

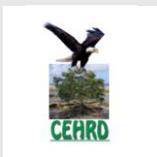
ADR!FT FORTUNES



Testimonies of
Women in Oil Polluted
Communities in the
Niger Delta

The Centre for Environment, Human Rights and Development (CEHRD) is a non-governmental and non-profit organization with secretariat in Port Harcourt, Rivers State in the Niger Delta region of Nigeria. CEHRD's mission is to "forge a common link with the rural Niger Delta communities primarily, through research, participatory training, campaigns and advocacy on the problems confronting them. Equipping them with basic knowledge of their situation and encouraging them to non-violently address the issue themselves"

The organization was formed as a response to the increasing problems of environmental degradation, underdevelopment, community health and human rights plaguing the Niger Delta region. Since her formation in 1999, CEHRD has been working in partnership with several local, national and international organizations to promote accountability and transparency in governance, enlighten local communities on environment conservation, human rights issues, human security in conflict and emergencies, rural health and community development,



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Oil spill on water at Immiringi Creek

INTRODUCTION

The Niger-Delta was (and is still) one of the most investment-attractive regions in Nigeria, full of life and natural endowment with diverse culture and heritage. The Delta is one of the most resource rich regions on a global scale, with glaring irony of resource curse. People in the Niger Delta live in deepening poverty. The land and seascape are heavily polluted and life expectancy is lower on the low Nigerian scale. The region has a population of about 34 million people and covers an area of about 70,000 sq. km.¹The people live in few large cities and over 5, 000 small and often remote communities/villages in the mangrove, freshwater swampland and lowland rain forests². With fertile alluvial land and adjoining creeks, rivers and extensive Atlantic Ocean coastline, farming and fishing are the traditional economic activities in the region. The terrain is extremely difficult and a substantial portion of the region falls under the “world's fragile ecosystem”.³

Crude oil exploration started in the Niger Delta region in the late 1930s and oil was eventually found in commercial quantity in 1956 at Oloibiri, Bayelsa State. But the first shipment of oil was in 1958 following the discovery and exploitation of the Bomu Oil Field in Ogoniland. Since then oil production has increased significantly. Oil remains the mainstay of the economy, accounting for over 85% of federally collected revenue and over 95% of foreign exchange revenue in Nigeria.⁴ All the oil comes from the Niger Delta region and adjoining offshore waters. Unregulated oil explorations have resulted in incessant oil spills, and gas flares around the host communities. Pollution from oil spills and gas flares continue to destroy the means of livelihood of the local communities. The

communities live in constant pollution without access to remedy and have battered socio-cultural system and numerous health challenges. The women of the region who depend mostly on the environment for survival suffer the greater toll of oil impact in the Niger Delta. Successive governments till date had failed to tackle holistically the development and environmental challenges in the delta region. The Nigerian government has also failed hold the International oil companies (IOCs) and lately the indigenous oil companies accountable for the heinous violations of human and environmental rights, nor provide any form of remedy.⁵

As the oil-polluted communities continue to grapple with the consequences of oil spills and gas flares resulting from unregulated exploration activities, women and children bear the greatest brunt. This is because women for instance bear the burden of caring for their families and depend mostly on the natural environment for sustenance and livelihoods. Research and experience have revealed that the primary economic activity in the Niger Delta is farming and fishing.⁶ Notably, the primary sources of livelihood of women in or near the mangrove forest of the Niger Delta include fishing, gathering of seafood, fuel wood and subsistence farming. These livelihood structures depend on the endowment of the natural environment. In addition to the aforementioned sources of livelihood, women living in and near fresh water swamp forest also engage in gin distillation from raffia palm trees, Ogbono production (*Irvingia gabonensis*), snail picking and farming, mat weaving, collection of edible leaves and herbs, etc.

The tropical rain forest supports plantation farming especially oil palm, rubber, cocoa and also intercrop with root crops like cassava and yams. The crops and the ancillary activities mentioned used to be women's preoccupation before the environment was degraded by oil production activities.

Environmental pollution impacts men and women disproportionately. Given the different roles and responsibilities in the household and community levels, the women in the Niger Delta region are more impacted during oil spills. They are more exposed to environmental changes often poorer, relatively uneducated, possess fewer livelihood assets and depend more on the natural environment for their livelihoods⁷, thus, they bear the heaviest burden of environmental change. One of such apparent huge impacts of environmental change attributable to pollution on the Niger Delta women is loss of agricultural land. Oil exploration and gas flaring have rendered most of the lands uncultivable. While significant portion of agricultural lands have been degraded, other parts have been outrightly seized for the laying of pipelines, flow stations, and most especially, oil pipelines that crisscross the entire Niger Delta.

The destruction of the mangrove forest and the pollution of water bodies due to constant oil spills and gas flaring affect fishing and farming activities, leading to high level of poverty for women in the region; reason being that their livelihoods are directly tied to the environment. Again, research has shown that changes in temperature due to gas flares include stunted growth, spoilt plant, and withered young crops.⁸

Women in the Niger Delta had long healthy relationship with their environment. Women connection with the environment is demonstrated in their heavy reliance on the environment for their daily survival and the

vital role they play in environmental management. Prior to oil production, Niger Delta women depended on the rich mangrove and rain forest resources to meet their needs. Many studies⁹ have shown that women of the region were the primary users of the forest, and its associated resources through their inputs in food production such as fishing, wood collection for fuel, for arts and designs, etc. Consequently, the loss of biodiversity (supportive species and habitats) by oil exploration impacts more on women and regrettably, the oil producing economies in general have a poor record of incorporating women into formal labour force.¹⁰

It is obvious that women have lost livelihoods as a result of oil extraction and consequently should be the most beneficial to any form of remediation. Unfortunately, the activities of the oil companies neither promote the integration of women into the formal oil sector nor provide structured training for skill acquisition. No action has been conceived either by government agency or the private sector to involve women in the region in alternative means of livelihood; to which such involvements should not have been negotiable. This is because the report on the environmental assessment of Ogoniland by the United Nations Environmental Programme (UNEP) released in 2011 scientifically envisages an environment that may not come to life for natural productive business in decades. Obviously, most part of the Niger Delta will not be able to engage in their traditional livelihood venture in about 30 years.¹¹ Thus a typical Niger Delta woman whose livelihood is dependent on farming will be plunged into deeper lack and consequently poverty. In addition, given that women are mostly subsistence farmers (i.e. they eat what they produce), ingestion of farm produce could be a pathway for possible health concerns and diseases.

Health is one of the most dangerous aspects of oil pollution. Air pollution occasioned by flared gas has disproportionate adverse impact on women's health in the Niger Delta. According to Intergovernmental Panel on Climate Change IPCC (2007), associated gas flared into the atmosphere contains greenhouse gases, as well as other poisonous substances such as dioxin, benzene, toluene, nitrogen and sulphur dioxide. These poisonous substances cause serious health problems including cancer, asthma, blood disorder, respiratory illnesses, reduced life expectancy, and deformities in children with high risk among pregnant and lactating mothers. Due to the roles women play in agriculture and household survival, they have more direct contact with the aforementioned pollutants. In the Niger Delta, some unaware women dry cassava flour with gas flare heat. They also ferment cassava to process a popular food called 'fufu' in rivers polluted by oil spills. Women bathe in the contaminated rivers with dangerous chemicals exposed to their genitals, eyes and other sensitive parts of the body. This means the exposed women, may have one of the most hampered reproductive health index in sub-Saharan Africa..



Polluted farm land in Egbu

Agricultural soil has been undermined by contaminants from spilled oil. Multiple onshore oil spills caused by pipeline, wellhead failure and sabotage characterize the region.

This, has overtime, destroyed soil functionality and impaired activities of the microbial community that could have contributed to soil fertility. As a result, agricultural yield over the years continue to decline. With women dependence on subsistence farming, income accruing from farming has been delimited by low yield. This has contributed significantly to hardship and poverty experienced by women in the Niger Delta region. In turn, the local economy, which over the years has been primarily dependent on women productive roles, had been impaired. In addition, due to low yield, the local communities presently depend more on imports in their local market. Food availability and security for local households has become increasingly challenging and women who bear the task of providing food for their families have to achieve this aim via self-help.

Women in the region resort to involvement in illegitimate ventures in efforts to meet the needs of their families. For example, some women engage in prostitution in order to earn income for family upkeep. The practice undermines women's self-esteem, and affects their psyche overtime. The increased pace of oil bunkering in the Niger Delta communities now see women playing key roles in the illegitimate value chain. All manners of social vices are on the increase, as pollution distorts community cultures. The human instinct of self-preservation is certainly at work. A new way of life is formed to devise livelihood to keep life afloat. If there are no sustainable interventions, in less than a decade, most oil-polluted communities may turn to a state of hopelessness. All these are manifestations of gross human rights violations on women of the Niger Delta region. Worst of it is the fact that no planned intervention programme in the Niger Delta is focused on women.

Civil society activism has concentrated on the issues of the Niger Delta generally and there have been exhaustive discuss at both local and international level. However, little has been said and done on the impact and intervention on women. The UNEP report scientifically exposed the havoc that unregulated oil exploration has wrecked on the Ogoni environment. However, that report did not make specific investigation on the impact on women. It neither made any recommendation to the oil companies or the government at any level to pay special attention to the plight of women in polluted communities.

METHODOLOGY

This research assessed the impact of oil pollution on women in the Niger Delta region, using Bayelsa and Rivers States as representative case studies. It highlights the patterns of impact on women's right in the States with specific recommendations for government and the oil companies for remedy. The research trusted on two sources of data collection, namely, primary and secondary sources. The primary data were obtained through questionnaires, Focus Group Discussions (FGDs) and Key Informant Interviews (KIIs) and visit to sites. Structured questionnaires were administered to and completed by the respondents in the field. Each of the questionnaire comprised of closed ended questions (structured) that allowed the respondents the freedom to choose from a list of optional answers, and open-ended questions (unstructured) that gave respondents freedom to express their answer the way they feel on the issues. The questionnaire instrument was backed by the Focus Group Discussion (FGDs), and Key Informant Interviews (KII). However, a total of 24 FGDs were conducted in ratified study site where 2 FGDs were conducted in each of the eight communities in Rivers and Bayelsa States

selected for the study. One FGD was also conducted in 1 nearby community to each of the eight selected communities. At least 20 participants attended each of the FGDs. The total of 15 KII was conducted in each of the selected communities. KII focused on key personnel within the selected communities: the paramount ruler, members of CDCs, women leaders, Youth Leaders, religious leaders and other persons who are influential within the selected communities. Visits were also made to important sites like the farms, oil flow stations, polluted creeks, and Health Centers were expert opinion on the health impact of pollution on women were sought. Data from the secondary sources were produced from news media analysis and review of existing literatures on the theoretical insights on the impact of oil pollution on communities in the Niger Delta.

This research focused on polluted communities with less civil society presence and documentation. In Rivers State, Gbe, Ebubu, Umuechem, Isiokpo and Ogu communities were sampled. In Bayelsa State, Immiringi, Otuesega and Okordia communities were assessed. The testimonies of these representative samples account for the plight of women in oil polluted communities of the Niger Delta.

Chapter ONE:

THE GRAVE HUMAN COST OF OIL POLLUTION ON WOMEN IN RIVERS AND BAYELSA COMMUNITIES

EROSION OF CULTURE

Culture confers on a people distinct identity. In the Niger Delta, as it is in most communities in Sub-Saharan Africa, people and culture are inseparable.¹² Culture is derived from the Latin word 'colere', meaning to practice or cherish¹³. What really makes a community societal is its cultural identity. Culture is therefore an integral part of every society. Going by the theory of environmental determinism "physical environment predisposes societies and states towards particular development trajectories".¹⁴ This implies that the culture of any society is largely dictated by its geography. Put in another way, there is conspicuous sociological interplay between culture and nature. It presupposes that nature determines the culture of a people.

Consequently, when nature is altered, culture changes or begins to erode. This is the situation in the Niger Delta today, as oil pollution repositions the source of identity, innovation and creativity of the people. The distinctive spiritual and material, intellectual and emotional features of the communities are lost. Otasi Ebi, a community woman from Okordia is disturbed that the complex web of meanings, relationships, and values that frame her people's connection uniquely to other peoples are damaged. Adumo Potter, a fisher woman from Ogu community believes that the Ogu culture, which use to be a renewable

resource that served as a uniting force in the community had been lost.

The culture of the people is crucial to development. The main traditional livelihood systems of women in the area are fishing and farming. These relate to cultural forms and local practices-skills and knowledge are passed on from generation to generation. Women in polluted Niger Delta communities have lost valuable fishing and farming grounds, the main livelihood sources and root of their cultural practice, to oil pollution. This means that livelihood system as an integral part of the people's culture is going extinct. Thus, the local population looks for alternatives, which are neither readily available nor provided by the government. This has led to series of protests and conflicts between impacted communities and the government or communities and the oil companies.

In Ebubu, women specially farm cocoyam and tree-leave yam for a cultural practice called 'Ogbonja'. The 'Ogbonja' tradition is a women annual culture of community peace building and sense of coming together. When the cocoyam and tree-leave yam are harvested, the women organize a feast and invite other community members. They cook the farm produce in a pot all the community members (the chiefs, men, women, youth and children) would eat from and merry together. After the cultural feast, the women will go to the river to bathe. To them, bathing collectively in the stream signifies newness, freshness and blessing. A communal prayer is said for a better harvest in the coming planting season. According to the interviewees the 'Ogbonja' festival has not been performed for over a decade now because of oil pollution.



community woman in Okordia lamenting on the impacts of oil pollution during FGD

The farms are no longer cultivatable because the land had been degraded by hydrocarbons.¹⁵ The stream where the women bathe to conclude the Ogbonja ceremony is also polluted with crude oil. Madam Joyce Igwe, an Ebubu farmer who has lost her livelihood said “there is no unity in Ebubu again because 'Ogbonja' that was a uniting force in this community has not been done for over a decade because the ingredients of 'Ogbonja' have been displaced by oil pollution”. Chief Edward Osaro said that he is aggrieved over the extinction of 'Ogbonja'. He laments, “Children from 9 years in this community have not experienced 'Ogbonja'. Transmission is no longer possible, I am sad, that this good tradition has become a history in my time”.



degenerated land due to incessant oil spill in some farmlands in Umuechem

Similar culture practiced in Umuechem is called the 'Umougbi' (Umougbi is like maternity leave). Under this ritual a woman who gives birth remains in the 'Umougbi' for 3 months, after which her exit from the 'Umougbi' is supposed to be bathing in the river. Having contact with the community river after 3 months in the 'Umougbi', according to the Umuechem women during an interactive FGD,

is a sign of freshness and life for the mother and the newborn. Mrs Amadi Faith decried that 'Umougbi' has been abandoned over a decade ago due to oil pollution of the community ancestral stream.

'Umougbi' to the Umuechem people is also a sign of purification for the postnatal mother and the newborn. The ritual ought to be performed before the woman who gives birth could commence her normal routine outside her home. Most women for fear of breaking custom of the 'Umougbi' remain at home for so long without interacting with the public. The women of this community remain in doubt of the cleanliness of a newly born until their source of river is clean enough to support the 'Umougbi'

Likewise, in Gbe community in Ogoniland, the popular 'Kpoagbaa' ritual is no longer performed. Women usually recreate and bathe in the community creek waters midnight of December 31. Symbolically, they wash away sickness, bad omen and troubles of the exiting year and usher in better quality life in the New Year. In other words, bathing in the community tidal waters signifies the flowing away of old things like sickness, poverty, conflict, and backwardness. The women recounted that for over 8 years now the women had abandoned the ritual due to oil pollution. The Gbe Creek has coastal linkage with Bodo Creek that was hit by two major spills in 2008 and 2009.¹⁶ The former became impacted due to tidal spreading of the oil. (The impact of the Bodo oil spills on the culture of the Bodo community had been documented).¹⁷ Consequently, the women of Gbe community blame most of their misfortunes to their inability to bathe in the community creek, to mark the Kpoagbaa ritual that would spiritually take away their problems and launch them into prosperity and newness of life. In Ogu community, traditionally, nursing mothers swim in the river periodically for

cleansing and receiving the newness of life. The 'Iria' in Ogu is a tradition for the initiation of young girls into womanhood. Young girls approaching puberty age are taken to the river to bathe. For the Ogu people, bathing in the river is a sign of purification. Newborn babies are also thrown into the river at certain stages for purification purposes. The Ogu River that serves so many cultural purposes is highly polluted and has been abandoned. Abandoning the river implies abandoning the age-old cultural practices of the community tied to the river. This has affected women the most, as women who did not go through the ritual of 'Iria' stands the risk of stigmatization. For over eight years now, young women in Ogu have suffered psychological trauma, and rejection as brides within the community as the 'Iria' is no longer possible. Similarly, in Otuesega community, the 'Alagba' culture is taken very serious. During the 'Alagba' season, children born around the time are taken to the river and bathed. When this is done, it is believed that the child will have life. Children who underwent the ritual of 'Alagba' are believed to be immuned to drowning in the river. The 'Alagba' has not been performed for the past 6 years due to oil pollution of the Otuesega Creek. Consequently, the Otuesega women believe that their children who are unable to have contact with the river due to pollution are not only vulnerable to drowning in the river, but also not having the kind of protection the cultural practice confers on them. Immiringi seems to be one of the most aggrieved communities. Sessions of FGDs and KIs in this community reveal that they seem to be more aggrieved than other selected communities. This is perhaps due to the presence of huge oil facilities in their community and incessant clashes between the oil companies and community folks. The erosion of the 'Ekuedum' culture severely impacted the community.

Fishing is particularly women's occupation in the community. 'Ekuedum' is an annual women-fishing festival that is performed in the creeks of Immiringi every December. During 'Ekuedum', the community people, including the elders, women, men and children gather for story telling. It is a special occasion to share historical information preserved in the oral tradition of the community. This is only done on the eve of the 'Ekuedum', the women fishing festival. The folklore gathering is a prelude to the fishing festival.

On the Ekuedum day, the women combine fishing nets in their arsenal to ring fence the creek, fish and land abundant catches with which the community celebrate. Besides fish landings, which are the hallmark of the 'Ekuedum', it also serves as a key communal recreational moment. 'Ekuedum' has not been performed over 8 years ago because oil spills impact on the creeks. In addition, the community depends on fish caught by fisher women for protein. Benita Opia, a fisherwoman decried that Immiringi people now depend on frozen fish imported to Nigeria as the main source of animal protein, which only few people in the community can afford to buy. Chief Jonah Alfred, a member of the Council of Chief of the community further laments that oral tradition of the community is going extinct.

In Okordia community the 'Agbala' is a culture where women contribute labour to one another. By this practice, each farmer's farm is cultivated collectively one after the other. This creates collaboration among the women and also serves as economic relief as the women do not need to contribute money to be part of the initiative. A good means of rendering help to one another and a unifying factor in the community. This has stopped since the oil pollution renders most of the farmlands infertile for cultivation. Again, local communities in Bayelsa were involved in trade

by barter. Exclusively fishing communities bring exchange fishes for farm produce with those that predominantly farm crops. Daniel Adebiri, a community leader decried that the barter trade culture is fast eroding due to oil pollution. As oil pollution degrades fishing creeks and farmlands, there are no longer enough fish and farm produce for exchange.

The 1999 Constitution of the Federal Republic of Nigeria provides for economic, social and cultural rights as Fundamental Objectives and Directive Principles of State Policy in Chapter II of the Constitution.¹⁸ These rights are however not enforceable under the Constitution, as they are presented as goals and objectives, which the Government strives to attain. The lack of enforceability of the rights in the Constitution poses an obstacle to protection of human rights of vulnerable communities' cultures which have been ruined by the activities of the oil industry in the Niger Delta. Cultural, economic, and environmental rights are interconnected. One strategy that can be utilised to make these rights enforceable is to apply similar provisions in the African Charter on Human and Peoples Rights (The African Charter). Order 1 Rule 2 of the Fundamental Rights Enforcement Procedure Rules (FREP) of 2009 makes rights contained in the African Charter which has been ratified by virtue of Section 12(1) of the 1999 Constitution, as the "African Charter Act", as well as the rights contained in Chapter IV of the African Charter enforceable and applicable by the Courts. Thus, the Courts can enforce economic, social and cultural rights contained in the African Charter Act, which is a federal legislation. In Social and Economic Rights Action Centre (SERAC) and Another v. Nigeria [2001] AHRLR 60 (ACHPR 2001) the African Commission held that environmental rights are applicable and enforceable in Nigeria by virtue of Article 24 of the African Charter since it had been incorporated In Nigeria

Thus, by virtue of this decision as well as the provision of the FREP rules, economic, social and cultural rights contained in the African Charter can enjoy enforceability in Nigeria.

However, weak institutions in Nigeria cannot guarantee such enforcement for vulnerable local communities of the Niger Delta. Worse still, the local communities, especially the women who have been keenly affected have no access to information and disclosure of the facts that is central to the rights to remedy. The Paramount Ruler of Umuechem Community decried thus *“we do not know where to take our case to, we are unsure of what to do to seek justice, and effective remedy... all we need is our environment, our God given environment to come back to the former state before pollution and, compensation for what we have suffered; we are frustrated”*.

It seems the oil companies have taken undue advantage of the weak institutions in the Nigerian state to systematically drain the Niger Delta communities of their cultural heritage, their way of life, through unwholesome, unregulated oil exploration and poor oil spill management. Incidentally, the impacted communities have lost traditional means of livelihood, and women bear the greatest brunt.

HEIGHTENED SOCIAL VICIS

As traditional culture of the people erodes due to environmental pollution, alien indecent culture intrudes. In some instances, survival instinct is driving the people to seek alternative livelihoods without considering legitimacy. The alien culture affects women more as they are the keepers of the home. Some of the destructive alien culture includes prostitution, kidnapping, oil bunkering, artisanal oil refining, and the formation of local militia by the young people. While some of the women prostitute for a living, the teenagers and young men who

seem to have lost control, as some parents could not take up their financial and caregiving responsibilities formed local militia groups and also resorting to illegal oil refining. Majority of them are out of school and have formed rival dangerous militia groups.

During FGDs and interviews, some of the community persons alleged that they steal crude oil with obscene technology, and refine the crude oil into some form of petroleum products. The illegal business is seriously impacting more on the already degenerated environment. Since most of those involved in criminal oil business are members of local militias locally called cult groups, it is alleged that much of the money is expended on small arms and light weapons.

The local militias tend to dominate territories, which they achieve through fierce attacks and subjugation of rival groups.¹⁹ On June 25, 2009 the Federal Government of Nigeria declared amnesty for repentant militants in the Niger Delta.²⁰ Most of them, who accepted the amnesty from the Nigerian government, roam the communities un-rehabilitated. Incidentally, oil theft and bunkering seem to have resumed again on a large scale. Responsible people, including women are alleged to be part of the business. Illegal refining seems to be one of the most profitable businesses in Immiringi, Otuesega and the communities around Bayelsa East at the moment. It is alleged that the security agencies posted to the area aid the business by collecting a percentage on illegally refined petroleum product. A young lady, 25, who pleaded anonymity said, “The police officers have their percentage, so that they can allow you to do the deal”. She added that the business is in chains; there are those who steal the raw crude, and transport them to the creek into the thick forest, where refining takes place.



Ogu oil bunkering sales point

Then there are transporters who send the finished product to the seashore for loading to the selling point. Then there are people who market the product. She said, "I am a marketer, and I also cook for the men who are refining the crude oil in the creek because the business is lucrative with so much tedious task and risks". It was reported during the FGD and KII that the security agencies, especially the police who are posted to the area are indirectly an integral part of the illegal business value chain. An anonymous interviewee, 30, an Igbo resident trader in Immiringi community said, "I see police officers coming in the night to get their own share of the money...all of them are in union, if you are not one of them who pay in percentage to the police, you can't do the business here". Many of them die in the process of the illegal refining. There are incessant fire outbreaks that claim lives, and they are also exposed to grave health hazards.

Prostitution has become the order of the day in

the oil-polluted communities. It seems relatively more in Immiringi and Ebubu where huge oil facilities are sited than the other communities covered by this research. Given the relatively high income of oil workers, these patronize the prostitutions. Women receive a paltry \$10 as patronage from prospecting customers. The women have found this illegitimate business as very rewarding compared to the average civil servant. For example, an average civil servant earns approximately \$50 in a week as wages while a prostitute could earn \$70. A young lady, 24, who wants to remain anonymous said, "*with no food in the farm, no fish in the river, having sex with the oil workers and making cheap money is the only option, after all even the married women are doing it*".

A lot of marriage may have failed due to infidelity in Ebubu, Immiringi and Okordia. They could not help but seek succor in immediate relief that comes with compromising their marriage integrity - having sex with oil workers. Mr. Justin Edwin, 40, a teacher from Otuesega said, "so many marriages have crumbled due to marital infidelity, this is a new menace, as it was not the case couple of years back". With most families living apart, a lot of children are not having proper training again.

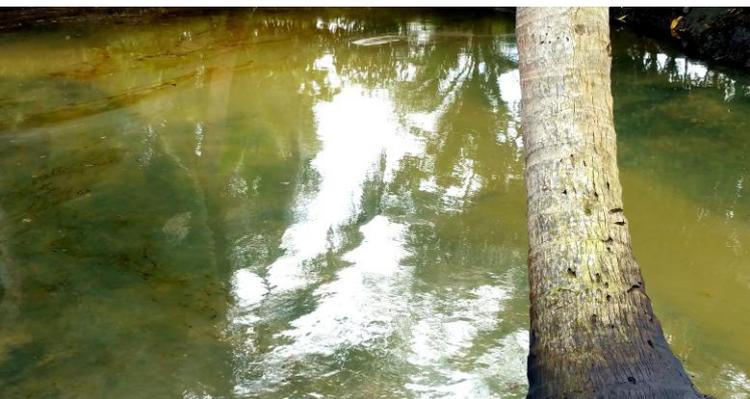
Teenage pregnancy is increasingly becoming very common in the communities. Some girls within the age bracket of 13-15 have either given birth or are pregnant. Pastor Michael George, 42, is a pastor of the Redeemed Christian Church of God at Immiringi community. He said, "the level of immorality in the community is high, the girls give birth in their teens out of wed luck, their mothers who are also married compete over one oil worker for money, this is a sign of the end of time". Young girls who are ashamed of pregnancy go for abortion. Most times, the ladies patronize quacks, and a handful of them have died in the process, while others are living with complications.

Isiokpo community is along the Eleele/Omagba expressway and about 8 kilometers from the entrance of the Port Harcourt International Airport. The express road has been known for robbery and kidnapping. The nearness of Isiokpo to this highway made the community a possible hideout for criminals. It was alleged during an FGD session that the adjoining forests in the community are places where kidnaped victims are kept while negotiation for ransom is made. Most of the criminal gangs join normal passenger buses, pretending to travel, but will eventually divert the buses and rob unsuspecting passengers while others are

kidnapped and the women are raped in the process. In a related matter, the paramount ruler of Umeuchem was kidnaped in February 2017, with a demand for ransom of over \$30,000 (N10,900,500). The kidnappers were however eventually trapped by the security agencies and the king was freed unhurt. Many others die in the hands of the kidnappers. The once relative peaceful Niger Delta is now characterized with series of social vices including kidnaping.



oil spill damaged fishing net in Ogu



Oil spill contaminated river at Otuesega



Poor growth of cassava in Ebugu Community

REDUCED LIVELIHOOD MEANS FOR WOMEN

The communities of the Niger Delta are homes to valuable natural resources including arable land for agriculture, and rivers and creeks with variety of aquatic life. These ecosystems provide livelihood structures for primary occupation (i.e. fishing and farming) of the people, especially for women. Oil spills have despoiled these livelihood structures and consequently the lives of the communities. With increasing loss of soil microorganisms, and dwindling agricultural productivity, women have been forced to abandon their land to seek hard-to-find alternative means of livelihood. This situation has increased hopelessness of women in the Niger Delta region. Sometimes, a major oil spillage can subsist uninterrupted for weeks.²¹ Oil contamination destroys farmlands upon which the family depends for food security. It also leads to dwindling income from farming produce. This usually leads to children dropping out of school because their parents cannot afford their fees.

Large oil spills generally devastate ecosystem in the Niger Delta, poison seafood, fishes, etc. Women are usually negatively affected as their sources of livelihood are destroyed. River sources, which provide drinking water for many rural communities in the region are heavily contaminated by oil spills. This has grossly affected the right to life. Fisher women lost incomes due to the destruction of fish habitat in the mangrove zone and highly persistent contamination of many creeks, making them unsuitable for fish breeding and fishing.



Cassava rot in Okordia farmland



Water source for drinking/domestic use in Gbe Community

In the Niger Delta region, a significant proportion of the local population depends on subsistence farming.²² As a result, family food supply and income largely depend on yields from farming and fishing. Having lost their means of livelihood (i.e. farming and fishing), the communities face serious food insecurity,²³ and contaminated potable water to contend with.²⁴ Otasi Ebi, 40, from Okordia community in Bayelsa State commented, “everyone now struggles harder but gets little”. She added that they had a family business where they cultivated cassava on a large plot of land of about 12 hectares every year. According to her, she used to be one of the major suppliers of cassava in the area and she used to earn over 3 million naira an equivalent of about \$6,000 annually, which is better than an annual income of a senior civil servant in the state. Otasi Ebi's children are now out of school because she cannot afford to pay their fees. Presently, she works as a casual cleaner at the home of an undisclosed politician in the area. She works for 4 days in a week, and earn about \$6 daily. She said, “I prioritize my meager income to feed my immediate family in an environment where food prices have become so exorbitant due to shortage of food and water”. Iheoma Nelson, from Isiokpo said that she is unable to farm again. In Isiokpo, some farmlands are across a river. Iheoma is one of those who own a huge farmland there. One has to paddle across a river of about 5 meters deep, and a distance of about 300 meters to get to the farmland. Over 3 years now, the river has become heavily contaminated to the extent that most of the community women who had been traversing the river to their farms had experienced infections around their genitals. Besides the difficulties of crossing the river, most of the farmlands in Isiokpo are oil polluted by oil. In order to make ends meet, Iheoma leaves her family, and polluted farms in Isiokpo to Elele, a town about 35 kilometers from her community to work as a laborer for 4

days in a week in order to fend for her family. Iheoma who could not quantify the huge income she used to make before the oil pollution, now earns about \$6 daily to feed her family in an environment where food price has become so exorbitant.

Baridi Nfii is a middle-aged widow with 6 kids from Gbe community. She was well known in her community and Gokana kingdom (made of 17 communities in Ogoniland) at large as a major periwinkle vendor. She buys periwinkle from the pickers and sells in wholesale in Kibangha, Gokana major market. Kibangha market attracts traders and buyers from Rivers State and other neighbouring states (for e.g. Abia, Akwa Ibom). Baridi made huge income from selling periwinkles. Periwinkle (mud whelk) is a highly relished seafood snail with high calcium content in high demand in the area. As an essential nutrient source and because it is cheap and handy, it is a preferred ingredient in Niger Delta native soups. The Gbe Creek is contiguous and interconnected to Bodo Creek. In 2008 and 2009 Bodo Creek was hit by two major oil spills which had been well documented.²⁵ Gbe and other Gokana coastal communities were impacted by the Bodo oil spills; the spill had heavy mortality toll on mangroves, periwinkle, etc. Thus Baridi Nfii had abandoned the hitherto periwinkle trading and currently runs a petty trading on children's clothings. However, the patronage is very low since fishing, the major source of income in the area, had dwindled significantly. According to Baridi, “*people's priority is on how to feed their stomach. I stay in my shop a whole week without seeing one buyer, my children are out of school*”. Similarly, hundreds of women periwinkle pickers in Gbe had lost their livelihood source because of the oil pollution.



Polluted farm land in Okordia Community

Dogbaa Viga, 39-year-old farmer from Gbe is an Okra farmer. She has 4 children and currently a jobless husband who all depend on her. She cultivates Okra a seasonal crop on large scale. Dogbaa opines, “the profit that use to come from Okra was so huge that the proceeds carries me and my family through the next planting and harvesting season”. She added that, “planting is easy and the period for harvest is very short; 3- 4 months”. She usually cultivates Okra in a vast land along the stream area since the crop yield is better in well-watered loamy soil. Incidentally, the entire farm was destroyed by the oil spills that ravaged the Bodo Creek in 2008. Tidal waters had spread spilled oil from Bodo to the Gbe

Creek. Meanwhile, her husband, Mr. Dogbaa Ndeekor, is unhappy that his children engage in bunkering and artisanal refining for them to earn a living. He decried, “this same act of crude theft and bunkering, still degrade the environment”. Many women who are farmers in Gbe share the same fate with Dogba Viga. Similarly, Faith Osaro, a middle aged woman from Ebubu was a farmer of yam, potatoes, cocoyam and three-leave yam. She farmed large areas of land, but could not state precisely the estimated size in acres or hectares. She was sure that every year, she employs 15 laborers. Presently, she cannot cultivate a hectare or even employ farm hands.

The huge farming business collapsed due to oil pollution. Faith in a personal interview decries that from 2010, oil spills became so regular on one of the pipelines about 30 meters from her farm. She said, after 3 oil spills, those who farm close to the pipeline and relatively far from it had their farmlands damaged by spilled crude oil. She said rain runoff helped spread the spilled oil farther afield, even to areas that would not have been affected if the spilled oil was contained and the site cleaned. Faith and other landowners in Ebubu are still expecting clean up till today.

The case of Ebubu is relatively more acute because it is host to functional oil flow stations and continuous gas flares. Oil spills is also incessant. Acid rain and chronic oil contamination have ended Faith Osaro farming business. She decried, 'farm yields drop so significantly for the past 4 years that no one here (Ebubu) dare waste money to cultivate crops in the highly contaminated land'. "What I do now is to buy farm products from outside this polluted environment and sell, and because the prices are very high, people's patronage is low, and this is how I record loses. I can't believe things will be this bad. Only one of my children who managed to gain a Scholarship from SPDC is in the University, others are waiting for things to improve", she added. Some of the women in Ebubu declared that their children may never go back to farming because of the subsisting wasteful experience they have had. Justice Igwe, a woman leader complained "our unborn children will only hear of farming, and may read of it as a fable". In Umuechem, the paramount ruler decried that women no longer have livelihood support systems in the community. He laments that in the past women bore the responsibility of fending (feeding and paying children education) for the families in Umuechem, but now they are redundant due to oil pollution. Oil pipelines

crisscross the community. It is one of the communities that have significantly contributed to oil production in Nigeria. The paramount ruler also recalled that it has been 24 years after the people of Umuechem community were massacred. On 19 November 1990, over 200 persons were killed and 200 houses destroyed in the community, following a mild protest against the oil giant, SPDC, demanding for compensation over environmental degradation.²⁶ According to the paramount ruler, women and children were the worst hit, the men managed to flee into the forest. Some of the women were raped by soldiers who carried out the dastardly act. One striking difference Umuechem has to the other communities researched is that their women still strive to farm in spite of poor harvest. Amadi faith, a young woman in her early 30s said, *"we are still farming even though the harvests are very poor due to pollution; half bread is better than none. We can't stay idle and die of hunger"*. Another woman Helen Anthony, a schoolteacher and farmer corroborated thus, *"You will need to apply inorganic fertilizer to boost your productivity to get a little yield, but we lack the resources to buy fertilizers"*. On another note, she expressed fears and worry over the possible health implications of the farm produce being consumed. *"The crops we are planting produce little at harvest and we eat may cause cancer in the near future as the contaminated soil will certainly mix with the harvested crops...we don't know our health status now for what we have consumed or what will damage our health system tomorrow"*, Helen quipped.

In Ogu the situation is seemingly hopeless for the women. The community is riverine, and the primary occupation is fishing.



Oil pollution destroys the fishing net of Ogu women

There are no arable lands for farming, thus the people are conventionally fishers. The Ogu women are actually good in the fishing business. Gift Potter, 48, looks older than her age. She had been a widow for 10 years. She recounted that before intense oil pollution in the creeks, she was feeling less widowhood economic hardship because she used to fish exceptionally. *“It was in 2010 that the major oil spill destroyed the entire creek, and we all lost our jobs in a day till today”*. She added, *“I was a specialist in net dragging, and in this line of fishing, shrimp is what I catch most”*. She continued *“I usually go to fishing only 3 times in a week, as the tide allows. On a good outing, my partner and I used to catch 6 basins of fish. Each basin then was about 30,000 naira. If you*

multiply this by 6 basins, and in 3 days, in a week, you will know that I was a rich woman”. Attempting to fish after the creeks became clogged with spilled oil affected her health and fishing tools. She bitterly complained, *“all my fishing nets were damaged without a catch anymore, and I suffered all manner of skin diseases and infections”*. In addition, Gift emotionally said:

“look at me now, there is no venture I have involved in since I lost my job in 2010 that has fetched me common 2,000 naira in a whole week. Look at how old I have become, if you didn't know me, you will not know that I am still a young woman”

Mr. Ben Erutemka, the Team Lead of the Ogu Community's Mediation Centre, a Social Crusader said,

“

we have constructively engaged the government over this issue as a community, particularly the plight of women, but the government decided to recognize only criminals who carry arms, and are capable of destroying oil facilities. Peaceful protests, constructive engagements and advocacies have attracted nothing to us. Those of us who don't want to take laws into our hands have exhausted all our efforts. Through this medium, we hope our plight would be known to the world and fate may smile on us one day

”

The case of Immiringi in Bayelsa State looks similar with Ebubu of Rivers State. It has critical oil facilities. There are constant gas flares and incessant oil spills. Mercy Daniel, 50, a farmer from Immiringi used to cultivate plantain on a large scale and had made good fortune from the business before major spills destroyed her farm. In 2007, she built 2 bungalows for her immediate family and extended family from the proceeds of her plantain farm. Mercy was one of the biggest suppliers of plantain at the popular 'Mbiama' Market but at this time, Mercy's business has crumbled due to the effect of the oil spill on her farmlands. Mbiama market is the major transit market situated along the East-West Road at the boundary of Rivers and Bayelsa States and attracts buyers and sellers from the Eastern states²⁷ and the Niger Delta states.

Loss of livelihood systems due to oil pollution in Immiringi community had been chronic and persistent. Gas flares from a major flow station in the community continuously emits toxic fumes. According to Mercy, the community gradually lost soil fertility. At some point, fertilizer application stopped working. The cultivated crops were visibly stunted and yields were pretty poor. Mercy noted that, “it was in 2011 that my business finally crumbled and I lost everything”. She now operates a grinding machine in Immiringi community, just to manage to feed her 3 children and ailing husband. The 2 bungalows she built earlier are short of maintenance -the roofs are leaking.

In Otuesega, women decried that most of the crops they cultivate are going extinct. Maria Ebi, a woman leader, 45, said, “our children may not know cocoyam, because it is locally extinct in the community. The seedlings are not available and even when you collect from a distant community, it dries off after planting”. It is likely that the crop cannot cope with environmental change, especially the level of toxicants in the soil. This crop used to be one of the main sources of food for the community. Maria complained that other crops still yield but the harvest is poor, wasting women's labor and diverting the attention of the women from their main livelihood system to occupations they are naïve about. Tekena Wariebi, 30, lament that, “we don't know whether the soil fertility of our farms would revive one day, or things would go worse. No one is saying anything about our plight, but oil production is going on smoothly”.



Oil facility at Immiringi

BATTERED REPRODUCTIVE HEALTH AND OTHER HEALTH CHALLENGES

In the 2010 4th edition of the Association of Reproductive Health Professionals (ARHP) journal, it clearly shows the links between environmental exposure and reproductive health. It added to growing body of evidences that environmental contamination in the Niger Delta adversely impact on health, particularly women's reproductive health.²⁸ Schwartz JM et al, members of the ARHP opine, "Women's exposure to environmental toxicants leads to reproductive toxicants, may contributes to a spectrum of adverse affects on reproductive health. These effects influence menstrual irregularities, early or delayed puberty, infertility, subfertility, early pregnancy loss, fetal death, impaired fetal growth, low birth weight, premature birth, and structural (e.g. cardiac defect) or functional (e.g. learning disability) birth defects".²⁹ There are multiple places and pathways of contaminant exposure in the region: at home, on the farms, and in the creeks. Environment here refers to everything (living and non living) that affects the survival of organisms, including man.³⁰ These include air, water, soil, food, temperature, etc. Knowledge of the health implications of pollution is essential in the Niger Delta.

Expert health opinion sought by CEHRD at the Otuesega Cottage hospital, a facility attended by most of the women affected by pollution in the area, suggests that different aspects of the Niger Delta environment such as physical, biological, cultural and technological tend to affect the health status of the human population. The opinion disclosed that toxic chemicals inherent in oil pollution can cause serious health issues such as cancer, lung diseases, miscarriages, and pregnancy

complications.³¹

The women interviewed lamented more about their reproductive health than other impacts of oil pollution in their life. An aged woman, 75, from Otuesega allegedly suffers chronic virginal infection. She has received treatment for 2 years without cure. She attributes the infection recalcitrant to treatment to continuous bathing and drinking polluted water. She decried, *"you have option to drink the polluted water and wait for death when it comes than to refuse drinking it and die of dehydration in couple of days. That will be tantamount to suicide and it is a taboo here. It is only God that is keeping us, if not some of us would have been dead by now"*.

In Immiringi community, a lady 39, who wants to remain anonymous told the CEHRD research team that she experienced menstrual period everyday over 6 months, as at the time of data collection. No medication had been able to stop the menstrual flow. According to the lady, for over 11 years she has been married without a child. The lady suffers discrimination, rejection and social stigma because women who could not give birth in most communities are, in worst cases, classified witches. This lady is not alone. FGDs conducted across the communities show that the number of women who could not conceive in the oil-polluted communities is becoming increasingly significant. In Gbe community, it is alleged in interviews and FGDs that a significant population of young women is unable to conceive. The women interviewed claimed it is rare to see who has not suffered from virginal infection in Gbe community.

The polluted creek waters get into their genitals when they cross the channel to the farm. They also bathe and swim in the polluted water. The women complained that the infections manifest as intense itching, and sometimes excessive bleeding. Unfortunately the area lacks good medical facility. Only two of the interviewees said they have the means to visit a health facility, undergo medical test, and received guided treatments. Others said they visit the local chemist (drug store) manned by quack Proprietary Patent Medicine Vendors (PPMVs); who are neither trained to examine patient nor dispense drugs. Thus the victims only get palliative treatment from administered antibiotics.

The health trend amongst women is similar in Isiokpo in Rivers State and Okordia in Bayelsa. All the communities lack portable water. Linda Longjohn, 35, from Immiringi community said she has been pregnant 5 times and none was success. The last one she lost was 5-month old pregnancy. According to her, "all of a sudden, I had a sharp pain in my abdomen, the next thing I see was blood discharge in large quantity...now I am even afraid to conceive". This phenomenon is very common in Gbe community. Giobari Nkoo, 30, from Gbe said "carrying pregnancy and giving birth in this community is a miracle". She added, "We earlier thought that the goddess of fertility was angry with us, now we can see that it is oil-pollution". Giobari who has 2 children now, has had 4 miscarriages. Worse still, are regular cases of maternal and infant mortality. Those who have successfully carried their pregnancies to delivery stage still risk death, either of their children or themselves or both. Philomena Nfii, 52, a local midwife from Gbe community decried that, "the survival rate of mother and children during child birth is

becoming too slim. A couple of years ago, survival rate of both were almost certain". She lamented that in every 10 delivery, there are 2 losses. Some recent examples in Isiokpo are the cases of Nelson Georgelin and Rose Nwobodo who lost their babies couple of days before this research team arrived. This complement opinion of health experts and medical doctors at the Otuesega Cottage Hospital, that infant and maternal mortality rate has risen more than before. Though the medical expert says that the cause of it may also come from other sources besides oil-pollution.

A research conducted in 2013 by some scientists of Switzerland's University of Saint Gallen on infant mortality and oil spills in the Niger Delta gives some shocking results of findings that babies are more likely to die in their first few weeks of life if their mothers live close to site of an oil spills before they become pregnant. Roland Holder, the lead researcher said: "we looked at the birth histories of more than 2,500 Nigerian mothers and compare siblings, some conceived before and after a nearby spills".³²

he researchers compared geographical data on 6,600 recent oil spills, which results from 2013 national demographic and health survey. The result shows that even oil spills that happened 5 years before conception doubled chances of babies dying after birth. However, spills that happened during pregnancy appeared to have little effect. The lead researcher again said: "*we think the main reason is that some of the negative health effect are just building up over time. So, if you think about these negative health effects, these are due to skin contact with crude oil, or drinking contaminated water or eaten contaminated fish or crop*".³³

The United Nations (UN) Human Rights Council has highlighted maternal mortality as an issue bearing not just on development, but also on human rights.³⁴ Human rights can enhance accountability for preventable maternal mortality.³⁵ The UN Secretary-General's Global Strategy on Women's and Children's Health and the ensuing Commission on Information and Accountability for Women's and Children's Health have highlighted that strengthening accountability is essential but neglected strategy for improving women's and children's health and reducing maternal mortality.³⁶ In linking accountability with human rights, the Commission built its accountability framework on the right to health, equity in health and gender equality. In August 2011, the Committee on the Elimination of Discrimination against Women, charged with overseeing States parties' implementation of their obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), became the first UN human rights body to issue a decision on maternal mortality. *Alyne da Silva Pimentel v. Brazil*³⁷ established that States, including Nigeria have human rights obligation to guarantee women of all racial and economic backgrounds timely and non-discriminatory access to appropriate maternal health services. The Committee also established that governments outsourcing services to private health-care institutions remain directly responsible for, and must regulate and monitor the actions of these institutions. Nigeria as a party to this convention has failed in her responsibility to the dying women and children in oil polluted communities in the Niger Delta.

Maternal and reproductive ailments are not the only health challenges suffered by women in the Niger Delta region. Women complain of

blurry vision, persistent cough and lung diseases. Skin diseases are very common too. Glory Silas, 34, from Ogu community says, "skin rashes appears and reappears on my skin, we have gotten so used to it that sometimes we don't bother when it resurfaces".

Almost every woman interviewed privately or in-group during the research looks depressed. The state of their mental health may have degenerated profoundly. The women complained they have had unusual health challenges of late (for e.g. cases of high blood pressure). Pastor Wilson Chukwuma, at the Greater Evangelism Church at Isiokpo stated that a lot of women, who come to church, come with heavy burden. He disclosed that during counselling sessions women complain mostly about poverty and health challenges. These are glaring impact of oil pollution, Pastor Chukwuma reiterated.



Painful itchy rashes caused by contaminated water

EXPERT OPINION ON HEALTH CHALLENGES: CASE STUDY OF OTUASEGA COTTAGE HOSPITAL

CEHRD researchers went to the Otuesega Cottage Hospital in Bayelsa State where the women in Otuesega and the neighborhood said they frequently go to seek medical treatment. The medical facility is run and subsidized by the Bayelsa State government.



Contaminated water in Ogu

It is relatively efficient and cheap for the women. One of the senior medical doctors at the health facility confirms that oil-pollution has actually ravaged the lives of the women in the communities. He reported that women in the Niger Delta are exposed to environmental toxins daily in their homes, farmlands, and in the creeks. He said because the environment is toxic, women are exposed to various harmful environmental contaminants, which act as endocrine disrupters in their bodies. He disclosed that when pollution gains access to their body, they interfere with the reproduction; release, transport, metabolism and other action performed by the body's hormone, leading to hormonal disorder, reduced fertility, and uterine cancer later in life. Sometimes it distorts fetus formation, leading to complication during childbirth. This may cause infant and maternal mortality.

The head Nurse collaborates the explanation of the senior medical doctor. She said that experience has shown that the Niger Delta environment poses a great danger to reproductive health. Oil pollution, acid rain from flared gas has become contaminants in the living environment. Contaminants like benzene, hydrocarbon, methylmercury can lead to spontaneous abortion. In her opinion *“many cases of miscarriage may have been caused by women's contact with these toxins. Chemical substances which are inherent in the environment have caused serious health problems in women, such as skin diseases, lung diseases, and all manner of reproductive problems...our experiences here are great testimonies”*



Non-functional health centre in Gbe



Deplorable condition of women in Bayelsa state



Deplorable condition of living in Isiokpo Community



Deplorable condition of living in Gbe Community

Chapter TWO:

PATTERNS OF IMPACT OF OIL POLLUTION AND HUMAN RIGHTS VIOLATION OF WOMEN IN RIVERS AND BAYELSA STATES

The impacted communities researched in Rivers and Bayelsa States share certain commonalities and differences of impact. The demography of the communities varies. While some of the communities are coastal (i.e. located on river shores), others are upland. Some communities host critical assets of oil companies, while some others have only pipelines buried underground or traversing their river system. In some of the communities, oil pollution had gradually destroyed local livelihoods, while in some others the impacts were relatively abrupt.

IMPACT ON SOCIO-CULTURAL RIGHTS OF WOMEN IN RIVERS AND BAYELSA STATE

Fluvial systems (freshwater, streams, saline creeks and rivers) are common to cultural lives of women in Rivers and Bayelsa States. Through culture, the women realize their being. They are actualized in their nature. Therefore, pollution of community's sources of water is a fundamental impediment to cultural sustainability. In Rivers State, the 'Ogbonja' of the Ebubu People is an annual peaceful cultural practice that fosters reunion and feasting over newly harvested farm produce. The Ogbonja ritual is climaxed when the community women bathe in the Ebubu Stream. Oil pollution of the community stream has extirpated the cultural practice. For Umuechem, the 'Umogbi' culture involves

women bathing in the community stream after 3-month maternity rest. For the women, bathing in the stream, signifies purification and a newness of life. The culture has collapsed due to oil pollution. Similarly, in Gbe, the 'Kpoagbaa' culture requires women bathing in the adjoining creek waters at 12 midnight of every 31 December. It signifies cleansing and newness of life. This has been discontinued due to oil pollution of the Gbe Creek. The 'Iria' of Ogu, where young women are initiated into womanhood through bathing in the community river has been stalled for years due to oil pollution of the river.

In Bayelsa State, the yearly 'Ekuedum' of the Immiringi people brings the community together for story telling, transmitting of the oral tradition from one generation to the next, and ends with women fishing festival in the community river. The core of the tradition is the women's fishing festival. The custom has stopped because the creeks of Immiringi are dead due to oil pollution.

Impact on Economic Livelihood of Women in Rivers, and Bayelsa State

Farming and fishing are the main sources of livelihood for women in Rivers and Bayelsa

States.³⁸ However, there are other economic activities along the value chain (for e.g. those who trade on the produce from fishing and farming) that are affected by oil pollution too. Though the impact of oil pollution on the communities' livelihood is felt by every resident, women are the worst hit due to peculiar dependence on natural resources –farming and fishing resources. The loss of traditional livelihoods had resulted in embrace of illicit survival means such as bunkering and prostitution. Those who cannot indulge in mischievous businesses to make ends meet wallow in hunger and starvation. Isiokpo community in Rivers State is predominantly a farming community. Fishing is rare in the community as the river is far off from the living population. Umuechem and Ebubu communities in Rivers State and Okordia in Bayelsa share similar characteristic with Isiokpo. While some farmlands are highly polluted than others, due to proximity to the point of oil spills, there are farmlands that are completely destroyed by oil pollution, like the case of Ebi Otasi from Okordia earlier mentioned. Some farmers still go to farm but the crop yields are low compared to their labor. Sometimes, crop harvested smells like petroleum product.

Gbe and Ogu communities in Rivers State, including Immiringi, and Otuesega in Bayelsa are coastal communities, and are both farmers and fishers. The rivers and the creek seem to have been completely damaged due to oil pollution. Fishing has completely halted in these communities. Those who tried to go fishing have nets and vessels destroyed by oil pollution. Some few fishes seen have crude oil in the mouth and stomach. Some women of these communities are still seen going to farm and are always visited with reduced yield

incommensurate to their labor. Majority of them become discouraged going to farm. Investigation shows that oil spill may not have reached all the farms. Then, why the general low yield? Acid rain accruing from uninterrupted gas flare may have poisoned the atmosphere and with constant rain in the Niger Delta, the soil texture got damaged.

IMPACT ON THE HEALTH AND REPRODUCTIVE RIGHTS OF WOMEN IN RIVERS, AND BAYELSA STATE

The pattern of impact on the health and reproductive rights of women in the communities are slightly different. The communities' demographic nature, and the range of impact on the different communities played critical role. Ebubu and Immiringi communities' host critical oil facilities and gas is seen flared every hour of the day and night. The case of blurry vision, diseases associated with lungs and respiration are common. The coastal communities Gbe, Ogu, Immiringi and Otuesega always have outburst of cholera and diarrhea both in women and children. It is also in the coastal communities that skin diseases are common. Reproductive and maternal health issues are serious challenges that cut across communities, both in Rivers and Bayelsa. Issues of maternal and infant mortality, as grave as they may be are very common in all the communities. However, cases of virginal infections and infertility are reduced in Umuechem and Ebubu. They are however common and critical in other communities.



Soil is no longer fertile in Gbe community

INCREASE OF SOCIAL VICES IN THE DIFFERENT COMMUNITIES

The pattern of social vices in the communities varies. In the coastal communities (Immiringi, Otuesega, Ogu and Gbe) oil theft and artisanal refining contribute to the environmental degradation. Relatively, the environment has deteriorated more in the above coastal communities than the upland communities. It is no news that oil theft and artisanal refining cannot thrive without the collusion of security operatives posted to secure oil facilities that are illegally tapped. Local hoodlums and cult militia members are the drivers of oil theft. Commercial sex seems to be more in communities (Ebubu and Immiringi) that host oil facilities. Comparatively, oil company workers earn higher salaries and allowances. And these high-income earners would be attractive in communities increasing losing sources of livelihood for majority of the population. Consequently, spousal divorce is now rampant due to infidelity on the side of the women. Thus, one would understand how desperate the situation is when maiden and married women willfully trade sex to make ends meet. It will be pertinent to state here that there seems to be inequality between men and women with respect to extra-marital sex in the Niger Delta. While for men it is viewed as a normal behavior, marital sex is a taboo for women in the communities.

Again, it was disclosed during FGDs and interviews that teen pregnancy and out-of-wedlock parentage is common in Ebubu and Immiringi. Oil workers and security personnel (i.e. private and public) are always posted in and out of the communities' oil-bearing communities. FGDs and Personal Interviews allege that many security officers have unknowingly fathered children before or after

being redeployed to another duty post.

Chapter THREE:

RIGHT TO EFFECTIVE REMEDY FOR WOMEN IN THE NIGER DELTA

The Nigerian government and the oil companies are yet to give specific deserving attention to the human rights impacts of oil pollution on women in oil-bearing communities of the Niger. The oil companies operate different community development schemes as part of their corporate social responsibility (CSR). For example, the dominant oil operator, the Shell Petroleum Development Company of Nigeria (SPDC) current scheme is the Global Memorandum of Understanding (GMOU). GMOU is meant to be a participatory community-driven development scheme with structured governance structures.³⁹ Women have been overtly excluded from GMOU decision-making, and the scheme's funds are hardly dedicated to the needs of women (e.g. economic empowerment).

Among the communities researched, it is only Otuesega that had set aside 20 percent of the GMOU funds for women development. However, the women recount that the men-dominated leadership of Otuesega had denied the use of the allotted 20% for women development. The women are not represented in the Council of Chiefs of the community—the decision-making body in the community. In the face of the gross denial, the women are unable to demand for their rights because of the subsisting culture of silence. More so, the Nigerian government at all levels have failed in

its responsibility under its own law to protect its people against, and address violations caused by events of oil spills and gas flares. The Nigerian constitution states that, “the state shall protect and improve the environment and safeguard the water, air and land, forest, wildlife of Nigeria”.⁴⁰

Women in the Niger Delta have right to effective remedy. The Basic Principles and Guidelines on Right to a Remedy at the 64th Plenary of December 16, 2005 by the United Nations speaks to rights to a remedy and reparation for victims of gross violation of International Human rights Law and serious violation of International Humanitarian Law. The women of the region in this light, whose rights have been grossly violated, have right to effective remedy under this instrument.⁴¹ These include compensation, restoring the victims to their original situation before the violation occurred. Again, the women of the region are entitled to rehabilitation, satisfaction including effective measures aimed at verifying the facts, and full public disclosure of the truth over their plight. Under this same instrument, there ought to be judicial sanctions against those liable for violations, a guarantee that violation will not take place again.⁴²

The Nigerian constitution requires the government to direct its policy towards ensuring that its citizens can earn a living rather than destroying their means of livelihood. Article 15 of the African Charter on Human and Peoples' Right, to which Nigeria is a signatory⁴³ and Article 6 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Nigeria is a signatory, also recognizes the right to work⁴⁴. The human rights to food, health and portable water are part of the adequate standard of living, recognized under the framework. ⁴⁵These rights and obligation are clearly relevant to the situation of the women in the Niger Delta.

The Federal government has, over the years,

attempted to solve the underdevelopment challenge in the Niger Delta by investing millions of dollars in the Niger Delta Development Commission (NDDC). But improvement in infrastructure and well-being in the region is far from reality. Perennial corruption has marred the commission's value chain (i.e. from appointment to project delivery). The state government in the region has not performed creditably too. The various states government cannot account, in development terms, for the whopping sums they have received from 13 percent derivation funds in decades.

CONCLUSION AND RECOMMENDATIONS

When oil exploration started, the local people had envisioned a Niger Delta where there would be basic amenities like portable water, electricity, and basic health care. People also envisaged employment opportunities, improvement on the livelihoods of the people. Farmers expected technical assistance to improve their farm production, while fishers expected support to improve their fishing skills and embed value addition through processing. The over 5 decades of commercial oil exploration have contributed huge sums to the federal government coffers with negligible development impact on oil producing host communities. Oil exploration rather deepened impoverishment, conflicts, and human rights violations in forms of culture erosion, complete displacement or loss of livelihoods, battered reproductive system and maternal health, and other health complications. Oil exploration introduces alien cultures; values of impunity, societal instability and acrimony in the communities. Ironically, communities that gave everything have lost everything they have.

Just like when wars and conflict plague communities, women incur the greatest brunt of the impact of oil pollution. The gravity of what women suffers is a disaster; a catastrophe that could have been averted. What brings some little glimpse of hope is that the precedence of the success of the Bodo case against Shell in the UK Court, and the attendant compensation and remediation, is beginning

to make the IOCs responsive in their operations to prevent recurrence of the Bodo situation. On the other hand, what makes the situation seems hopeless is that there is no concrete information or positive response from the government or the IOCs concerning the amelioration of the unfortunate situation of the women in oil communities in the Niger Delta region.

One fundamental challenge is the difficulty of getting access to effective remedy in Nigeria. Under the Nigeria law and regulations, oil companies must pay compensation to communities affected by technical failure-related oil spills, unless the spills are caused by sabotage. The regulation however, also places some specific limitations on the scope of compensation. For instance damage to moving water bodies such as rivers and streams is not covered by standard compensation calculations. Compensation is not required for damage to important communal natural resources. This is despite the fact that many communities depend on wild forest products and shellfish for their food and livelihoods. What made the situation worse for the women whose health situation in all ramifications is at the foulest deplorable state is the fact that compensation is not currently paid to people's health. It is again too absurd that long-term damage to people's livelihoods does not appear to be included in Nigeria's compensation regime.

RECOMMENDATIONS

TO NIGERIA'S FEDERAL GOVERNMENT

- Provide immediate relief and sustainable assistance to women in the oil bearing and impacted communities in the Niger Delta
- Conduct comprehensive environmental audit of oil impact on women and children in the Niger Delta.
- Ensure that the frequency oil pollution in the Niger Delta is minimized and impacted sites are cleaned, remediated and independently verified.
- Direct the Niger Delta Development Commission (NDDC) to focus their priority on addressing the livelihood challenges of women in the delta region.
- End gas flaring in the region
- Proactively address oil theft and artisanal refining through provision of sustainable livelihood opportunities

TO STATE GOVERNMENT OF RIVERS AND BAYELSA STATES

- Make provision in the state budget to address the issues of impact of pollution on women.
- mitigate the impact of oil pollution on women

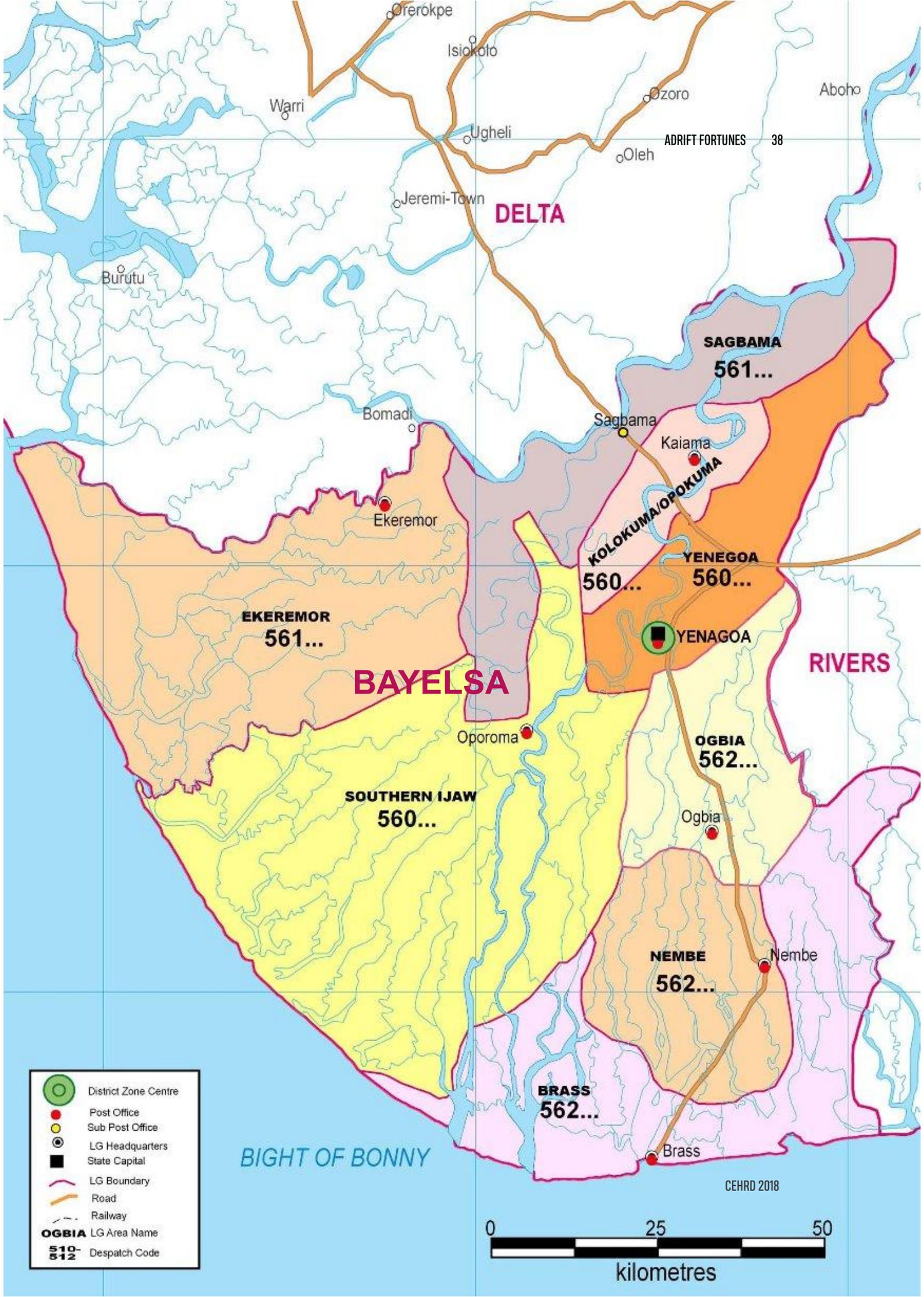
- Proactively address oil theft and artisanal refining through provision of sustainable livelihood opportunities

TO THE INTERNATIONAL AND INDIGENOUS OIL COMPANIES (IOCS) OPERATING IN THE REGION

- Carry out comprehensive clean up and remediation of polluted sites.
- Employ state-of-the-art technologies to minimize incidence of oil spills and promptly respond to inevitable oil spills to forestall extensive impact.
- Ensure that people affected by spills are provided with remedy. This should include rehabilitation and restoration of the environment; satisfaction and guarantees of non-repetition.
- Undertake, as a matter of corporate due diligence, a transparent review of all its operating practice in the region.

TO IMPACTED COMMUNITIES

- Community leadership must collaborate with the government to end all local forms of illegal oil businesses (e.g. oil theft, artisanal oil refining)
- Communities should end any form of sabotage of oil facilities.
- Make legitimate demands through constructive and non-violent means.



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ADR!FT FORTUNES

Testimonies of Women in Oil Polluted Communities in the Niger Delta

'Adrift Fortunes: Testimonies of women in oil polluted communities in the Niger Delta is a research conducted by CEHRD.

It is centered around the effect of oil pollution on women in the Niger Delta. The research depicts the heavy reliance of women on their environment for their daily survival. The delicate nature of the women folk makes them more vulnerable to health challenges when exposed to pollution.

Consequently, women bear the greater brunt of oil pollution. The research shows how women struggle on daily basis to grapple with the effects of pollution: loss of livelihood, battered reproductive health, heightened social vices, and erosion of their cultural heritage.

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