental justice in Nigeria. This post focused on the women-led protests in the Niger Delta, and contends that notwithstanding criticisms to the contrary, women-led protests have had modest but significant impacts on the various oil MNCs operating in the Niger Delta

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<sup>27</sup> Turner and Brownhill (n 3) 71

<sup>28</sup> Generally, see Ivan, Gale. "West Marin Women Strip for Peace." *Point Reyes Light* (2002) <https://archive.commondreams.org/scriptfiles/headlines02/1117-02.htm> ; Turner and Brownhill (n 3)