

# Ethical Evaluation of Gas Flaring in the Niger Delta: Implications for Environmental Sustainability

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## **Abstract**

*There is an environmental crisis going on in the world. This is inclusive of Nigeria's Niger Delta. The crisis in the Niger Delta is particular caused by the oil and gas exploration activities of oil multinational corporations. The activities they engage in during their activities include: seismic activities, deforestation, laying of pipelines, gas flaring, drilling for oil and so forth. While some of these activities are not wrong in themselves there are some that are wrong, and unacceptable. One of these activities that is wrong and poses a serious danger to the environment and wellbeing of both humans and non-humans is gas flaring. Gas flaring is an activity that should have stopped in Nigeria, but the various deadlines given for it to be stopped have not been met. This paper uses a critical analysis to argue that gas flaring is an ethical issue. This issue has to do with human behaviour towards the non-human world. The rise of environmental ethics has made humans aware that human behaviours towards the environment are also part of ethics. This issue is argued with reference to Nigeria's Niger Delta. It is found and concluded here that gas flaring is unjust, immoral, and irresponsible and that it ought to be stopped. Stopping it is one of the steps to ensuring the rights of the people of the Niger Delta.*

**Keywords:** Environment, Ethics, Gas Flaring, Nigeria, and Niger Delta.

**JEL Classification:** A13, Q30, Q530

## Introduction

Uranta (2009), Ukaga, Ukiwo & Ibaba (2012), Ojakorotu (2009), Department of Political Science of Niger Delta University, (2008), Ekabo (2016) and Tumbo (2011) are among the many sources that have acknowledged the environmental degradation that has taken and is taking place in the Niger Delta region of Nigeria. These sources have attributed much of the environmental degradation to anthropogenic sources especially from the activities of oil and gas exploration by global oil multinational companies. Environmental degradation can be seen in multiple ways in the region such as a polluted atmosphere, damaged farmlands, poisonous streams, human ill-health, poor agricultural productivity, diminishing biodiversity, and so forth.

A major anthropogenic activity that has contributed to environmental degradation in the Niger Delta is gas flaring by oil multinationals. The harm done through gas flaring to the environment and humans is incalculable. Catholic Secretariat of Nigeria (2006) opines that:

Gas flaring is associated with atmospheric and thermal pollution, and the depletion/destruction of vegetation and wildlife. Damage to buildings, acid rain formation, depletion of the floral periodicity, discomforting to humans and danger of pulmonary disease epidemic are other

environmental problems arising from gas flaring. The soil, rivers and creeks of Niger Delta, which used to be alkaline in nature 17-40 years ago have now become dangerously acidic. (p. 120)

Much literature exists on gas flaring in Nigeria. Ibitoye (2014) focuses on natural gas infrastructure to end gas flaring. Ologunorisa (2009) deals with the negative effects of gas flaring such as pollution, degradation, low agricultural yield and health hazards. The literature largely lacks an ethical perspective or evaluation of the issue of gas flaring which this paper purposes to provide. In Ajugwo (2013) the attention is to the negative impact of gas flaring without an ethical or moral evaluation. The same trend is found in Ismail & Umukoro (2013) that focus on health, social, and environmental implications of global gas flaring. Raimi, Towobola & Madueke (2013) also devotes their studies to looking at the energy and environmental-social implications of gas flaring. Onyekachironi (2016) also discusses the effects of gas flaring in the Niger Delta. Ubani & Onyejekwe (2013) examines the environmental impact also without doing an ethical evaluation.

With so much harm done to the environment and people of the Niger Delta, it is immoral to allow gas flaring to continue unabated. This is the central argument of this work. Gas flaring must be stopped. A moral

responsibility is placed on all humans, government, and oil multinational corporations to eradicate gas flaring. In arguing out the case of this work, a deciphering of the concepts is done, followed by a presentation of the situation of gas flaring in the Niger Delta. The negative impact of gas flaring on humans, the environment and society is also examined. This then will form the foundation of doing an environmental ethical evaluation of gas flaring in the Niger Delta and relating it to the issue of sustainability. When that evaluation has been done the paper will be brought to a conclusion.

### **Deciphering of Concepts**

Justice in Nigeria Now (2010) defines gas flaring as: ‘... the burning of natural gas that is associated with crude oil when it is pumped up from the ground. In petroleum-producing areas where insufficient investment was made in infrastructure to utilize natural gas, flaring is employed to dispose of this associated gas’ (par. 1). Ebrahim & Friedrichs (2013) write that:

When you drill for oil, you also get gas. In an ideal world this associated gas would be sold to consumers, or it would be used to generate power and then resold as electricity. But this requires costly investment into pipelines, power plants, and other

infrastructure. Therefore, in practice, some oil producers opt to sell the oil and burn the gas. This is known as gas flaring. (par. 2)

Amnesty International (2009) states that: ‘When oil is pumped out of the ground, the gas produced is separated and, in Nigeria, most of it is burnt as waste in massive flares’ (p. 18). This flaring of gas into the atmosphere is dangerous and harmful to humans and the environment of the Niger Delta.

What is the Niger Delta that is the concern here? There is the geographic-ecological Niger Delta and there is the political Niger Delta. According to the Federal Government of Nigeria (2006), the Niger Delta is ‘The region situated in the southern part of Nigeria and bordered to the south by the Atlantic Ocean and to the East by Cameroon, occupies a surface area of about 112,110 square kilometres. It represents about 12% of Nigeria's total surface area...’ (p. 49). This Niger Delta is made up of the following nine states: Ondo, Edo, Delta, Imo, Rivers, Cross River, Akwa Ibom, Bayelsa, and Abia. In giving the geographic and ecological Niger Delta, the Catholic Secretariat of Nigeria (2006) states that: ‘The oil producing Niger Delta region mostly lies between latitudes 4° and 6°N, and longitudes 4° and 8°E. Although the tradition Niger Delta comprise Bayelsa, River and Delta States, six others have been added to them by the enabling laws

establishing the Niger Delta Development Commission' (P.114). The other six states have been mentioned above.

With regard to gas flaring in the Niger Delta, there are many dimensions and viewpoints from which the issue can be studied. It can be examined from sociological, political, economic, religious, ethical and other vantage points. The environmental ethical perspective is taken in this paper. Environmental ethics challenges traditional ethics. It affirms that concern of ethics is not only human behaviours towards fellow humans, but also the behaviours of humans to the non-human world. And this is a moral issue. Humans do not have absolute rights to dominate and control the natural world. Whatever affects the wellbeing and welfare of non-humans such as plants, animals, rivers, mountains and other entities in nature are significant ethical questions. Brennan & Lo (2016) aver that: 'Environmental ethics is the discipline in philosophy that studies the moral relationship of human beings to, and also the value and moral status of, the environment and its non-human contents' (par. 1). The concern in this paper from an ethical perspective is to show that gas flaring which is a human activity is not ethically acceptable and should be stopped.

Gas flaring has implications for environmental sustainability. What then is environmental sustainability? Financial Times (2017) defines environmental sustainability as:

A state in which the demands placed on the environment can be met without reducing its capacity to allow all people to live well, now and in the future... Leading thinkers suggest that to stand any chance of achieving environmental sustainability, businesses need to move from a sense of right-to-exploit the natural environment to a worldview of mutual interdependence and radical eco-innovation.

Humans in order to sustain themselves make use of the things of nature. But they ought to make use of them in a manner that the resources are not totally depleted and exploited. They have to find ways of replenishing nature as the capacity of the earth to meet human needs is not limitless. Thwink (2014) defines environmental sustainability as: '... the rates of renewable resource harvest, pollution creation, and non-renewable resource depletion that can be continued indefinitely. If they cannot be continued indefinitely then they are not sustainable.' Environmental sustainability is a situation in which humans are living peacefully and harmoniously with others beings, non-human lives and nature in general without depleting nature. An environmentally sustainable Niger Delta will be that in which humans use nature's goods and services without

depleting them; and humans also work to enable nature flourish and sustain the ecosystem health and wellbeing.

### **The Situation of Gas Flaring in the Niger Delta**

Gas flaring is a common phenomenon in the Niger Delta. It happens 24-hours, 7-days a week and all through the year. Amnesty International (2009) notes regarding gas flaring thus: 'This practice has been going on for almost five decades. The burning of this 'associated gas' has long been acknowledged as extremely wasteful and environmentally damaging' (p. 18). There is no where you go in the Niger Delta that you will not find gas being flared. In the constant travel of this author through the Niger Delta, especially at night you will see the skies of the region in thick smoke and red cloud as a result of gas flaring. Department of Petroleum Resources (2015) opines that in 2015, Nigeria was the 9<sup>th</sup> largest producer of gas but lost \$850 naira to gas flaring. In that year, the Department of Petroleum Resources claims that Nigeria is the 7<sup>th</sup> largest gas flaring nation in the world. Platform (2006) shows that:

There is confusion over how much oil and associated gas is produced in Nigeria. The most recent and independent information source suggests that over 3.5 billion standard cubic feet (scf) of associated gas was produced in 2000, of

which more than 70 per cent was burnt off, ie flared. As oil production has increased, Nigeria has become the world's biggest gas flarer, both proportionally and absolutely, with around 2 billion scf, perhaps 2.5 billion scf, a day being flared. This is equal to about 25 per cent of the UK's gas consumption. The single biggest flarer is the Shell Petroleum Development Company of Nigeria Ltd (SPDC).

With regard to the situation and reality of gas flaring in the country it is important to remark that the government of Nigeria has made efforts to stop gas flaring, though much more could be done. The Nigerian National Petroleum Corporation (2017) notes that the country has reduced gas flaring by 26% within the past ten years and this has happened as it was reduced from 36% in 2006 to 10% in 2016 and this has moved Nigeria from the position of being 2<sup>nd</sup> highest gas flarer in the world to 7<sup>th</sup>. This was achieved through the Gas Master Plan, part of whose goal is the commercialization of gas resources to avoid wastage and flaring and the nation is currently working through the National Gas Policy to end gas flaring by 2020 (Nigerian National Petroleum Corporation 2017). Other efforts of government to harness gas and end gas flaring are the 1988 establishment of

the Nigerian Gas Company, the West African Gas Pipeline project, the Nigerian Liquefied Natural Gas project, etc. Presently as Amaechi-Nnadi (2017) reports the Nigerian Senate is taking up legislation to tighten gas laws to end gas flaring by January 2013 in compliance with the United Nations Charter and to respond to the inadequacies of the 1979 Act. The World Bank Group (2016) relates that there is increase in gas flaring worldwide since the past five years as 147 billion cubic meters (bcm) was flared in 2015, while 145 bcm was flared in 2014, and 141 bcm in 2013. The World Bank Group (2016) reveals that: 'Russia remains the world's largest gas flaring country, flaring about 21 bcm annually, followed by Iraq (16 bcm), Iran (12 bcm), the United States (12 bcm), and Venezuela (9 bcm). Many countries have reduced their flaring over the last several years. Among the large flaring countries, Nigeria has made significant progress, reducing flaring by 18 percent since 2013, to less than 8 bcm in 2015.'

It should be noted that government policies and determination to end gas flaring has been weak. There is no effective implementation of government policies. Oil multinational corporations prefer to pay levies as it is cheaper for them than to implement policies and create equipment that will help them end gas flaring. As could be inferred from the meeting of the Senate Committee on Finance on gas flaring penalty in the 2017 revenue profile with the Department of Petroleum Resources, government earns a lot of revenue from gas flaring penalties. The meeting just mentioned is reported in Today (2017). These efforts are aimed at ensuring that the 'Zero Routine Flaring by 2030' Initiative launched by the United Nations in 2015 is adhered to. You will find below the two items showing various information on the amount of gas flared in Nigeria and Nigeria's position in the world in gas flaring.

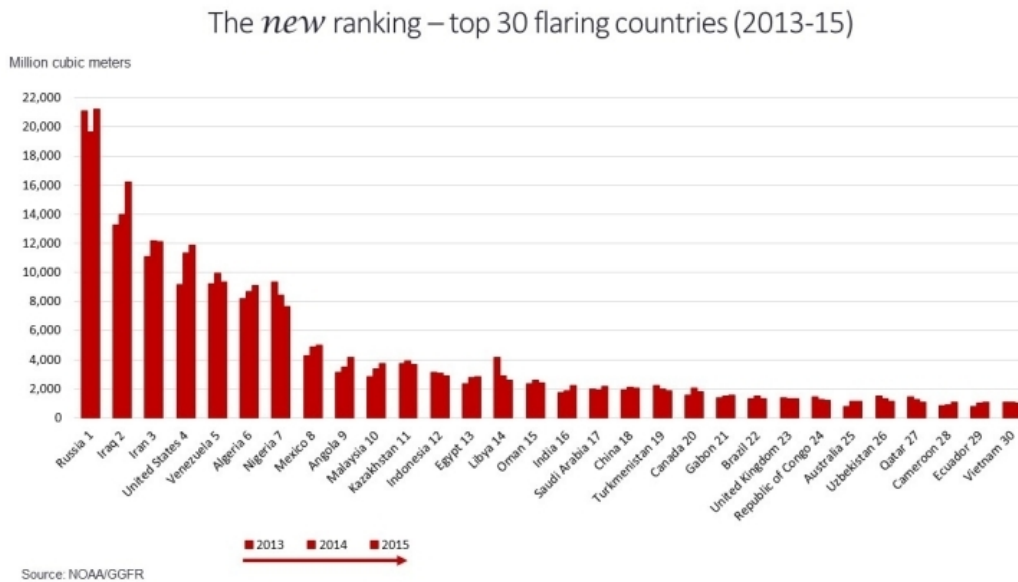
**Table 1: Amount of gas production, utilization and flared in Nigeria (from 1980 – 2011)**

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<b>Year</b>	<b>Production (Mm3)</b>	<b>Utilization (Mm3)</b>	<b>Flared (Mm3)</b>
1980	24551.0	1647.0	22904.0
1981	17113.0	2951.0	14162.0
1982	15382.0	3442.0	11940.0
1983	15192.0	3244.0	11948.0
1984	16255.0	3438.0	12817.0
1985	18569.0	3723.0	14846.0
1986	18739.0	1822.0	13917.0
1987	17085.0	4794.0	12291.0
1988	20253.0	5516.0	14737.0
1989	25053.0	6323.0	18730.0
1990	28163.0	6343.0	21820.0
1991	31588.0	7000.0	24588.0
1992	32464.0	7058.0	25406.0
1993	33444.6	7536.2	25908.4
1994	32793.0	6577.0	26216.0
1995	32980.0	6910.0	26070.0
1996	36970.0	10150.0	26820.0
1997	36754.8	10207.0	26547.8
1998	36036.6	10886.5	25150.1
1999	35856.4	12664.6	23191.8
2000	47537.0	21945.0	25592.0
2001	57530.0	29639.7	27890.3
2002	101976.1	26203.4	75772.7
2003	53379.0	30583.0	22796.0
2004	69748.0	45156.0	24592.0
2005	58247.0	34818.0	23429.0
2006	57753.7	39374.8	18376.9
2007	65936.5	43188.4	22748.1
2008	66640.8	48796.0	17844.8
2009	41534.2	28076.5	13457.2
2010	58006.0	44506.6	13499.3
2011	55099.1	38898.2	16200.5

Source: NNPC, DPR and CBN Estimates, 2011 as cited by Onyekachironi (2016).

**Figure 1:**



**The above Figure 1 is cited in the World Bank Group (2017)**

It is clear from the above that when it comes to stopping gas flaring there is much that Nigeria still needs to do. To be among the top countries flaring gas is not acceptable. As will be noted below gas flaring has serious negative impacts on humans and their environment.

### **Social and Environmental Impact of Gas Flaring**

With regard to the impact of gas flaring the Platform (2006) shows that:

According to the World Bank, by 2002 flaring in the country had contributed more greenhouse gases to the Earth's atmosphere than

all other sources in sub-Saharan Africa combined – and yet this gas is not being used as a fuel. Nobody benefits from the energy it contains. As such, it is a serious but unnecessary contributor to climate change, the impacts of which are already being felt in the region with food insecurity, increasing risk of disease and the rising costs of extreme weather damage. Local communities living around the gas flares – and many are close to villages and agricultural land - rely on wood for fuel and candles for light.



It has also been noted as the Platform (2006) relates that gas flaring pollutes the air as toxins such as benzene are emitted from the flares and the flares also cause respiratory problems, cause acid rains and corrodes buildings and other properties. In the Niger Delta in many regions many people can hardly sleep at night as in many places the bright flames of the gas being flared makes the places look as if it is still daytime. Then there is the constant heat that comes from the flames of the flare. Writing on the impact of gas flaring Ekuerhare (2007) reveals that gas flaring has caused the followings in the Niger Delta: (1) contributed to poor harvest of crops, (2) reduced the population of bush-meat, (3) high temperatures and chemical compounds from flares have killed fishes and other animals in the rivers, (4) depletion of fishes and made them migrate to other regions, (5) soil and water acidity, and (6) depletion of the ozone layer.

Gas flaring has tremendous economic cost. Amaechi-Nnadi (2017) cites Senator Albert Bassey that: 'Available data from the NNPC has shown that Nigeria lost billions in revenue last year. The volume of gas flared is sufficient to generate 3.5 megawatts of electricity. This is not to say the quantifiable social health and environmental impacts.' The World Bank Group (2016) states clearly that: 'Flaring also wastes a natural resource that could be put to productive use or conserved (by reinjecting it into the ground). For example, if the 147 bcm

of gas flared globally were used for power generation, it could provide about 750 billion kWh of electricity, or more than the African continent's current annual electricity consumption.'

Without going into further details it is clear that gas flaring is dangerous and damages the environment. The World Bank Group (2017b) indicates that:

Flaring of gas contributes to climate change and impacts the environment through emission of CO<sub>2</sub>, black carbon and other pollutants. It also wastes a valuable energy resource that could be used to advance the sustainable development of producing countries. For example, if this amount of gas were used for power generation, it could provide about 750 billion kWh of electricity, or more than the African continent's current annual electricity consumption. While associated gas cannot always be used to produce power, it can often be utilized in a number of other productive ways or conserved (re-injected into an underground formation).

The impact of gas flaring and by extension oil exploration activities in the Niger Delta is obvious from the

above. It would not be out of place here to quickly mention that government has made various efforts to ameliorate the negative impact of oil exploration in the Niger Delta. Some of the initiatives to end gas flaring have been mentioned above. With regard to environmental devastation and the social impact of oil explorations in the Niger Delta, government have set up various commissions, agencies and programmes. These include establishment of the defunct Oil Mineral Producing Areas Development, the Niger Delta Development Commission, the Ministry of Niger Delta Affairs and the Amnesty Programme. While it is true that some infrastructures and development have taken place, these programmes have often be impeded by corruption. The people of the Niger Delta continue to suffer and much more need to be done. In response to the United Nations Report on Ogoniland, the federal government has begun initiative for the remediation of Ogoniland.

It is to the trust of this paper, the ethical evaluation from a philosophical perspective that the work now turns.

### **Ethical Evaluation of Gas Flaring in the Light of Sustainability**

One of the foremost issues that environmental ethics is concerned with is climate change. Since the dawn of environmental ethics this seems to be the gravest problem that the subject will discuss. Climate change seems to

be doing more devastation to the earth than any other phenomenon before it. As Justice in Nigeria Now (2010) indicates gas flaring emits poisonous carbon monoxide into the atmosphere which contributes to air pollution. The impact of climate change is not only on the local place but also on the global place. Gas flaring is one of the things contributing to climate change. Gas flaring is a human activity and is equally deliberate and intentional. While almost in every other part of the world nations and multinational companies have taken responsibility and actually have stopped gas flaring, in Nigeria gas flaring is rampart in the Niger Delta. Every night the skies of the Niger Delta region are inundated with burning fires coming from gas flaring. While not all may agree with Mill's harm principle (Brink 2016), ethical and virtuous actions certainly requires protecting the welfare and wellbeing of other humans and other beings and entities in the environment. Gas flaring damages human health and impede the fertility and growth of other plants, animals, and entities in the environment. A primary purpose of ethics, though this is not the only purpose, must be to prevent harm and injuries from happening to others. In the light of environmental ethics, the other includes non-human persons and entities in nature.

In terms of human health, the environmental impact on humans cannot all be enumerated here. Justice in Nigeria Now (2010) shows that:

In Nigeria, oil companies engage in gas flaring, as a 24 hour-a-day, 365 day-a-year practice. Some of these flares have burned without cessation for 40 years. People live literally next door to the roaring, ground-level flares that leap as high as a several-story building and belch black clouds of toxic smoke in the middle of, or next door to, their villages.... Gas flaring harms local health through emissions that have been linked to cancers, asthma, chronic bronchitis, blood disorders, and other diseases. These human health problems affect the people of oil-producing communities, such as the Niger Delta, where 30 million people live with little to no health care access. (par. 8)

The question of human health is an issue regarding human rights and dignity. It is a concern for both social and political philosophy and moral philosophy. Humans have a right to live a life that is free from sicknesses and diseases. When human health is degraded, it devalues human potentials to fulfill their destiny and enjoy the good life, which is the goal of public governance. Gas flaring is not something that should be acceptable.

The reality is that gas flaring is illegal in Nigeria. As Amnesty

International (2009) indicates since 1984 Nigeria has legislated the stopping of gas flaring but till date gas is still being flared. On both the part of government and oil multinational companies, economics is prized more than human wellbeing and the good of the environment. Ebrahim & Friedrichs (2013) notes that the fines for gas flaring is not deterring oil companies because they would prefer paying such low fines than investing huge amounts in the facilities that can harness gas into useful purposes.

This paper considers gas flaring to be an environmental and racial injustice against the people of the Niger Delta. There are both issues of environmental racism and environmental justice embedded in the behaviours of oil and gas global corporate multinational companies in the Niger Delta. Hargrove (2001) has noted that issues of environmental justice or environmental racism are often ignored in environmental ethics yet they are issues that should be discussed in the discipline. It is environmental racism when the same oil exploration activities such as gas flaring that oil companies are not permitted to embark upon or they dare not condole because of heavy government regulations in western countries are permitted in the Niger Delta. Among the activities of oil companies that damages the environment and brings disrespect to people of the people of the Niger Delta is gas flaring, as Gbadegesin (2001) notes citing Francis Porbeni.

Regarding these oil and gas activities Gbadegesin (2001) argues forthrightly that:

What is happening in the Niger Delta region would never be allowed in any industrialized nation of the West. Oil companies cannot be allowed to become parallel governments in the West, with the power to determine what they will or will not do, whether they will clean up oil spills, and whether they will pay compensation to victims of oil pollution. Yet, they act with impunity in the Niger Delta region (p. 196).

Oil companies must be held up to the same standards by which they operate elsewhere in North America and other places as Gbadegesin (2010) writes. Rolston (2012) rightly states that: "Environmental justice demands an equitable distribution of burdens and benefits to racial minorities, the poor, and those in developing nations" (p. 8). The disastrous burden coming from gas flaring in the Niger Delta is disproportionately placed upon the people of the Niger Delta, whereas the monetary benefits accrue mainly to foreign oil multinationals and so-called dominant ethnic groups in the Nigerian nation. This in terms of justice is unacceptable. To use the words of the US Environmental Protection Agency (2017) environmental justice can only be realized when all enjoy the same

degree of protection from environmental harm without discrimination. It is ironic that many western nations pay lip service to environmental justice. While they will not allow oil companies that operate in their nations to flare gas or engage in other dangerous practices in oil exploration, they border little on what multinationals from their nations do in other countries.

Gas flaring must be stopped and environmental justice must be promoted. This author believes this must be so for human beings particularly Africans are ontologically equal to human beings in North America and everywhere. Nigerians are not less human because they live in Africa and a degraded Niger Delta. Niger Deltans and all Nigerians are entitled to the same human and group rights as people everywhere. And these rights include: right to life, to health, to water, security, and peace.

African leaders need to take their social and environmental responsibility serious. Government have a grave responsibility to enact and implement environmental policies that protect the people and the environment. It is painful and tragic that Nigeria with its many environmental laws have not been able to totally eradicate gas flaring because of lack of political will and the unwholesome alliance between oil companies and the government. It should be realized that among the purposes of government are: (1) protecting the citizens from internal

and external attacks, as Akinbade (2008) writes; and (2) 'enhancement of the capacity of individuals to survive and flourish,' (Oladipo 2001, p. 8). Nigerian citizens need not only to be protected from internal and external militant or military attacks but also from environmental insecurity, environmental degradation, and environmental harms. Only when they are protected from these and other harms will their capacities to survive and flourish be boosted. It is immoral when government fails to adequately fulfil its duties to the people as is happening in the Niger Delta and elsewhere in the Nigerian nation. Ejoh (2016) cites the report that affirms that: 'The federal government has been working to end natural gas flaring for several years, but the deadline to implement the policies and fine oil companies has been repeatedly postponed, with the most recent deadline being December 2012.'

The question of gas flaring is also an issue in justice and equity. It is also an issue that borders on the fundamental rights of the people of the Niger Delta. The fundamental rights of the people of the Niger Delta includes the right to food, water, movement, security, peace, cultural expression, etc. Various human rights declarations have enunciated that individuals and groups like those in the Niger Delta are entitled to the rights enumerated below. The United Nations General Assembly (2007) enunciates that: (1) 'Indigenous peoples and individuals have the rights to life, physical and

mental integrity, liberty and security of person" (art. 7). Among the other rights that indigenous peoples and individuals have are to have their cultural, religious and ancestral traditions respected. They have right to their traditional medicine, lands, and territories. The United Nations General Assembly (2007) furthermore in article 31 spells out the following:

Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.<sup>122</sup> In conjunction with indigenous peoples, States shall take effective measures to recognize and

protect the exercise of these rights.

It is true that the Nigerian government has not accepted the fact that the various peoples of Nigeria, including those of the Niger Delta have are indigenous people for fear of people asserting their right to external self-determination.

This notwithstanding the people of the region has asserted that they are indigenous people. That debate will not be entered into here. The fact is that the activities of oil multinationals through gas flaring have hampered the exercise of the rights of the people of the Niger Delta. The atmosphere of their land is polluted and contaminated from gas flaring and this has hampered their food and water sources. Poisonous sicknesses and diseases ravage the people. Their medicinal sources and cultural land space for them to practise and manifest their sciences, technologies, cultures, literature, sports, traditional games, visual and performing arts are damaged from gas flares and related activities. These are issues of ethics more than any other thing. Oil multinational corporations are run by human persons and the policies they implement are made by humans. They have behaved in such a way that what often concern these policy makers are their profits not the wellbeing of the people and their environment. When people are deprived and denied of their fundamental individual and group rights their dignity and personhood is

harmed. The treatment that people in oil bearing communities in the region are subjected to is torturing, cruel, inhumane, and degrading. As noted previously people who live in so-called advanced nations are not subjected to these treatments in the location where oil is drilled in their territories. Meting different treatment to people as is happening in the Niger Delta is unfair. For the many things that people in the Niger Delta have suffered from gas flaring they have received little or no compensation. Their land is still grossly underdeveloped and environmentally polluted. Amnesty International (2017) recently has railed against a British Court that refused to hear a case from two communities in the Niger Delta. If the degradation that those communities are suing for had happened in Britain the court would hear them speedily. When there was an oil spill in the Gulf of Mexico the oil companies were brought to book and paid in millions to remedy the situation. At the same time that the massive oil spill was happening in the Gulf, many oil spills, burning oil platforms, and the consequent gas flaring were taking place in the Niger Delta. Some of those companies responsible for the oil spill in the Gulf were the ones operating in the Niger Delta. Very little was done in the Niger Delta. This amounts to different standard of treatment. The Aristotelian definition of justice says that justice is treating equals fairly. The peoples in the Niger Delta bordering the Gulf of Guinea

and Gulf of Mexico are all equals. The Universal Declaration of Human Rights and other human rights documents are clear that all humans person are equal and entitled to the same basic rights.

In this evaluation, it is important to note that there are world standards with regard to environmental protection and wellbeing. The United Nations Development Programme (2017) list among the sustainable development goals: clean water and sanitation, sustainable cities and communities, climate action, life below water, and life on land. Continuous gas flaring violates and impedes the realization of these goals. As noted has flaring polluted water, air and endangers human health. Gas flaring contributes to climate change and thus negates 2015 Paris Climate Agreement. One of the aims of that agreement is to reduce emission of dangerous gasses into the atmosphere as noted by the European Commission (2017).

Nigeria has various environmental regulatory bodies but when it comes to effective implementation, there is still much more that needs to be done. Ayoola (2011) list the followings local initiatives that have been enacted to combat environmental problems:

Associated Gas Re-injection Act Cap 26, LFN 1990 and its attendant regulations→ The Oil in Navigable Waters Act Cap 331, LFN

1990 and its attendant regulations→ The Oil Terminal Dues Act Cap 339, LFN 1990→ Associated Gas Re-injection Act Cap 26, LFN 1990 and its attendant regulations→ The Federal Environment Protection Agency Act Cap, 131 LFN 1990→ Statement of Accounting Standards (SAS) 14 and 17 which regulate both the upstream and→ downstream sectors of the petroleum industry Companies and Allied Matters Act, (CAMA) 1990→ Security and Exchange Commission (SEC) Code of Corporate Governance, 2008→ Nigerian Gas Master Plan, 2008 which is a guide for the commercial exploitations and→ management of Nigeria's gas sector aimed at growing the economy with gas Final Deadline on Gas Flaring: The Nigerian legislative arm has finally chosen 31st→ December, 2012 as deadline for gas flaring fully backed up by the law. (p. 245)

The fundamental issue is with implementation. There is a fundamental need for Nigerians to recognize gas flaring as unethical and enforce all laws that protect the

environment. When gas is produced and managed in such a way that it does not pollute the environment but rather protects it and also used to produce clean energy for people in the Niger Delta, then sustainability will be assured.

### Conclusion

From the aforesaid it is clear that gas flaring is immoral and that the people of the Niger Delta have suffered from a great deal of the hazards of environmental degradation. Gas flaring has led to ill health on the part of humans, degrading of the land, the pollution of streams and the poisoning of the atmosphere. Humans have a moral responsibility to act and end it. This is imperative in order to contribute to end climate change, land degradation, and foster better security and health for humans and non-humans. When humans rise to this responsibility of ending gas flaring, it will help in creating a better and harmonious sustainable region in the Niger Delta.

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