

## Preventing The Environmental And Health Impacts Of Artisanal Oil Refining On Women In Nigeria's Niger Delta Region.



Woman with her child at the bank of a polluted river in the Niger Delta region. | Photo Credit: Telegraph.co.uk.

Policy Brief: March 2023



## Introduction/Background

The discovery of oil in commercial quantity in Oloibiri, Nigeria in 1956 by Shell Darcy,<sup>1</sup> seemed to be the beginning of rapid economic development of Nigeria. There were high hopes about the magical transformation that oil would bring to Nigeria and Nigerians. With these high hopes, many failed to foresee the potential negative consequences of oil. Eyes were blinded to potential environmental degradation, suppression of other income sources, agitation over control and benefits from the oil resources, exacerbation of gender inequalities occasioned by scarcity or degradation of environmental resources affected by oil extraction and refining.

After over fifty years of oil extraction, some of the associated negative consequences have been laid bare: ***“...the basic infrastructures seems to be in decay (as roads for instance, are now death traps, power supply is epileptic, poverty is an endemic problem as most of the erstwhile fertile lands in Niger Delta region is infertile and devastated by pollution, . Also, noxious fumes from gas flaring are competing for space in the air<sup>2</sup>”***

Sadly, part of the degradation of the environment from oil extraction and refining activities is done by oil companies licensed by the Government of Nigeria. The environmental degradation and associated impacts are compounded by the activities of artisanal oil refineries. Artisanal oil refining activities have been one of the causes of oil spills, pipeline explosions and fire outbreak in the Niger Delta region of Nigeria. These have polluted underground water, destroyed vegetation and farmlands, claimed lives and properties among several other negative consequences. All these come with severe impacts on vulnerable populations like women, children and the aged in different ways.

It is therefore of utmost importance to address the activities of the artisanal oil refineries to prevent the environmental and health impacts their operations have on women and other vulnerable groups in the Niger Delta Region of Nigeria.



Focus group discussion with women in Abaezi community. Photo credit: WEP

<sup>1</sup> Energy Global News.Oloibiri FieldJanuary 1956 – Nigeria’s First Commercial Oil.

<http://www.energyglobalnews.com/oloibiri-field-january-1956-nigerias-first-commercial-oil/>

<sup>2</sup> Charles et al.(2009). Fifty Years of Oil Exploration in Nigeria: The Paradox of Plenty. In Global Journal of Social Sciences Vol 8, No. 2, 2009. [Fifty years of oil exploration in Nigeria: The paradox of plenty | Global Journal of Social Sciences \(ajol.info\)](http://www.ajol.info)

## History and Impacts of Artisanal Oil Refining in the Niger Delta

While it is not very clear when exactly the artisanal oil refining activities in the Niger Delta Region of Nigeria started, the reasons why this practice and illegal business started are clear. Years of government neglect and unemployment in Nigeria's Niger Delta region gave rise to a widespread industry of illegally refining stolen oil<sup>3</sup>.

Over the years, the artisanal oil refining facilities in the Nigeria Delta have grown, and so also have their negative impacts grown. These impacts range from environmental degradation, loss of lives, health challenges, effect on the national economy, loss of livelihoods and food security.

### *Environmental degradation*

Illegal oil bunkering and artisanal refining are the major causes of water and air pollution and soil contamination as highlighted in the United Nations Environment Programme's (UNEP) report<sup>4</sup> of an environmental impact assessment of oil exploration in Ogoni land. Artisanal petroleum refining also contributes solid, liquid, and gaseous wastes in the environment, some of which contain toxic components such as the polynuclear aromatic hydrocarbons (PAHs)<sup>5</sup>. PAHs resist degradation and, remain persistent in sediments and when in organisms, could accumulate in adipose tissues and further transferred up the trophic chain or web. The activities of illegal refineries severely impact biodiversity, aesthetic scenery of the forest, regeneration of plant species and destruction of wildlife habitat, disruption of water cycle and loss of medicinal plant species<sup>6</sup>.

### *Loss of lives and health challenges*

Countless number of lives have been lost and will continue to be lost if nothing is done to address the activities of artisanal oil refineries. In March 2023, twelve persons were reported to have died following an explosion from a crude oil tapping point in the Rumuekpe community in Emuoha Local Government Area of Rivers State<sup>7</sup>. In April 2022, another artisanal refining site in Ohaji-Egbema, Imo State exploded killing over 100 persons and injuring dozens. Illegal bunkering and artisanal refining related violence caused over 500 fatalities in the Niger Delta region between January 2014 and April 2022<sup>8</sup>.

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<sup>3</sup> School Software Pro. <https://www.schoolsoftware.com.ng/history-of-oil-theft-and-illegal-oil-refineries-nigeria/>

<sup>4</sup> UNEP (2011). Environmental Assessment of Ogoni Land.

[https://wedocs.unep.org/bitstream/handle/20.500.11822/25282/ogoniland\\_chapter1\\_UNEP\\_OEA.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/25282/ogoniland_chapter1_UNEP_OEA.pdf)

<sup>5</sup> Obenade, M., and Amangabara, G.T., (2014). The Environment Implication of Oil Theft and Artisanal Refining in the Niger Delta Region. In Asian Online Journal Publishing Group.

<https://www.asianonlinejournals.com/index.php/AREES/article/download/674/668/1221>

<sup>6</sup> Aminayanaba, A., and Godwin, O., (2013). Environmental Impact of Illegal Refineries on the Vegetation of the Niger Delta, Nigeria. In Journal of Agriculture and Social Research, Vol. 13, No.2, 2013.

<sup>7</sup> Channels TV. Updated: 12 Dead as Pipeline Explodes in Rivers State.

<https://www.channelstv.com/2023/03/03/many-feared-dead-as-pipeline-explodes-in-rivers/#:~:text=Twelve%20persons%20have%20died%20following,Government%20Area%20of%20Rivers%20State.&text=The%20explosion%20is%20believed%20to,Delta%20Pipeline%20in%20the%20area.>

<sup>8</sup> PIND (2022). Illegal artisanal oil refining in the Niger Delta: Responding to environmental crime and insecurity.

<https://pindfoundation.org/illegal-artisanal-oil-refining-niger-delta-pinds-conflict-briefing-may-2022/>

The activities of illegal oil refineries contribute to air pollution as they emit large quantities of soot. In addition, the untreated waste released from these illegal refineries affect wildlife, and poison underground water, leading to severe effects on human health.

#### *Effect on the national economy*

According to the Nigerian Upstream Petroleum Regulatory Commission (NUPRC), Nigeria lost about \$3.27 billion worth of crude oil to theft between January 2021 and February 2022<sup>9</sup>. Similarly, Nigeria Extractive Industries Transparency Initiative, (NEITI) Oil and Gas industry report has revealed that over \$270 million worth of crude was lost to theft and sabotage between 2016 and 2020<sup>10</sup>. These are just recent figures as previous audits of the oil sector also showed varying amounts lost to artisanal refining activities and other forms of crude oil theft. These losses have dealt a big blow on the country whose major income comes from the oil sector.

#### *Loss of livelihoods and food security*

The activities of the artisanal oil refineries have contributed to loss of livelihoods and food insecurity in the Niger Delta region. Crude oil spills endanger fish hatcheries and affect fish production. Many farmlands have been contaminated by crude oil from artisanal refineries, rendering farmlands infertile and posing threat to food security. This situation has ripped many people in the region whose primary source of livelihood is fishing or farming as artisanal refining activities have caused the reduction in sizes of farmlands and deaths of aquatic life.

#### *Impacts of Artisanal Oil Refining in the Niger Delta on Women*

Our interactions with some women in the Niger Delta during our field assessment in Abaezi community in Ohaji-Egbema local government of Imo state revealed that, many women are dependent on farming for sustenance. The big challenge however is the decline in yield due to decreasing soil fertility caused by pollution of farmlands from artisanal oil refining. With this challenge, many women are said to have gotten involved in buying and selling products refined from the artisanal refineries. This exposes them to the pollution from the artisanal refining activities that could affect their respiratory and reproductive systems. A woman narrated how two of her children lost their lives in the explosion that rocked an artisanal refinery in Abaezi community in Ohaji-Egbema local government of Imo state. The same incident claimed the lives of some married women and a pregnant woman that traded in the illegally refined oil products. Being responsible for provision of water for households, the pollution of potable water sources by the activities of artisanal refineries has added to the burden of women as they go in search of potable water for domestic use.

#### **Why Artisanal Oil Refining is Thriving**

In the last quarter of year 2022, Women Environmental Programme (WEP) and partners interacted with youth, women, traditional and religious leaders in different communities in Ohaji-Egbema local government of Imo state and other parts of the Niger Delta. The interactions revealed why artisanal oil refining is thriving in the Niger Delta region of Nigeria.

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<sup>9</sup> The Cable. NUPRC: Nigeria lost \$3.3 bn crude oil to theft in 14 months. <https://www.thecable.ng/nuprc-nigeria-lost-3-3bn-crude-oil-to-theft-in-14-months>

<sup>10</sup> Dataphyte. <https://www.dataphyte.com/latest-reports/extractive/nigeria-loses-272-million-barrels-of-crude-oil-to-theft-sabotage-in-five-years/>

Unemployment of the youth was identified as one of the major reasons why artisanal oil refining is blooming. Another reason identified was a feeling of neglect of the communities by oil producing companies and the government. This feeling of neglect breeds anger and cause the youth to 'rise up and take what belongs to the community' through artisanal oil refining. The neglect of some oil producing communities by the government and oil companies is reflected in the dilapidated infrastructure and environmental degradation of these communities. ***"In Abaeze, there has been no light for... years as you can see dilapidated electric poles,"*** complained a community member in Abaeze. The youths complained of been offered low-paying jobs that do not cater for their needs and those of their families by some oil companies. Although some people observed that the huge money made from artisanal refining has made the youth to despise any other opportunity that will pay them less. What seemed to be a consensus among communities in the Niger Delta region and which is another reason fueling artisanal oil refining is the belief that ***"...this oil belongs to them and their community and therefore they should be properly compensated."*** This line of thought may be the inspiration to influential members of many oil producing communities in the Niger Delta region who set up artisanal refineries and engage the youth to siphon crude oil from the pipelines for refining. This group also collude with individuals, security personnels and companies to siphon oil from the pipelines for export.

Many people from the region see artisanal oil refining as addressing the problem of youth restiveness in the region. ***"Recently there's been a decline in killing of people as the youths resort to bunkering in the bushes,"*** says one of our informants. ***"The issues of kidnappings have also reduced as youth are engaged in artisanal oil mining activities,"*** says another informant. These statements highlighted the fact that if youth in the region are meaningfully engaged, it will go a long way in addressing social vices and insecurity in the region. The big question however is: is artisanal refining of oil the right way to engage the youth?

### **What the Law Says About Artisanal Oil Refining**

According to Nigerian Midstream and Downstream Petroleum Regulatory Authority (NMDPRA), no person shall operate a hydrocarbon refining facility without a valid Licence to Operate issued by the Authority<sup>11</sup>. Laws and Regulations in the oil and gas sector are put in place for the purpose of exploration and refining of oil in order to maintain international best practices, with environmental protection in utmost view.

As Ekpa F. Okpanachi puts it, artisanal refineries are ***"not illegal merely because it is artisanal, it is illegal because they are constructed and operated in contravention of the law"***<sup>12</sup>.

Artisanal refineries are set up and operated with disregard to health and safety standards and the environment. Their operations have contributed greatly to the degradation of the Niger Delta environment and a cause of severe health challenges and death in the region. Operators of artisanal oil refining facilities also engage in siphoning crude oil from the oil pipelines, another crime against the nation.

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<sup>11</sup> NMDPRA (2023). Assignment or Transfer of License and Permit Regulation 2023.

<sup>12</sup> Ekpa, F. Okpanachi (2022). Destruction of artisanal (illegal) refineries in Nigeria: An analysis of a possible conflict with principles of Rule of Law. <https://nmdpra.gov.ng/wp-content/uploads/2023/01/Hydrocarbon-Processing-and-Refining-Facilities-Regulations.pdf>

As popular as they are, artisanal oil refining are illegal activities with grave environmental and health challenges, especially on women and other vulnerable populations in the region.

## Recommendations

To address the negative consequences of artisanal refineries highlighted above, the following recommendations are proposed:

- *Remediation of affected sites*

Artisanal oil refining has severely polluted the soil, water bodies, underground water, and has affected vegetation and wildlife in many communities in the Niger Delta region. To improve environmental quality and the condition of living of the people, the state governments of the Niger Delta region, working together with the federal government and other relevant agencies, should draw up, fund and implement appropriate remediation actions in communities polluted by artisanal oil refining activities. This should be done following robust consultations with the community stakeholders to have an understanding of the way forward for the communities.

- *Implementation of the Petroleum Industry Act*

The Federal Government should be transparent and committed to the implementation of the Petroleum Industry Act (PIA), especially those parts of the Act that aim to promote development and involvement of host communities in the oil production process. Government should ensure that contributions are made to the Host Communities Development Trust Funds (HCDTF) and are used to address the development challenges of the host communities. By doing this consistently and transparently, the government will gain the trust of the communities and by this prevent the youth from attacking oil facilities or engaging in artisanal refining of oil.

- *Establishment of modular refineries*

The Federal Government should fulfil its commitment of establishing modular refineries in the oil producing states as a way of halting the illegal artisanal refining activities going on in the oil producing areas and its impacts on residents.<sup>13</sup> Similarly, the states and local governments in the Niger Delta region, working with oil-producing communities should establish modular refineries based on the Federal Ministry of Petroleum Resources' guidelines<sup>14</sup> that will engage the youth that were involved in artisanal refining of oil. The establishment of modular refineries will halt the pollution of the environment from artisanal refining activities carried out without regard to safety and environmental standards and without regulation from the authorities.

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<sup>13</sup> Punch (2022).FG to establish 18 modular refineries in oil-producing states. <https://punchng.com/fg-to-establish-18-modular-refineries-in-oil-producing-states/>

<sup>14</sup> NMDPRA (2017). General requirement and guidance information for the establishment of modular refineries in Nigeria. <https://www.nmdpra.gov.ng/wp-content/uploads/2021/12/GENERAL-REQUIREMENTS-AND-GUIDANCE-INFORMATION-FOR-THE-ESTABLISHMENT-OF-MODULAR-REFINERIES-IN-NIGERIA.pdf>

- *Empowerment of women and youth with skills*

More opportunities that empower women and youth in the Niger Delta region with skills should be created by the federal, states and local governments in the region to support structural change and economic growth. This will empower women and youth whose main livelihood activities - fishing and farming – have been affected as a result of pollution from artisanal oil refining and other oil producing activities. The different tiers of government should be deliberate and consistent in developing and implementing educational and vocational skills programs for women and youth. This will help cushion economic hardship women and youth experience in the face of environmental pollution.

- *Support to victims of artisanal refining sites' explosions*

The explosion of artisanal refineries have claimed lives of women, men and children and have destroyed properties in many oil-producing communities. This situation has caused many women to lose livelihoods, become homeless and widows. Not much has been done to help victims of these ugly incidences to recover. We call on the government and other stakeholders to identify and support victims of explosion of artisanal refineries especially women to aid their recovery.

- *Increase investments in renewable energy and shift away from oil*

The long-term solution to addressing the impacts of artisanal oil refining is to shift away from fossil fuels and increase investments in renewable energy. The shift to renewable energy will mean a reduction or halting of oil mining activities which will lead to a corresponding reduction or halting of artisanal oil refining. This will reduce environmental pollution and enhance environmental quality. Nigeria has committed to carbon neutrality by 2060, and to achieve this target, has launched the Energy Transition Plan<sup>15</sup>, which aims to reduce emission across 5 key sectors; Power, Cooking, Oil and Gas, Transport and Industry. We call on the government to reduce investment in fossil fuel and increase investment in renewable energy.

We also call on the government to consider investment in renewable energy, from the 30 percent of the profit of NNPC Ltd, that the Petroleum Industry Act (2021) stipulates that will be used to fund frontier basin development. ***“The best response to competition from other African fossil fuel producers is not increasing Nigeria’s oil and gas reserves through the discovery of new reserves but increasing energy reserves. Nigeria does not need a Frontier Exploration Fund. Nigeria needs a science, technology and innovation (STI) fund, to develop new energy sources in the face of climate change and net-zero emissions targets.”<sup>16</sup>***

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<sup>15</sup> Nigeria Energy Transition Plan. <https://energytransition.gov.ng/>

<sup>16</sup> Brookings (2021). Nigeria’s Petroleum Industry Act: Addressing old problems, creating new ones. <https://www.brookings.edu/blog/africa-in-focus/2021/11/24/nigerias-petroleum-industry-act-addressing-old-problems-creating-new-ones/>

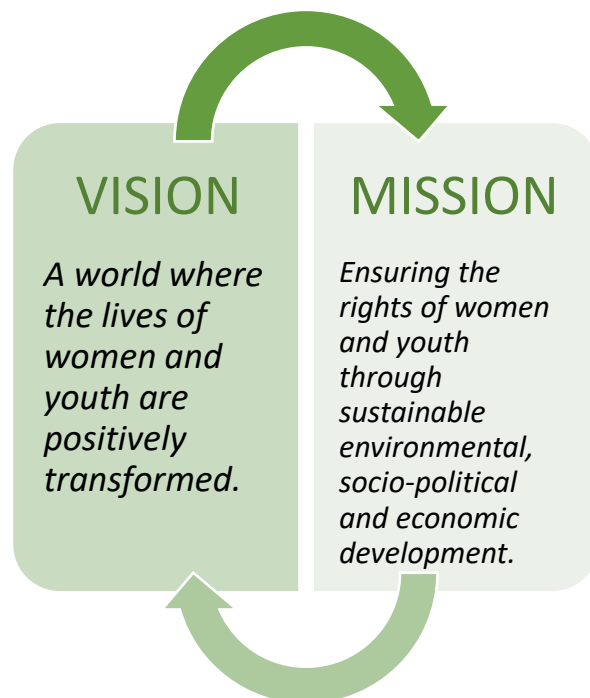
## ABOUT WOMEN ENVIRONMENTAL PROGRAMME (WEP)

### Who we are

Women Environmental Programme (WEP) is a non-governmental, non-profit, non-political, non-religion organisation. The pollution by industries in Southern Kaduna, in Kaduna State, Nigeria, and its consequent effect on the environment and humans, especially women and children came as a serious concern to Priscilla Achakpa, the founder of WEP, who stood up against these lethal activities by the industries. She was poised to fight this to a standstill as she canvased for support of individuals and groups. She was able to mobilize other women to join her in this cause. This led to the formation of an environment advocacy and women's rights organization in 1997 known as **Save Environment Action** which is today known as **Women Environmental Programme (WEP)**.

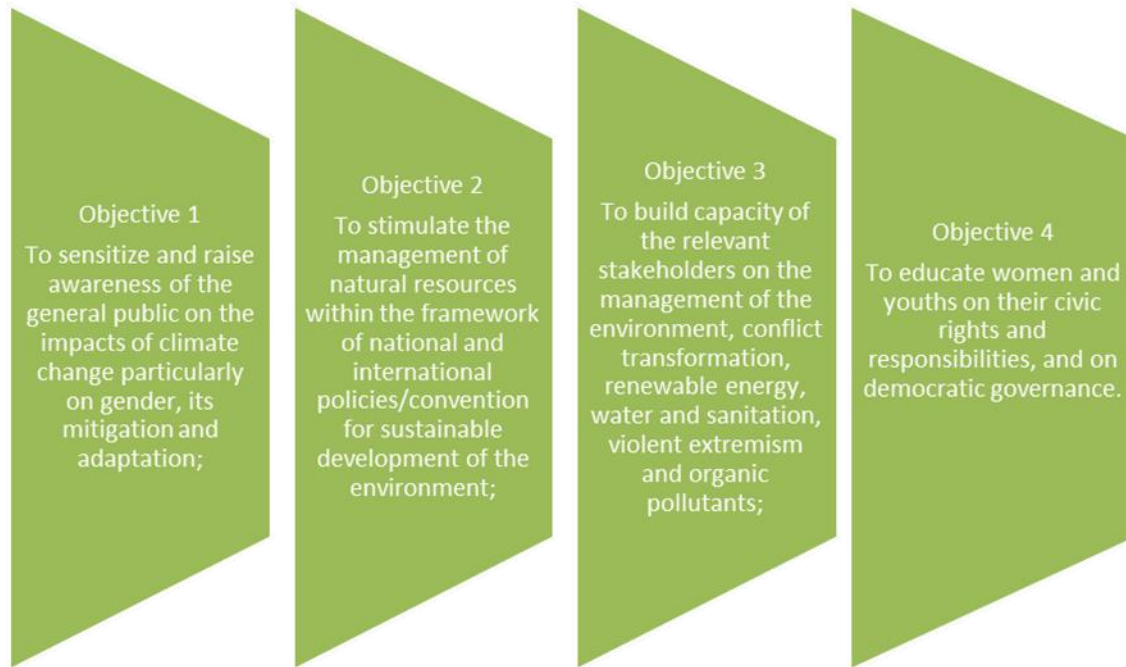
WEP has United Nations Economic and Social Council (ECOSOC) special status, Observer Status to the United Nations Environment Programme (UNEP) Governing Council/Global Ministerial Environment Forum, and United Nations Framework Convention on Climate Change (UNFCCC). WEP was one of the Organizing Partners (OPs) of the Women's Major Groups. WEP is also the Focal Point for Global Environment Facility (GEF) Civil Society Organizations (CSOs) Network in West Africa.

### Our mission and vision

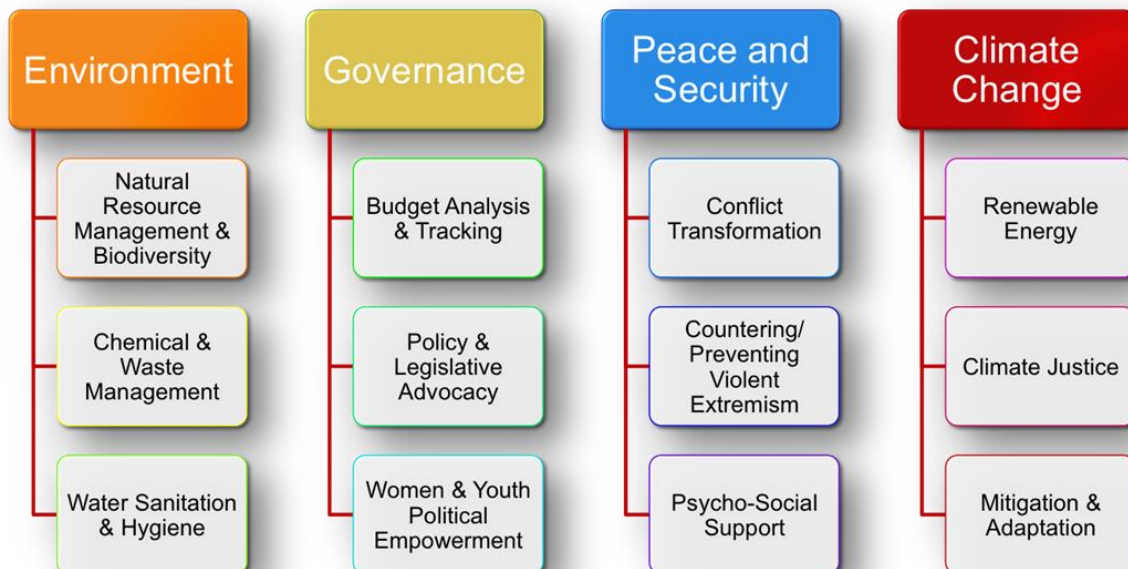




## Our strategic objectives



## Our intervention pillars



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**Website and social media platforms**

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Blog: <https://womenenvironmentalprogramme.wordpress.com/>

Facebook: [womenenvironmentalprogramme](https://www.facebook.com/womenenvironmentalprogramme)

Twitter: [@WEP\\_Nigeria](https://twitter.com/WEP_Nigeria)

Instagram: [@WEP\\_Nigeria](https://www.instagram.com/WEP_Nigeria)

Youtube: [WEP Nigeria](https://www.youtube.com/WEP_Nigeria)

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