

The implications of oil pollution for the enjoyment of sexual and reproductive rights of women in Niger Delta area of Nigeria

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Abstract

Oil is a major source of income for Nigeria and it is the mainstay of the country's economy. Nigeria's intensive oil sector accounts for nearly 40% of its gross domestic product, but declined steadily to an average of 14.71% of the country's total export between 2006 and 2011¹; and contributed about 80% of budgetary revenues that all tiers of government heavily depend on.² Oil spills and gas flaring are some of the effects of the unregulated exploratory activities of the oil multinational companies that have contributed immensely to the physical and mental illness of the local inhabitants of the Niger Delta region and violated most of their rights as guaranteed under international and regional human rights instruments and the Constitution of the Federal Republic of Nigeria 1999 (as amended) 1999. In view of the growing threats to human health and the environment (posed by human activities), the international community has agreed to a number of treaties to respond to the health and human rights challenges posed by environmental degradation. Although Nigeria is a party to most of these instruments,³ it has done little or nothing to regulate the conduct of the oil companies that negatively impact on the health of the Niger Delta people. While the impact of oil extraction affects both men and women, the article focuses on its implications for women's reproductive well-being. This is because women are a disadvantaged and marginalised group and have continued to experience discriminatory practices in many parts of the country, including the Niger Delta area. The article discusses the health challenges associated with oil exploitation in the Niger Delta, paying attention to the position of women. It then proffers suggestions on measures and steps that could be taken by the Nigerian government and other stakeholders in ensuring the adequate protection of the health rights of local inhabitants.

1. Introduction

The Niger Delta region is located in the southern part of Nigeria. It covers over 70,000 square kilometres and is made up of nine states (Abia, Akwa Ibom, Bayelsa, Cross River, Delta, Edo, Imo, Ondo and Rivers) out of the 36 states that make up Nigeria.⁴ The region is one of the largest wetlands in the world, with the ecosystem being acknowledged as one of the most diverse and richest in the world. The crude oil and natural gas deposits in Nigeria are concentrated in the Niger Delta, thus making the region a point of attraction for the multinational oil companies (MNCs). Presently, there are over 400 oil and gas

119. Comfort Hassan, Janice Olawoye and Kent Nnadozie, 'Impact of International Trade and Multinational Corporations on the Environment and Sustainable Livelihoods of Rural Women in Akwa-Ibom State, Niger Delta Region, Nigeria', September 2002, http://depot.gdnet.org/cms/conference/papers/4th_prl5.5.3_comfort_hassan_paper.pdf (accessed July 12, 2012); Beijing Platform for Action, 1995, para. 79.
120. UNEP GC decision 23/11 (2005).
121. UNEP, Gender Mainstreaming Among Environmental Ministries, 9.
122. Goldsworthy, 'Women, Global Environmental Change and Human Security', 217.
123. Ibid., 232.
124. UNEP, Gender Mainstreaming Among Environmental Ministries, 11. 125.
125. Ibid., 10 – 11.
126. This was signed by Nigeria in 1985, and ratified in 1989.
127. UNEP, Gender Mainstreaming Among Environmental Ministries, 7.
128. International Development Law Organization (IDLO), Strengthening Environmental Law Compliance and Enforcement in Indonesia: Towards Improved Environmental Stringency and Environmental Performance, Issue 6 (Rome: IDLO Research and Publications Unit, 2006), 9.
129. Federal Ministry of Women Affairs, 'Nigeria's Report on the Implementation of the Beijing Platform for Action and Commonwealth Plan of Action', 92.
130. Ibid., 4.
131. Joan Ross Frankson, Women's Action Agenda for a Healthy and Peaceful Planet 2015, A Decade of Women's Advocacy for Sustainable Development (New York: Women's Environment and Development Organization (WEDO) and Network for Human Development (REDEH), 2002), <http://www.generoyambiente.org/arcangel2/documentos/383.pdf> (accessed July 12, 2012).
132. Onyemaechi C. Nweke and William H. Sanders III, 'Modern Environmental Health Hazards: A Public Health Issue of Increasing Significance in Africa', Environmental Health Perspectives 117, no. 6 (2009), 863 – 70, at 863, cited in A. Prüss-Ustün and C. Corvalán, Preventing Disease through Healthy Environments: Towards an Estimate of the Environmental Burden of Disease (Geneva: World Health Organization, 2006).